

SB81 INTRODUCED



1 SB81
2 2Q83ISI-1
3 By Senators Singleton, Coleman, Figures, Smitherman
4 RFD: County and Municipal Government
5 First Read: 08-Feb-24



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SYNOPSIS:

Under existing law, the Governor, Auditor, and Commissioner of Agriculture and Industries appoint registrars of voters. This bill would require the appointing authorities to consider additional factors when appointing each board of registrars.

Also under existing law, the state pays each board of registrar a salary of eighty dollars (\$80) per day for each day of service.

This bill would increase the salary of each registrar.

Under existing law, registrars are considered state employees for certain purposes.

This bill would provide that registrars are not considered county or state employees except for certain limited purposes.

This bill would also make nonsubstantive, technical revisions to update the existing code language to current style.

A BILL
TO BE ENTITLED
AN ACT



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29 Relating to boards of registrars; to amend Sections
30 17-3-2 and 17-3-5, Code of Alabama 1975, to further provide
31 for the membership of the boards of registrars; to increase
32 the salary of each registrar; to further provide for the
33 employment status of registrars; and to make nonsubstantive,
34 technical revisions to update the existing code language to
35 current style.

36 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

37 Section 1. Sections 17-3-2 and 17-3-5, Code of Alabama
38 1975, are amended to read as follows:

39 "§17-3-2

40 (a) Registration shall be conducted in each county by a
41 board of three reputable and suitable persons to be appointed,
42 unless otherwise provided by law, by the Governor, Auditor,
43 and Commissioner of Agriculture and Industries, or by a
44 majority of them acting as a state board of appointment. The
45 registrars shall be qualified electors, residents of the
46 county, shall have a high school diploma or equivalent, and
47 possess the minimum computer and map reading skills necessary
48 to function in the office. The Secretary of State shall
49 prescribe guidelines to assist the state board of appointment
50 in determining the qualifications of registrars. The
51 registrars shall not hold an elective office during their
52 term. One of the members shall be designated by the state
53 board of appointment as chair of the board of registrars for
54 each county. The Governor, Auditor, and Commissioner of
55 Agriculture and Industries, or a majority of them acting as a
56 state board of appointment, shall work to assure that



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57 membership of each board of registrars is reflective of the
58 racial demographics of the state.

59 (b) Notwithstanding the provisions of subsection (a),
60 the Legislature may provide by local law for the appointment
61 of additional members to the board of registrars for a county
62 that has two courthouses.

63 (c) The provisions of this section shall not apply in
64 any county having a population of not less than 600,000
65 inhabitants according to the 1970 or any succeeding federal
66 decennial census, and any currently effective local law or
67 general law of local application providing for the appointment
68 of any member of the board of registrars in the county shall
69 remain in full force and effect and shall not be repealed by
70 operation of this chapter."

71 "§17-3-5

72 (a) Each registrar shall receive a salary in the amount
73 of eightyone hundred dollars ~~(\$80)~~ (\$100) per day for each
74 day's attendance upon business of the board, to be paid by the
75 state and disbursed to the county commissions and disbursed by
76 the county commissions to each registrar on order of a quorum
77 of the board of registrars of the county. The state
78 Comptroller shall issue to each county commission on a monthly
79 basis an amount sufficient to fund these payments plus the
80 employer share of the Social Security or Federal Insurance
81 Corporation Act tax. The county commission will provide to the
82 state Comptroller an invoice itemized to reflect payments
83 made. If a legal holiday falls on a day the board is to be in
84 session, and the courthouse of the county is closed for the



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85 holiday, the board of registrars shall be compensated for the
86 holiday. Each registrar shall receive a mileage allowance
87 equal to the amount allowed state employees or employees of
88 the county, whichever is greater, for official travel in the
89 course of attending the business of the board, including
90 attending continuing education programs. Travel and other
91 expenses shall be paid by the county commissions to the boards
92 of registrars, and the state shall reimburse the county
93 commissions based on a written request submitted by the county
94 commissions to the state Comptroller.

95 (b) The provisions of this section regarding travel
96 mileage shall not apply in any county having a population of
97 600,000 or more inhabitants according to the 1970 or any
98 succeeding federal decennial census, and any currently
99 effective local law or general law of local application
100 regarding travel mileage for registrars in the county shall
101 remain in full force and effect and shall not be repealed by
102 operation of this chapter.

103 (c) Members of the boards of registrars of this state
104 are ~~hereby~~ declared to be state employees for the purposes of
105 Chapter 28 of Title 36.

106 (d) Members of the boards of registrars of this state
107 shall be treated as equals with other state and county
108 employees in regard to Social Security protection and
109 benefits.

110 (e) All payments by a county to any member of a county
111 board of registrars ~~(except for mileage or reimbursement for~~
112 ~~expenses)~~, except for mileage or reimbursement for expenses,



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113 shall be treated for Social Security purposes equally with
114 payments by that county to ~~other~~ county employees of the
115 county.

116 (f) The state office for Social Security and the state
117 Comptroller and each county commission ~~are directed to~~shall
118 take all necessary action to ~~insure~~ensure that members of the
119 boards of registrars of this state are treated as other state
120 and county employees in regard to Social Security protection
121 and benefits as provided in Chapter 28 of Title 36, including,
122 if necessary, amending the federal-state agreement referred to
123 in Chapter 28 of Title 36~~r~~ to implement the intent of the
124 Legislature as expressed herein.

125 (g) No county commission may reduce the current county
126 supplement upon the effect of this section by implementation
127 of Act 94-693.

128 (h) (1) A county commission may allow the chair or any
129 member of the county board of registrars who has served at
130 least 16 years in that position to participate in any health
131 insurance program provided by the county upon the same terms,
132 conditions, and employee contributions as required for county
133 employees.

134 (2) This subsection shall not apply to any health
135 insurance plans administered by the State of Alabama as
136 described in Title 36, Chapter 29 and Title 11, Chapter 91A.

137 (i) Members of the boards of registrars are not county
138 or state employees, and no member of the board of registrars
139 shall be considered a county or state employee except as
140 provided in this section.



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141 (j) On working days, the board of registrars shall do
142 both of the following:

143 (1) Be open the same hours as the courthouse of the
144 county, or alternatively, establish regular hours and make
145 those hours available to the public.

146 (2) Have a registrar present during those hours."

147 Section 2. This act shall become effective on October
148 1, 2024.