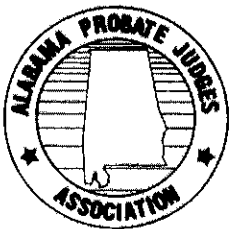


# Election Law Update

**Honorable John Merrill**  
*Alabama Secretary of State*



Probate Judge Conference  
March 3-6, 2019  
Prattville, Alabama



**Alabama Secretary of State John H. Merrill**  
**Probate Judges' Winter Meeting**

March 4, 2019

- I. Welcome and Greeting
- II. Electronic Poll Books – Why your county needs them. (See Attachment)
- III. Electronic Business Filings (See Attachment)
- IV. Election Night Reporting – Very secure system that significantly increases the integrity of each election.
- V. Voter Fraud/Social Media/Cybersecurity
- VI. DHS – Physical Security Review and Resources
- VII. New Legislation (See Attachment)
- VIII. Questions/Comments

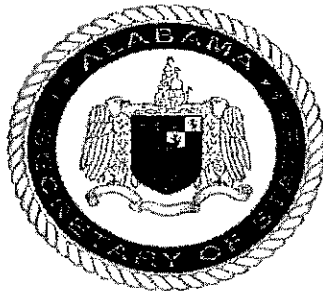
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### Poll Book Fact Sheet

- Authorized by Section 17-4-2.1 of the Ala. Code.
- The Judge of Probate and County Commission may use Poll Books to administrate the check-in process at a Voting Place on an election day.
- The Poll Books make the check-in process more efficient and can be used in lieu of the printed list of registered voters at the Voting Place.
- Secretary Merrill worked with the State Comptroller's Office to make the Poll Books eligible for 50% of their costs to be reimbursable as a post-election expense.
  - Please remember the Poll Book reimbursement guidelines and stick to the basics to ensure your county receives its 50% reimbursement. Reimbursement guidelines are attached to this fact sheet.
  - Remember to provide your county commission finance staff detailed invoices for them to request the 50% reimbursement in your county's post-election expense paperwork to the State Comptroller.
  - If your county has Help America Vote Act (HAVA) Funds, you can request the Secretary of State to allow them to be used to cover some of the expenses. Current HAVA fund balances, by county, are attached to this fact sheet.

#### **Questions:**

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### **Online Business Filings Fact Sheet**

- Authorized by Section 36-14-19 of the Ala. Code.
- The Judge of Probate, County Commission and Secretary of State may enter into a written agreement to provide for online business filings in every county.
- By providing online business filings, citizens will be able to accomplish the formation and dissolution of Domestic Limited Liability Companies (LLCs) and For-Profit Business Corporations in a participating county.

#### **How the Process Works**

- First, a citizen can reserve a name for their LLC or For-Profit Business Corporation online. They pay the state fee and small user fee to reserve the name.
- Second, the citizen can create (or dissolve) their LLC or For-Profit Business Corporation online. They will pay the state and county filings fees online and between \$10-\$13 as a user fee to create the corporation online.

#### **Benefits to the Citizen**

- The citizen is relieved from traveling to the county probate office.
- The corporation is created (or dissolved) instantly with the filing indicating the county and state stamp.

#### **Benefits to the County**

- County still receives its county recordation filing fee without having to do the work.
- County Probate staff can accomplish other Probate duties.
- Citizens have an online option to record business filings.

#### **Questions:**

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# 2019 Secretary of State Legislative Agenda

1. Absentee Ballot Process
  - a. Amending the Absentee Voting process to provide for an Identification with the absentee application and
2. E-Notary
  - a. Creates the allowance for citizens to securely notarize documents electronically
3. Absentee Election Manager Compensation
  - a. Bill would provide compensation of absentee election managers for the 55 day period before an election for days worked.
4. Jessi's Law Bill
  - a. Bill would for the termination of parental rights of a person who commits the crime of rape in the first degree or incest if the rape or incest results in the conception of the child.
5. Municipal Election Registration Deadline Update (HB 16)
  - a. Bill would update municipal election laws
    - i. Change registration requirement from 10 days prior to election to 14 to keep consistent with state law
6. Athlete Agent Law Update
  - a. Bill would track changes by the NCAA in regarded to college basketball players
7. Advertising near Polling Places (drafted)
  - a. Bill would expand the distance a person could campaign near the polls from 30 feet to 100 feet.
8. Runoff Bill
  - a. Bill would reduce the runoff time from 6 weeks to 4 weeks
9. Publication of Acts of Legislature
  - a. Bill would reduce costs by not publishing bound books of acts already digitally available.
10. Student Ambassador Program
  - a. Would allow students high school age to work polling places.
11. Campaign Finance Deadline
  - a. The Daily report the day before the election is due by noon. With the introduction of online filing, this noon deadline is not needed and the deadline is extended to midnight.
12. Chambers county Registrars Bill
  - a. Bill would give Chamber County Registrars additional days to work.
13. Permanent Disability Absentee Ballot Process
  - a. Bill would allow a person identified by a doctor as having a permanent disability that would not allow them to go to the polls to be marked to receive an absentee ballot automatically upon application.
14. Corporations Update Bill
  - a. Bill would modernize the corporate law of Alabama.
15. Election Integrity Act
  - a. This bill would increase the penalties for hacking of a voting machine and create criminal penalties for Absentee Ballot Brokers.

\* Currently in Drafting Process