

## HB86 INTRODUCED



1 HB86  
2 TGMQ159-1  
3 By Representative Pringle  
4 RFD: Constitution, Campaigns and Elections  
5 First Read: 06-Feb-24  
6 PFD: 01-Feb-24



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

SYNOPSIS:

Under existing law, an elector must vote in the county and voting place of his or her domicile.

This bill would provide procedures for an elector to vote when the elector has changed his or her domicile and has not updated his or her voter registration record prior to an election.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to voting; to amend Section 17-9-10, Code of Alabama 1975, to provide procedures for an elector to vote when the elector has changed his or her domicile and has not updated his or her voter registration record prior to an election.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 17-9-10, Code of Alabama 1975, is amended to read as follows:

"§17-9-10

(a) At all elections held within this state, the elector shall vote in the county and voting place of the precinct of his or her domicile and nowhere else and shall



## HB86 INTRODUCED

29 have registered as provided in this title. If any elector  
30 attempts to vote in any voting place other than that of his or  
31 her domicile, his or her vote shall be rejected, except when  
32 casting a provisional ballot, as provided by law.

33 (b) If any elector who has a current domicile that  
34 differs from the domicile listed on the elector's voter  
35 registration record but whose current domicile is within the  
36 same voting place of the precinct of the elector's voter  
37 registration record, and the elector attempts to vote, an  
38 election official may provide the elector a form to update his  
39 or her voter registration record and allow the elector to cast  
40 a regular ballot.

41 (c) (1) If any elector who has a current domicile that  
42 differs from the domicile listed on the elector's voter  
43 registration record and whose current domicile is not within  
44 the same voting place of the precinct of the elector's voter  
45 registration record, and the elector attempts to vote, an  
46 election official may inform the elector of his or her correct  
47 voting place and instruct the elector to go to the correct  
48 voting place of the precinct of his or her current domicile,  
49 so long as the current domicile is within the same county  
50 where the elector is registered to vote.

51 (2) An election official may inquire as to whether an  
52 elector's current domicile differs from the domicile listed on  
53 the elector's voter registration record if any of the  
54 following occur:

55 a. The elector informs an election official that his or  
56 her current domicile differs from the domicile listed on the



## HB86 INTRODUCED

57 elector's voter registration record.

58 b. The identification presented by the elector bears an  
59 address that differs from the domicile on his or her voter  
60 registration record and, after reasonable inquiry, the  
61 election official has a reasonable and good faith belief that  
62 the domicile of the elector is no longer within the precinct  
63 of the voting place where the elector is attempting to vote.

64 c. The election official has a reasonable and good  
65 faith belief from independent and reliable sources that the  
66 elector's domicile is no longer within the precinct of that  
67 voting place.

68 (3) An election official may provide a pass or other  
69 form to an elector whose current domicile is not within the  
70 precinct of the voting place where he or she is attempting to  
71 vote to facilitate and minimize the elector's wait time to  
72 vote at the correct voting place.

73 (4) An elector shall be entitled to cast a provisional  
74 ballot at the correct voting place, which provisional ballot  
75 shall permit the elector to update his or her voter  
76 registration, effective immediately. The Board of Registrars  
77 shall take the necessary measures to ensure that any  
78 provisional ballot cast pursuant to this subdivision is  
79 provided to the canvassing board and such votes are tabulated  
80 and included in the final certified election returns.

81 (d) If an elector who has been directed to proceed to  
82 another voting place pursuant to subsection (c) and the  
83 elector asserts that he or she is eligible to vote at the  
84 voting place where he or she is attempting to vote, the



## HB86 INTRODUCED

85 election official shall allow the elector to cast a  
86 provisional ballot at the voting place identified on the  
87 elector's voter registration record. An inspector within the  
88 voting place where the elector is attempting to vote may file  
89 a challenge statement under penalty of perjury setting forth  
90 the facts demonstrating the inspector's reasonable good faith  
91 belief as to why the elector is not qualified to vote in the  
92 voting place in accordance with Section 17-10-2(a)(2)."

93           Section 2. This act shall become effective on October  
94 1, 2024.