

HOUSE BILL NO. 225

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE GRAY

Introduced: 1/16/24

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the tabulation of ballots; and requiring the division of elections to**
2 **provide unofficial election results before the results of an election are certified."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 15.15.350(d) is amended to read:

5 (d) When counting ballots in a general election, the election board shall
6 initially tabulate each validly cast ballot as one vote for the highest-ranked continuing
7 candidate on that ballot or as an inactive ballot. If a candidate is highest-ranked on
8 more than one-half of the active ballots, that candidate is elected and the tabulation is
9 complete. Otherwise, tabulation by the division proceeds in sequential rounds as
10 follows:

11 (1) if two or fewer continuing candidates remain, the candidate with
12 the greatest number of votes is elected and the tabulation is complete; otherwise, the
13 tabulation continues under (2) of this subsection;

14 (2) if the candidate with the fewest votes is defeated, votes cast for the

1 defeated candidate shall cease counting for the defeated candidate and shall be added
 2 to the totals of each ballot's next-highest-ranked continuing candidate or considered an
 3 inactive ballot under (g)(2) of this section, and a new round begins under (1) of this
 4 subsection.

5 * **Sec. 2.** AS 15.15 is amended by adding a new section to read:

6 **Sec. 15.15.367. Unofficial general election results.** On the day after the date
 7 of a general election and, until the results of the election are certified under
 8 AS 15.15.450, on every day after the election on which the director releases an update
 9 of election results, the director shall provide to the public an ongoing unofficial count
 10 of the election results, including the number of ballots on which each candidate is the
 11 highest-ranked candidate and the data from precincts other than hand-count precincts
 12 necessary to conduct an unofficial ranked-choice tabulation.

13 * **Sec. 3.** AS 15.15.370 is amended to read:

14 **Sec. 15.15.370. Completion of ballot count; certificate.** When the count of
 15 ballots is completed, and in no event later than the day after the election, the election
 16 board shall make a certificate in duplicate of the results. The certificate includes the
 17 number of votes cast for each candidate, including, for a candidate in a general
 18 election, the number of votes for the highest-ranked candidate and, for precincts
 19 other than hand-count precincts, the data necessary to conduct [AT EACH
 20 ROUND OF] the ranked-choice tabulation process under AS 15.15.350, the number of
 21 votes for and against each proposition, yes or no on each question, and any additional
 22 information prescribed by the director. The election board shall, immediately upon
 23 completion of the certificate or as soon thereafter as the local mail service permits,
 24 send in one sealed package to the director one copy of the certificate and the register.
 25 In addition, all ballots properly cast shall be mailed to the director in a separate, sealed
 26 package. Both packages, in addition to an address on the outside, shall clearly indicate
 27 the precinct from which they come. Each board shall, immediately upon completion of
 28 the certification and as soon thereafter as the local mail service permits, send the
 29 duplicate certificate to the respective election supervisor. The director may authorize
 30 election boards in precincts in those areas of the state where distance and weather
 31 make mail communication unreliable to forward their election results by telephone or

1 radio. The director may authorize the unofficial totaling of votes on a regional basis by
2 election supervisors, tallying the votes as indicated on duplicate certificates. To ensure
3 adequate protection, the director shall prescribe the manner in which the ballots,
4 registers, and all other election records and materials are thereafter preserved,
5 transferred, and destroyed.