

**HOUSE BILL NO. 83**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE KREISS-TOMKINS**

**Introduced: 3/6/19**

**Referred: State Affairs**

**A BILL**

**FOR AN ACT ENTITLED**

1   **"An Act relating to voting by electronic transmission in a state election; and providing**  
2   **for an effective date."**

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

4    \* **Section 1.** AS 15.20.066(a) is amended to read:

5           (a) The director shall adopt regulations applicable to the delivery of absentee  
6       ballots by electronic transmission in a state election and to the use of electronic  
7       transmission absentee voting in a state election by qualified voters. The regulations  
8       must

9                   (1) require the voter to comply with the same time deadlines as for  
10       voting in person on or before the closing hour of the polls;

11                   (2) ensure the accuracy and, to the greatest degree possible, the  
12       integrity and secrecy of the ballot process;

13                   **(3) prohibit absentee voting by facsimile.**

14    \* **Sec. 2.** AS 15.20.081(a) is amended to read:

(a) A qualified voter may apply in person, by mail, or by facsimile, scanning, or other electronic transmission to the director for an absentee ballot under this section. Another individual may apply for an absentee ballot on behalf of a qualified voter if that individual is designated to act on behalf of the voter in a written general power of attorney or a written special power of attorney that authorizes the other individual to apply for an absentee ballot on behalf of the voter. The application must include the address or, if the application requests delivery of an absentee ballot by electronic transmission, the [TELEPHONE] electronic mail address [TRANSMISSION NUMBER,] to which the absentee ballot is to be returned, the applicant's full Alaska residence address, and the applicant's signature. However, a person residing outside the United States and applying to vote absentee in federal elections in accordance with AS 15.05.011 need not include an Alaska residence address in the application. A person may supply to a voter an absentee ballot application form with a political party or group affiliation indicated only if the voter is already registered as affiliated with the political party or group indicated. Only the voter or the individual designated by the voter in a written power of attorney under this subsection may mark the voter's choice of primary ballot on an application. A person supplying an absentee ballot application form may not design or mark the application in a manner that suggests choice of one ballot over another, except that ballot choices may be listed on an application as authorized by the division. The application must be made on a form prescribed or approved by the director. The voter or registration official shall submit the application directly to the division of elections. For purposes of this subsection, "directly to the division of elections" means that an application may not be submitted to any intermediary that could control or delay the submission of the application to the division or gather data on the applicant from the application form. However, nothing in this subsection is intended to prohibit a voter from giving a completed absentee ballot application to a friend, relative, or associate for transfer to the United States Postal Service or a private commercial delivery service for delivery to the division.

\* **Sec. 3.** This Act takes effect January 1, 2020.