

**CS FOR SENATE BILL NO. 39(STA)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered:

Referred:

Sponsor(s): SENATOR SHOWER

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to voting and elections; relating to voter registration; relating to ballots**  
2 **and a system of tracking and accounting for ballots; relating to retention of election**  
3 **data; designating as a class A misdemeanor the collection of ballots from other voters;**  
4 **designating as a class C felony intentionally opening or tampering with a sealed ballot,**  
5 **certificate, or package of ballots without authorization from the director of the division**  
6 **of elections; designating as a class C felony breaching, hacking, altering, or tampering**  
7 **with election data or ballots; designating as a class B felony election fraud; designating**  
8 **as a class C felony sharing election data results before the close of the polls on election**  
9 **day; and providing for an effective date."**

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

11 \* **Section 1.** AS 15.07.060(a) is amended to read:

12 (a) Each applicant who requests registration or reregistration shall supply the

1 following information:

- 2 (1) the applicant's name and sex;
- 3 (2) if issued, the applicant's State of Alaska driver's license number or  
4 State of Alaska identification card number, or the last four digits of the applicant's  
5 social security number;
- 6 (3) the applicant's date of birth;
- 7 (4) the applicant's Alaska residence address;
- 8 (5) a statement of whether the applicant has previously been registered  
9 to vote in another jurisdiction, and, if so, the jurisdiction and the address of the  
10 previous registration;
- 11 (6) a declaration that the applicant will be 18 years of age or older  
12 within 90 days after the date of registration;
- 13 (7) a **statement** [DECLARATION] that the applicant is a citizen of the  
14 United States, **certified under penalty of perjury as prescribed in AS 09.63.020**;
- 15 (8) the date of application;
- 16 (9) the applicant's signature or mark;
- 17 (10) any former name under which the applicant was registered to vote  
18 in the state;
- 19 (11) an attestation that the information provided by the applicant in (1)  
20 - (10) of this subsection is true; and
- 21 (12) a certification that the applicant understands that a false statement  
22 on the application may make the applicant subject to prosecution for a misdemeanor  
23 under this title or AS 11.

24 \* **Sec. 2.** AS 15.07.060(c) is amended to read:

25 (c) Each applicant who requests registration in person before a registration  
26 official shall exhibit one form of identification to the official, including a driver's  
27 license, state identification card, current and valid photo identification, birth  
28 certificate, **tribal identification card, or** passport [, OR HUNTING OR FISHING  
29 LICENSE]. A registration official who knows the identity of the applicant may waive  
30 the identification requirement.

31 \* **Sec. 3.** AS 15.07.060(e) is amended to read:

1 (e) For an applicant requesting initial registration by mail, by **a form of**  
 2 [FACSIMILE OR OTHER] electronic transmission approved by the director under  
 3 AS 15.07.050, or by completing a permanent fund dividend application, the director  
 4 shall verify the information provided in compliance with (a)(2) and (3) of this section  
 5 through state agency records described in AS 15.07.055(e). If the applicant cannot  
 6 comply with the requirement of (a)(2) of this section because the applicant has not  
 7 been issued any of the listed numbers, the applicant may instead submit a copy of one  
 8 of the following forms of identification: a driver's license, state identification card,  
 9 current and valid photo identification, birth certificate, **tribal identification card, or**  
 10 passport [, OR HUNTING OR FISHING LICENSE].

11 \* **Sec. 4.** AS 15.07.070(a) is amended to read:

12 (a) The director

13 **(1) shall** [MAY] adopt regulations under AS 44.62 (Administrative  
 14 Procedure Act) relating to the registration of voters consistent with the requirements of  
 15 this section and federal law, including 42 U.S.C. 1973gg (National Voter Registration  
 16 Act of 1993); **and**

17 **(2) shall adopt regulations under AS 44.62 (Administrative**  
 18 **Procedure Act) providing for**

19 **(A) the use of the most functional application of distributed**  
 20 **ledger technology, which may include blockchain, Hashgraph, DAG,**  
 21 **Holochain, or Tempo, to protect election data;**

22 **(B) development of a voter authentication system that**

23 **(i) assigns digital multi-factor authentication**  
 24 **security identifiers to all registered voters;**

25 **(ii) ensures a qualitative voter authentication**  
 26 **method for voters voting at a location other than a polling place;**

27 **and**

28 **(iii) includes an alternative authentication process**  
 29 **for voters unable to use digital multi-factor authentication.**

30 \* **Sec. 5.** AS 15.07.070(d) is amended to read:

31 (d) Qualified voters may register in person before a registration official or

1 through a voter registration agency at any time throughout the year, except that a  
 2 person registering within 30 days preceding an election is not eligible to vote at that  
 3 election. Upon receipt and approval of the registration forms, the director or the  
 4 election supervisor shall forward to the voter an acknowledgment in the form of a  
 5 registration card, and the voter's name shall immediately be placed on the master  
 6 register. **The director or election supervisor shall explain to a newly registered**  
 7 **voter the process for obtaining the voter's digital multi-factor authentication**  
 8 **security identifiers and the process for a voter unable to use digital multi-factor**  
 9 **authentication.** Names of persons registering 30 or more days before an election shall  
 10 be placed on the official registration list for that election.

11 \* **Sec. 6.** AS 15.07.070(k) is amended to read:

12 (k) Upon receipt of the registration information, the director shall, as soon as  
 13 practicable and in accordance with a schedule established by the director by rule,  
 14 **process the registration information received and** notify, by United States mail and  
 15 any other means authorized by the director, each applicant not already registered to  
 16 vote at the address provided in the applicant's application

17 (1) of the processes to

18 (A) decline to be registered as a voter;

19 (B) maintain an existing voter registration or be newly  
 20 registered at a valid place of residence not provided in the applicant's  
 21 application; and

22 (C) adopt a political party affiliation; and

23 (2) that failure to respond to the notification shall constitute the  
 24 applicant's consent to cancel any registration to vote in another jurisdiction.

25 \* **Sec. 7.** AS 15.07.130 is amended by adding new subsections to read:

26 (g) The division shall use nationally recognized best practices and develop a  
 27 system of protocols to review voter registration records and update the master register.  
 28 The protocols must include reviews for deceased voters, persons convicted of a felony  
 29 involving moral turpitude, persons not qualified to vote under AS 15.05, persons  
 30 registered to vote in another state, whether the number of registered voters on the  
 31 master register exceeds the number of eligible voters in the state, and voter registration

1 information data breaches. When reviewing voter registration records, the division  
 2 shall review available records and databases, which should include United States  
 3 Postal Service forwarding databases, the Electronic Registration Information Center,  
 4 the Interstate Voter Registration Crosscheck Program, motor vehicle records,  
 5 Department of Corrections records, property and sales tax records, Social Security  
 6 Administration databases, United States Department of Homeland Security records,  
 7 jury duty records, Help America Vote Act records, and National Change of Address  
 8 records.

9 (h) The division shall, in consultation with an external, nationally recognized  
 10 subject-matter expert, biennially audit the master register. The division shall consider  
 11 the subject-matter expert's recommendations. By February 1 of each year of a general  
 12 election, the division shall publish a report describing the most recent biennial audit  
 13 and expert recommendations, identifying protocols used under (g) of this section,  
 14 providing election information, including the number of voters on the master register  
 15 and the total population eligible to vote, and highlighting voting data problems,  
 16 irregularities, errors, and vulnerabilities identified in the audit. The division shall  
 17 submit the report to the senate secretary and the chief clerk of the house of  
 18 representatives and notify the legislature that the report is available on or before the  
 19 date the report is published.

20 (i) The Department of Law and the division may share the state's master  
 21 register and voter registration data with other state, municipal, and tribal governments.

22 \* **Sec. 8.** AS 15.07.195(a) is amended to read:

23 (a) The following information set out in state voter registration records is  
 24 confidential and is not open to public inspection:

- 25 (1) the voter's age or date of birth;
- 26 (2) the voter's social security number, or any part of that number;
- 27 (3) the voter's driver's license number;
- 28 (4) the voter's voter identification number;
- 29 (5) the voter's place of birth;
- 30 (6) the voter's signature;
- 31 **(7) the voter's digital multi-factor authentication security**

1           **identifiers.**

2           \* **Sec. 9.** AS 15.07 is amended by adding a new section to read:

3                   **Sec. 15.07.205. Process to cancel registration.** The director shall develop a  
4           process to allow a voter to cancel the voter's registration. The director shall  
5           prominently display instructions for a voter to cancel the voter's registration on every  
6           ballot envelope and at every polling location.

7           \* **Sec. 10.** AS 15.15.030 is amended by adding a new paragraph to read:

8                   (18) The director shall by regulation adopted under AS 44.62  
9           (Administrative Procedure Act) require that an official ballot include a watermark,  
10          seal, or other identifier. Unless the director provides for a limited exception in  
11          regulation, the division may not count a ballot that does not include the identifier. The  
12          division shall, in the report published under AS 15.07.130(h), identify the limited  
13          exceptions provided by the director.

14          \* **Sec. 11.** AS 15.15.032(b) is amended to read:

15                  (b) Software for voting by use of electronically generated ballots **must**  
16          [SHALL] be

17                               **(1) open-source;**

18                               **(2) developed entirely in the United States by a company**  
19          **beneficially owned by residents of the United States using routers and servers in**  
20          **the United States and best practice cyber security; and**

21                               **(3) tested and certified under AS 15.20.900.**

22          \* **Sec. 12.** AS 15.15.032 is amended by adding a new subsection to read:

23                  (d) If the director provides for voting by use of electronically generated  
24          ballots, the director shall provide for the use of digital multi-factor authentication to  
25          ensure sufficient chain-of-custody protections.

26          \* **Sec. 13.** AS 15.15 is amended by adding a new section to read:

27                  **Sec. 15.15.055. Ballot security and chain of custody.** (a) The director shall  
28          provide by regulation for a system for ballot security and chain of custody to account  
29          for the original of each used and unused ballot, absentee ballot certificate and  
30          envelope, and the paper record of an electronically generated ballot under  
31          AS 15.15.032 through a redundant, secure, and sealed system that accounts for the

1 location and entity that has custody of a ballot or record from the time the ballot is  
2 printed or paper record produced, until 22 months after the applicable election is  
3 certified under AS 15.15.450. The system must include digital multi-factor  
4 authentication to access voter data and verify voter identity and, for each ballot that  
5 leaves the division's immediate custody, an envelope-based barcode or other  
6 mechanism sufficient to account for ballot chain of custody at all times the ballot is  
7 outside division custody. The division shall continually update the system adopted  
8 under this section to ensure that state election practices and procedures are consistent  
9 with best practices and procedures and protect the integrity of state elections held  
10 under this title.

11 (b) The system established in (a) of this section must provide that

12 (1) each ballot, absentee ballot certificate and envelope, and paper  
13 record of an electronically generated ballot under AS 15.15.032 for an election is  
14 accounted for at all times through a chain-of-custody protocol;

15 (2) each ballot, absentee ballot certificate and envelope, and paper  
16 record of an electronically generated ballot under AS 15.15.032 for an election is  
17 returned to a single point of receipt at a designated division location;

18 (3) immediately after the polls close, digital reports from an electronic  
19 voting machine are printed in paper form and accounted for under this section;

20 (4) each voting machine or ballot tabulator is disconnected from the  
21 Internet for a period beginning 24 hours before the polls open on the day of an election  
22 and ending after the division has

23 (A) transferred all election data from the machine or tabulator  
24 onto not fewer than two separate secure electronic storage devices; and

25 (B) uploaded the data from one of the electronic storage  
26 devices to a master server protected by the most functional application of  
27 distributed ledger technology, which may include blockchain, Hashgraph,  
28 DAG, Holochain, or Tempo;

29 (5) an electronic storage device containing election data is retained for  
30 22 months, as required under AS 15.15.470.

31 (c) Before certifying an election under AS 15.15.450, the director shall

1 account for the original of each used or unused ballot, absentee ballot certificate and  
2 envelope, and the paper record of an electronically generated ballot under  
3 AS 15.15.032. If unable to account for each ballot, the director shall provide to the  
4 attorney general, the lieutenant governor, the senate president, the speaker of the house  
5 of representatives, each affected candidate, each affected organization or organized  
6 group that sponsors or opposes an initiative, referendum, or recall, and the public a  
7 detailed description explaining why the ballots did not reconcile. The state ballot  
8 counting review board shall audit and certify the ballot accounting under this  
9 subsection in accordance with generally accepted accounting principles. When the  
10 director is unable to account for each ballot, the director may not certify an election  
11 under AS 15.15.450 unless the director has disclosed the detailed description  
12 explaining why the ballots did not reconcile.

13 (d) If, under the system established in (a) of this section, the original of a used  
14 or unused ballot, absentee ballot certificate and envelope, or the paper record of an  
15 electronically generated ballot under AS 15.15.032 is not accounted for, there is a  
16 break in the scheduled chain of custody, there is a lapse in system security, or the  
17 director has reason to anticipate a break in the scheduled chain of custody or lapse in  
18 system security before an election is certified under AS 15.15.450, the director shall  
19 notify the attorney general, the lieutenant governor, the senate president, the speaker  
20 of the house of representatives, each affected candidate, each affected organization or  
21 organized group that sponsors or opposes an initiative, referendum, or recall, and the  
22 public. The director shall provide an affected candidate or affected organization or  
23 organized group a minimum of 24 hours' notice to appoint a watcher under  
24 AS 15.10.170 and ensure the watcher is present before any further ballots in the  
25 election are counted or collected.

26 (e) The director shall by regulation adopted under AS 44.62 (Administrative  
27 Procedure Act) develop a process to, following the closing of the polls, void all  
28 unused ballots, spoiled ballots, and unopened packs of ballots without mutilating or  
29 destroying the forensic integrity of the unused ballots, spoiled ballots, or unopened  
30 packs of ballots.

31 (f) An election official or watcher who has reasonable cause to believe that a

1 voting machine, election ballot, physical or digital record, certificate, or package of  
 2 ballots has been opened or otherwise tampered with, or that another irregularity  
 3 relating to election materials has occurred, shall immediately notify the director and  
 4 call for an inspection of the affected election materials following the closing of the  
 5 polls. If an election official or watcher at a precinct calls for an inspection under this  
 6 subsection, the director shall require an inspection of the affected election materials  
 7 before the materials are returned under AS 15.15.370.

8 \* **Sec. 14.** AS 15.15.210 is amended to read:

9 **Sec. 15.15.210. Questioning of voter [VOTERS OF SUSPECT]**  
 10 **qualification.** Every election official, [SHALL QUESTION, AND EVERY] watcher,  
 11 and any other person qualified to vote in the precinct may question [,] a person  
 12 attempting to vote **if the person attempting to vote has also received an absentee**  
 13 **ballot or** if the questioner has good reason to suspect that the questioned person is not  
 14 qualified under AS 15.05. All questions regarding a person's qualifications to vote  
 15 shall be made in writing setting out the reason the person has been questioned. A  
 16 questioned person shall, before voting, subscribe to a declaration in a form provided  
 17 by the director attesting to the fact that in each particular the person meets all the  
 18 qualifications of a voter, is not disqualified, and has not voted at the same election,  
 19 and certifying that the person understands that a false statement on the declaration may  
 20 subject the person to prosecution for a **felony** [MISDEMEANOR] under this title or  
 21 AS 11. After the questioned person has executed the declaration, the person may vote.  
 22 If the questioned person refuses to execute the declaration, the person may not vote.

23 \* **Sec. 15.** AS 15.15.215(a) is amended to read:

24 (a) A voter who casts a questioned ballot shall vote the ballot in the same  
 25 manner as prescribed for other voters. The voter shall insert the ballot into a secrecy  
 26 sleeve and put the secrecy sleeve into an envelope on which the statement the voter  
 27 previously signed is located. **Unless the voter is unable to use digital multi-factor**  
 28 **authentication, the voter shall provide the voter's digital multi-factor**  
 29 **authentication security identifiers.** The envelope shall be sealed and deposited in the  
 30 ballot box. When the ballot box is opened, the envelopes shall be segregated, counted,  
 31 compared to the voting list, and delivered to the official or body supervising the

1 election. The merits of the question shall be determined by this official or body in  
2 accordance with the procedure prescribed for questioned votes in AS 15.20.207.

3 \* **Sec. 16.** AS 15.15.225(a) is amended to read:

4 (a) Before being allowed to vote, each voter shall exhibit to an election official

5 **(1)** one form of identification, including

6 **(A)** [(1)] an official voter registration card, driver's license,  
7 state identification card, current and valid photo identification, birth certificate,  
8 **tribal identification card, or** passport [, OR HUNTING OR FISHING  
9 LICENSE]; or

10 **(B)** [(2)] an original or a copy of a current utility bill, bank  
11 statement, paycheck, government check, or other government document; an  
12 item exhibited under this paragraph must show the name and current address of  
13 the voter; **and**

14 **(2) the voter's digital multi-factor authentication security**  
15 **identifiers, unless the voter is unable to use digital multi-factor authentication.**

16 \* **Sec. 17.** AS 15.15.250 is amended to read:

17 **Sec. 15.15.250. Spoiled ballots [DISPOSITION OF SPOILED BALLOT].**

18 If a voter improperly marks, damages, or otherwise spoils a ballot, the voter may  
19 request and the election board shall provide another ballot, with a maximum of **two**  
20 [THREE]. The board shall record on the precinct register that there was a spoiled  
21 ballot, **mark or punch the spoiled ballot as void while maintaining chain-of-**  
22 **custody protocols,** and **seal** [DESTROY] the spoiled ballot immediately without  
23 examining it.

24 \* **Sec. 18.** AS 15.15.250 is amended by adding a new subsection to read:

25 (b) The director may prescribe a mechanism to mark or punch a spoiled ballot  
26 as void that preserves the forensic value of the ballot.

27 \* **Sec. 19.** AS 15.15.300 is amended to read:

28 **Sec. 15.15.300. Prohibiting the count of exhibited ballots.** An election  
29 official may not allow a ballot to be placed in the ballot box that the official knows to  
30 have been unlawfully exhibited by the voter. A ballot unlawfully exhibited shall be  
31 recorded as a spoiled ballot and **marked or punched as void, maintaining chain-of-**

1           custody protocols [DESTROYED].

2           \* **Sec. 20.** AS 15.15.350(a) is amended to read:

3                   (a) The director **shall** [MAY] adopt regulations prescribing the manner in  
4                   which the precinct ballot count is accomplished so as to ensure accuracy in the count  
5                   and to expedite the process. The election board shall account for all ballots by  
6                   completing a ballot statement containing (1) the number of official ballots received;  
7                   (2) the number of official ballots voted; (3) the number of official ballots spoiled; (4)  
8                   the number of official ballots unused and [EITHER DESTROYED OR] returned  
9                   [FOR DESTRUCTION] to the elections supervisor or the election supervisor's  
10                  designee. The board shall count the number of questioned ballots and compare that  
11                  number to the number of questioned voters in the register. Discrepancies shall be  
12                  noted and the numbers included in the certificate prescribed by AS 15.15.370. The  
13                  election board, in hand-count precincts, shall count the ballots in a manner that allows  
14                  watchers to see the ballots when opened and read. A person handling the ballot after it  
15                  has been taken from the ballot box and before it is placed in the envelope for mailing  
16                  may not have a marking device in hand or remove a ballot from the immediate vicinity  
17                  of the polls.

18          \* **Sec. 21.** AS 15.15 is amended by adding a new section to read:

19                   **Sec. 15.15.374. Voter qualification system.** The director shall adopt  
20                   regulations to maintain an accurate master register and create a best practices  
21                   qualification system. If a voter's vote is not counted because the voter is not qualified  
22                   under AS 15.05.010(3), the director shall notify the voter immediately by reasonably  
23                   available means. The director shall investigate to determine whether the voter  
24                   knowingly violated AS 11.56.210(a) or another provision of law when registering to  
25                   vote or applying for an absentee ballot, and shall refer such a voter to law  
26                   enforcement. A voter shall be given a reasonable opportunity to validate the voter's  
27                   voting eligibility if it is in question and may authenticate the voter's vote by 5:00 p.m.  
28                   on the third day after election day.

29          \* **Sec. 22.** AS 15.15.450 is amended by adding a new subsection to read:

30                   (b) The director or lieutenant governor may not certify the results of an  
31                   election under (a) of this section

1 (1) until each original ballot and paper record is accounted for under  
2 AS 15.15.055(c); or

3 (2) if an accounting irregularity cannot be reconciled and a ballot is not  
4 accounted for, until the lieutenant governor

5 (A) refers the irregularity to the attorney general;

6 (B) informs affected candidates and sponsors, the president of  
7 the senate, and the speaker of the house of representatives; and

8 (C) provides public notice of the irregularities.

9 \* **Sec. 23.** AS 15.15.470 is amended to read:

10 **Sec. 15.15.470. Preservation and destruction of election ballots, papers,**  
11 **and materials.** The director shall preserve all precinct election certificates, tallies,  
12 **election data on an electronic storage device,** and registers for **22 months** [FOUR  
13 YEARS] after the election. All ballots and stubs for elections [OTHER THAN  
14 NATIONAL ELECTIONS] may be destroyed **22 months** [30 DAYS] after the  
15 certification of the state ballot counting review unless an application for recount has  
16 been filed and not completed, or unless their destruction is stayed by an order of the  
17 court. All ballots for national elections may be destroyed in accordance with federal  
18 law, **including 52 U.S.C. sec. 20701.** The director may permit the inspection of  
19 election materials upon call by the Congress, the state legislature, or a court of  
20 competent jurisdiction. **The original used and unused ballots and absentee ballot**  
21 **certificates and envelopes and the paper records of electronically generated**  
22 **ballots under AS 15.15.032 must be destroyed at a location designated by the**  
23 **division. The division may designate up to two destruction locations, one in the**  
24 **southcentral region and one in the southeast region of the state. The director or**  
25 **the director's designee shall witness the destruction. The director shall then**  
26 **certify before a notary public that the ballots, absentee ballot certificates and**  
27 **envelopes, and paper records have been destroyed.**

28 \* **Sec. 24.** AS 15.15 is amended by adding a new section to read:

29 **Sec. 15.15.490. Division support of municipal election.** The division shall  
30 support a municipal election by providing data, including equipment or the official  
31 registration list, unless the municipality

1 (1) uses a system, approved by the director, that requires sufficient  
2 digital or nondigital multi-factor authentication and ballot chain-of-custody protocols;

3 (2) agrees to submit any data update or change to the director for  
4 approval;

5 (3) does not forward ballots or election information when a voter no  
6 longer resides at an address;

7 (4) implements protocols, approved by the director, to update voter  
8 registration records; and

9 (5) does not allow a ballot received after the day of the election that is  
10 not postmarked or is postmarked after the day of the election to be counted, unless the  
11 ballot envelope is marked with a United States Postal Service tracking barcode  
12 sufficient to verify that the ballot was mailed on or before the day of the election.

13 \* **Sec. 25.** AS 15.20.061(c) is amended to read:

14 (c) **Upon** [ON] receipt of an absentee ballot in person, the voter shall proceed  
15 to mark the ballot in secret, **to provide the voter's digital multi-factor**  
16 **authentication security identifiers, unless the voter is unable to use digital multi-**  
17 **factor authentication,** to place the ballot in the secrecy sleeve, to place the secrecy  
18 sleeve in the envelope provided, and to sign the voter's certificate on the envelope in  
19 the presence of the election official who shall sign as attesting official and date that  
20 signature. The election official shall then accept the ballot.

21 \* **Sec. 26.** AS 15.20.066(b) is amended to read:

22 (b) An absentee ballot that is completed and returned by the voter by  
23 electronic transmission must

24 (1) contain the following statement: "I understand that, by using  
25 electronic transmission to return my marked ballot, I am voluntarily waiving a portion  
26 of my right to a secret ballot to the extent necessary to process my ballot, but expect  
27 that my vote will be held as confidential as possible," followed by the voter's signature  
28 and date of signature; [AND]

29 (2) be accompanied by a statement executed under oath as to the  
30 voter's identity; the statement under oath must be witnessed **and certified** by

31 (A) a commissioned or noncommissioned officer of the armed

1 forces of the United States;

2 (B) an official authorized by federal law or the law of the state  
3 in which the absentee ballot is cast to administer an oath; or

4 (C) an individual who is 18 years of age or older, **if an**  
5 **individual under (A) or (B) of this paragraph is not available and the**  
6 **voter provides a statement certified, as prescribed in AS 09.63.020, under**  
7 **penalty of perjury, indicating that none of the officials is available; and**

8 **(3) include the voter's digital multi-factor authentication security**  
9 **identifiers, unless the voter is unable to use digital multi-factor authentication.**

10 \* **Sec. 27.** AS 15.20 is amended by adding a new section to read:

11 **Sec. 15.20.068. Application for absentee ballot.** The division shall provide an  
12 absentee ballot application by mail when an eligible voter expressly requests an  
13 application. An application may be sent to a voter only by United States mail and only  
14 by the division, an officially registered candidate, a recognized political party, or a  
15 group sponsoring a ballot measure. An application must prominently display who sent  
16 the application and prominently display "Application only/Not a ballot" on the exterior  
17 address side of the envelope.

18 \* **Sec. 28.** AS 15.20.081(a) is amended to read:

19 (a) A qualified voter may apply in person, by mail, **by electronic mail,** or by  
20 facsimile, scanning, or other electronic transmission to the director for an absentee  
21 ballot under this section. Another individual may apply for an absentee ballot on  
22 behalf of a qualified voter if that individual is designated to act on behalf of the voter  
23 in a written general power of attorney or a written special power of attorney that  
24 authorizes the other individual to apply for an absentee ballot on behalf of the voter.  
25 The application must include the address or, if the application requests delivery of an  
26 absentee ballot by electronic transmission, the [TELEPHONE] electronic **mail**  
27 **address** [TRANSMISSION NUMBER,] to which the absentee ballot is to be returned,  
28 the applicant's full Alaska residence address, [AND] the applicant's signature, **and,**  
29 **unless the voter is unable to use digital multi-factor authentication, digital multi-**  
30 **factor authentication security identifiers to verify the identity of the qualified**  
31 **voter.** However, a person residing outside the United States and applying to vote

1 absentee in federal elections in accordance with AS 15.05.011 **shall provide a**  
 2 **physical residence address and electronic or telephone contact information**  
 3 [NEED NOT INCLUDE AN ALASKA RESIDENCE ADDRESS IN THE  
 4 APPLICATION]. A person may supply to a voter an absentee ballot application form  
 5 with a political party or group affiliation indicated only if the voter is already  
 6 registered as affiliated with the political party or group indicated. The application must  
 7 be made on a form prescribed or approved by the director. The voter or registration  
 8 official shall submit the application directly to the division of elections. For purposes  
 9 of this subsection, "directly to the division of elections" means that an application may  
 10 not be submitted to any intermediary that could control or delay the submission of the  
 11 application to the division or gather data on the applicant from the application form.  
 12 However, nothing in this subsection is intended to prohibit a voter from giving a  
 13 completed absentee ballot application to a friend, relative, or associate for transfer to  
 14 the United States Postal Service or a private commercial delivery service for delivery  
 15 to the division.

16 \* **Sec. 29.** AS 15.20.081(b) is amended to read:

17 (b) An application requesting delivery of an absentee ballot to the applicant by  
 18 mail must be received by the division of elections not less than **14** [10] days before the  
 19 election for which the absentee ballot is sought. An application for an absentee ballot  
 20 for a state election from a qualified voter requesting delivery of an absentee ballot to  
 21 the applicant by electronic transmission must be received by the division of elections  
 22 not later than 5:00 p.m. Alaska time on the day before the election for which the  
 23 absentee ballot is sought. An absentee ballot application submitted by mail under this  
 24 section must permit the person to register to vote under AS 15.07.070 and to request  
 25 an absentee ballot for each state election held within that calendar year for which the  
 26 voter is eligible to vote. An absentee ballot application submitted by electronic  
 27 transmission under this section may not include a provision that permits a person to  
 28 register to vote under AS 15.07.070.

29 \* **Sec. 30.** AS 15.20.081(d) is amended to read:

30 (d) Upon receipt of an absentee ballot by mail, the voter, in the presence of  
 31 **and after providing sufficient identification to** a notary public, commissioned

1 officer of the armed forces [INCLUDING THE NATIONAL GUARD], district judge  
 2 or magistrate, United States postal official, registration official, or other person  
 3 qualified to administer oaths, may proceed to mark the ballot in secret, to place the  
 4 ballot in the secrecy sleeve, to place the secrecy sleeve in the envelope provided, **to**  
 5 **provide, unless the voter is unable to use digital multi-factor authentication, the**  
 6 **voter's digital multi-factor authentication security identifiers,** and to sign the  
 7 voter's certificate on the envelope in the presence of an official listed in this subsection  
 8 who shall sign as attesting official and shall date the signature. If none of the officials  
 9 listed in this subsection is reasonably accessible, an absentee voter shall **provide a**  
 10 **written statement on the voter's certificate indicating that none of the officials is**  
 11 **available, certify, as prescribed in AS 09.63.020, under penalty of perjury, that**  
 12 **the statements in the voter's certificate are true, and** sign the voter's certificate in  
 13 the presence of an individual who is 18 years of age or older, who shall sign as a  
 14 witness. **The witness shall provide a written statement on the voter's certificate**  
 15 **indicating that none of the officials listed is available, certify, as prescribed in**  
 16 **AS 09.63.020, under penalty of perjury, that the voter is known to the individual**  
 17 **and that none of the officials listed is available,** and attest to the date on which the  
 18 voter signed the certificate in the individual's presence [, AND, IN ADDITION, THE  
 19 VOTER SHALL CERTIFY, AS PRESCRIBED IN AS 09.63.020, UNDER  
 20 PENALTY OF PERJURY, THAT THE STATEMENTS IN THE VOTER'S  
 21 CERTIFICATION ARE TRUE]. **The division may not count a ballot that is not**  
 22 **signed by an official unless the ballot includes a voter's certificate providing the**  
 23 **written statements and certifications. The voter and attesting official or witness**  
 24 **shall legibly print their name, physical address, mailing address, and digital or**  
 25 **telephone contact information on the space provided on the voter's certificate.**

26 \* **Sec. 31.** AS 15.20.081(e) is amended to read:

27 (e) An absentee ballot must be marked on or before the date of the election.  
 28 Except as provided in (h) of this section, a voter who returns the absentee ballot by  
 29 mail, whether provided to the voter by mail or by electronic transmission, shall use a  
 30 mail service at least equal to first class and mail the ballot not later than the day of the  
 31 election to the election supervisor for the house district in which the voter seeks to

1 vote. Except as provided in AS 15.20.480, the ballot may not be counted unless it is  
 2 received by the close of business on the **seventh** [10TH] day after the election. [IF  
 3 THE BALLOT IS POSTMARKED, IT MUST BE POSTMARKED ON OR BEFORE  
 4 ELECTION DAY.] After the day of the election, ballots may not be accepted unless  
 5 received by mail. **A ballot received after the day of the election that is not**  
 6 **postmarked or is postmarked after the day of the election may not be accepted**  
 7 **unless the ballot envelope is marked with a United States Postal Service tracking**  
 8 **barcode sufficient to verify that the ballot was mailed on or before the day of the**  
 9 **election.**

10 \* **Sec. 32.** AS 15.20.081(f) is amended to read:

11 (f) The director shall require a voter casting an absentee ballot by mail to  
 12 provide proof of identification or other information to aid in the establishment of the  
 13 voter's identity, **including, unless the voter is unable to use digital multi-factor**  
 14 **authentication, the voter's digital multi-factor authentication security identifiers**  
 15 as prescribed by regulations adopted under AS 44.62 (Administrative Procedure Act).  
 16 If the voter is a first-time voter who initially registered by mail or by facsimile or other  
 17 electronic transmission approved by the director under AS 15.07.050 and has not met  
 18 the identification requirements set out in AS 15.07.060, the voter must provide one of  
 19 the following forms of proof of identification:

20 (1) a copy of a driver's license, state identification card, current and  
 21 valid photo identification, birth certificate, **tribal identification card, or** passport [,  
 22 OR HUNTING OR FISHING LICENSE]; or

23 (2) a copy of a current utility bill, bank statement, paycheck,  
 24 government check, or other government document; an item provided under this  
 25 paragraph must show the name and current address of the voter.

26 \* **Sec. 33.** AS 15.20.081 is amended by adding a new subsection to read:

27 (m) An absentee ballot application must include an option for a qualified voter  
 28 to choose to receive absentee ballots by mail for future regularly scheduled state  
 29 elections. The division may not require a voter who chooses this option to reapply for  
 30 an absentee ballot by mail unless

31 (1) the voter has not voted an absentee ballot for a period of four years;

1 or

2 (2) the voter's previous absentee ballot sent under this section was  
3 returned to the division as undeliverable.

4 \* **Sec. 34.** AS 15.20.201(a) is amended to read:

5 (a) **Not** [NO] less than seven days preceding the day of election, the election  
6 supervisor, in the presence and with the assistance of the district absentee ballot  
7 counting board, shall review all voter certificates **and envelopes** of absentee ballots  
8 received by that date. The review of absentee ballots shall continue at times designated  
9 by the election supervisor until completed.

10 \* **Sec. 35.** AS 15.20.201(b) is amended to read:

11 (b) Counting of absentee ballots that have been reviewed shall begin **not**  
12 **fewer than seven days preceding** [AT 8:00 P.M., LOCAL TIME, ON] the day of the  
13 election at places designated by each election supervisor and shall continue until all  
14 absentee ballots reviewed and eligible for counting have been counted. The counting  
15 teams shall report the **first** count of absentee ballots to the district absentee ballot  
16 counting board **not later than** [. AN ELECTION SUPERVISOR OR AN ELECTION  
17 OFFICIAL MAY NOT COUNT ABSENTEE BALLOTS BEFORE] 8:00 p.m., local  
18 time, on the day of the election. Counting of the absentee ballots shall continue at  
19 times designated by the election supervisor until all absentee ballots are counted.

20 \* **Sec. 36.** AS 15.20.203(b) is amended to read:

21 (b) An absentee ballot may not be counted if

22 (1) the voter has failed to properly execute the certificate;

23 (2) an official or the witnesses authorized by law to attest the voter's  
24 certificate fail to execute the certificate, except that an absentee ballot cast in person  
25 and accepted by an absentee voting official or election supervisor may be counted  
26 despite failure of the absentee voting official or election supervisor to properly sign  
27 and date the voter's certificate as attesting official as required under AS 15.20.061(c);

28 (3) the ballot is not attested on or before the date of the election;

29 (4) the ballot **envelope**, if **delivered by mail after the day of the**  
30 **election** [POSTMARKED],

31 **(A)** is not postmarked on or before the date of the election; **or**

1                                    **(B) does not have a United States Postal Service tracking**  
 2                                    **barcode sufficient to verify that the ballot was mailed on or before the day**  
 3                                    **of the election;**

4                                    (5) after the day of election, the ballot was delivered by a means other  
 5 than mail; [OR]

6                                    (6) the voter voted

7                                    (A) in person and is a

8                                    (i) first-time voter who initially registered by mail or by  
 9 facsimile or other electronic transmission approved by the director  
 10 under AS 15.07.050, has not provided the identification required by  
 11 AS 15.15.225(a), was not eligible for waiver of the identification  
 12 requirement under AS 15.15.225(b), and has not provided the  
 13 identifiers required in AS 15.07.060(a)(2) and (3) that can be verified  
 14 through state agency records described in AS 15.07.055(e); or

15                                    (ii) voter other than one described in (i) of this  
 16 subparagraph, did not provide identification described in  
 17 AS 15.15.225(a), was not personally known by the election official,  
 18 and has not provided the identifiers required in AS 15.07.060(a)(2) and  
 19 (3); or

20                                    (B) by mail or electronic transmission, is a first-time voter who  
 21 initially registered by mail or by facsimile or other electronic transmission  
 22 approved by the director under AS 15.07.050 to vote, has not met the  
 23 identification requirements set out in AS 15.07.060, and does not submit with  
 24 the ballot a copy of a

25                                    (i) driver's license, state identification card, current and  
 26 valid photo identification, birth certificate, **tribal identification card,**  
 27 **or** passport [, OR HUNTING OR FISHING LICENSE]; or

28                                    (ii) current utility bill, bank statement, paycheck,  
 29 government check, or other government document; an item described  
 30 in this sub-subparagraph must show the name and current address of  
 31 the voter;

1                   **(7) the voter's certificate is not signed by a notary public,**  
 2                   **commissioned officer of the armed forces, judge or magistrate, United States**  
 3                   **postal official, registration official, or other person qualified to administer oaths,**  
 4                   **and the voter does not provide a written statement on the voter's certificate**  
 5                   **indicating that none of the listed officials was available;**

6                   **(8) the voter voted in person on the day of the election at a polling**  
 7                   **place and also voted an absentee ballot; or**

8                   **(9) the voter is able to use digital multi-factor authentication and**  
 9                   **has not provided the voter's digital multi-factor authentication security**  
 10                   **identifiers.**

11 \* **Sec. 37.** AS 15.20.203(e) is amended to read:

12                   (e) If an absentee ballot is not rejected, the envelope shall be opened and the  
 13                   secrecy sleeve containing the absentee ballot shall be placed in a container and mixed  
 14                   with other secrecy sleeves. **The ballot may not be separated from the envelope**  
 15                   **before the division determines that the voter is qualified to vote and has not voted**  
 16                   **more than one time in the election.**

17 \* **Sec. 38.** AS 15.20.203(i) is amended to read:

18                   (i) The director shall **immediately make a reasonable effort to contact each**  
 19                   **absentee voter whose absentee ballot has been rejected under this section, explain**  
 20                   **why the ballot has been rejected and how it may be cured, and** mail the materials  
 21                   described in (h) of this section to the voter [NOT LATER THAN

22                                   (1) 10 DAYS AFTER COMPLETION OF THE REVIEW OF  
 23                   BALLOTS BY THE STATE REVIEW BOARD FOR A PRIMARY ELECTION OR  
 24                   A SPECIAL PRIMARY ELECTION UNDER AS 15.40.140;

25                                   (2) 60 DAYS AFTER CERTIFICATION OF THE RESULTS OF A  
 26                   GENERAL ELECTION OR SPECIAL ELECTION OTHER THAN A SPECIAL  
 27                   PRIMARY ELECTION DESCRIBED IN (1) OF THIS SUBSECTION]. **The**  
 28                   **director shall provide an absentee voter whose ballot is rejected under this**  
 29                   **section a reasonable opportunity, until 5:00 p.m. on the third day after election**  
 30                   **day, to cure a rejected ballot.**

31 \* **Sec. 39.** AS 15.20.203 is amended by adding a new subsection to read:

1 (k) If, under (b)(8) of this section, a voter's absentee ballot is not counted and  
 2 the director determines that the voter did not intend to have two votes counted, the  
 3 division shall count the voter's in-person ballot.

4 \* **Sec. 40.** AS 15.20.207(b) is amended to read:

5 (b) A questioned ballot may not be counted if the voter

6 (1) has failed to properly execute the certificate;

7 (2) is a first-time voter who initially registered by mail or by facsimile  
 8 or other electronic transmission approved by the director under AS 15.07.050, has not  
 9 provided the identification required by AS 15.15.225(a), was not eligible for waiver of  
 10 the identification requirement under AS 15.15.225(b), and has not provided the  
 11 identifiers required in AS 15.07.060(a)(2) and (3) that can be verified through state  
 12 agency records described in AS 15.07.055(e); [OR]

13 (3) is a voter other than one described in (2) of this subsection, did not  
 14 provide identification described in AS 15.15.225(a), was not personally known by the  
 15 election official, and has not provided the identifiers required in AS 15.07.060(a)(2)  
 16 and (3); or

17 (4) is able to use digital multi-factor authentication and has not  
 18 provided the voter's digital multi-factor authentication security identifiers.

19 \* **Sec. 41.** AS 15.20.207(i) is amended to read:

20 (i) The director shall immediately make a reasonable effort to contact each  
 21 voter whose questioned ballot has been rejected under this section, explain why  
 22 the ballot has been rejected and how it may be cured, and mail the materials  
 23 described in (h) of this section to the voter [NOT LATER THAN

24 (1) 10 DAYS AFTER COMPLETION OF THE REVIEW OF  
 25 BALLOTS BY THE STATE REVIEW BOARD FOR A PRIMARY ELECTION OR  
 26 A SPECIAL PRIMARY ELECTION UNDER AS 15.40.140;

27 (2) 60 DAYS AFTER CERTIFICATION OF THE RESULTS OF A  
 28 GENERAL OR SPECIAL ELECTION, OTHER THAN A SPECIAL PRIMARY  
 29 ELECTION DESCRIBED IN (1) OF THIS SUBSECTION]. The director shall  
 30 provide a voter whose ballot is rejected under this section a reasonable  
 31 opportunity, until 5:00 p.m. on the third day after election day, to cure a rejected

**ballot.**

1  
2 \* **Sec. 42.** AS 15.20.220(a) is amended to read:

3 (a) When the director and appointed party representatives have completed the  
4 review of ballots cast at the voting precincts, they shall proceed to review the absentee  
5 and questioned ballot votes certified by the district counting boards. The review of the  
6 absentee and questioned ballot vote certified by the district counting boards shall be  
7 accomplished by reviewing the tallies of the recorded vote to check for mathematical  
8 error, **comparing the identifier data on each ballot and envelope to ensure that**  
9 **each voter has voted only once in the election,** and [BY] comparing the totals with  
10 the election certificate of results.

11 \* **Sec. 43.** AS 15.20.540 is amended to read:

12 **Sec. 15.20.540. Grounds for election contest.** A defeated candidate or 10  
13 qualified voters may contest the nomination or election of any person or the approval  
14 or rejection of any question or proposition upon one or more of the following grounds:

15 (1) malconduct, fraud, or corruption on the part of an election official  
16 sufficient to change the result of the election;

17 (2) when the person certified as elected or nominated is not qualified  
18 as required by law;

19 (3) any corrupt practice as defined by law sufficient to change the  
20 results of the election;

21 **(4) a breach of voter registration data that reveals voters' digital**  
22 **multi-factor authentication or other security identifiers sufficient to change the**  
23 **results of an election;**

24 **(5) ballot accounting irregularities sufficient to change the results**  
25 **of an election.**

26 \* **Sec. 44.** AS 15.20.540 is amended by adding a new subsection to read:

27 (b) The division's failure to contact an absentee voter whose ballot is rejected  
28 under AS 15.20.203 or a voter whose questioned ballot is rejected under AS 15.20.207  
29 is not grounds to contest an election.

30 \* **Sec. 45.** AS 15.20.800(a) is amended to read:

31 (a) The director may conduct an election by mail

1                   **(1) in an unorganized community with a population of 750 or less**  
 2 **if the director determines that facilitating organized in-person voting in the**  
 3 **community is unreasonable;**

4                   **(2) in a second class city with a population of 1,000 or less, upon**  
 5 **the governing body's request;**

6                   **(3) in a second class borough with a population of 3,000 or less,**  
 7 **upon the governing body's request;**

8                   **(4) in an area affected or threatened by a disaster while a disaster**  
 9 **declaration under AS 26.23.020 is in effect if the governor declares the emergency**  
 10 **because of**

11                                   **(A) an incident described in AS 26.23.900(2)(A);**

12                                   **(B) an outbreak of disease or a credible threat of an**  
 13 **imminent outbreak of disease; or**

14                                   **(C) an enemy or terrorist attack or a credible threat of an**  
 15 **imminent enemy or terrorist attack; or**

16                   **(5)** if it is held at a time other than when the general, party primary, or  
 17 municipal election is held.

18 \* **Sec. 46.** AS 15.20.800(b) is amended to read:

19                   (b) If the director conducts an election under (a) of this section by mail, the  
 20 director shall send a ballot for each election described in (a) of this section to each  
 21 person whose name appears on the official registration list prepared under  
 22 AS 15.07.125 for that election. **Before conducting an election by mail, the director**  
 23 **shall update the master register and adopt a system protected by the most**  
 24 **functional application of distributed ledger technology, which may include**  
 25 **blockchain, Hashgraph, DAG, Holochain, or Tempo, that provides for strict**  
 26 **digital multi-factor authentication and ballot chain-of-custody protocols.** The  
 27 director shall send ballots by first class, nonforwardable mail. The ballot shall be sent  
 28 to the address stated on the official registration list unless

29                                   (1) the voter has notified the director or an election supervisor of a  
 30 different address to which the ballot should be sent; or

31                                   (2) the address on the official registration list has been identified as

1 being an undeliverable address.

2 \* **Sec. 47.** AS 15.20.900 is amended by adding new subsections to read:

3 (c) The division shall conduct a routine forensic examination of each precinct  
4 tabulator before and after each election.

5 (d) Precinct tabulators may not be connected to the Internet from 24 hours  
6 before the polls open on election day until 14 days after the polls close. During this  
7 time, all tabulator data shall be loaded from the tabulator onto a separate storage  
8 device and transmitted from a computer that is not connected to the tabulator.

9 (e) The division shall develop and apply strict chain-of-custody protocols for  
10 precinct tabulators.

11 \* **Sec. 48.** AS 15.56.035(a) is amended to read:

12 (a) A person commits the crime of unlawful interference with voting in the  
13 second degree if the person

14 (1) has an official ballot in possession outside of the voting room  
15 unless the person is an election official or other person authorized by law or local  
16 ordinance, or by the director or chief municipal elections official in a local election;

17 (2) makes, or knowingly has in possession, a counterfeit of an official  
18 election ballot;

19 (3) knowingly solicits or encourages, directly or indirectly, a registered  
20 voter who is no longer qualified to vote under AS 15.05.010, to vote in an election;

21 (4) as a registration official

22 (A) knowingly refuses to register a person who is entitled to  
23 register under AS 15.07.030; or

24 (B) accepts a fee from an applicant applying for registration;

25 (5) violates AS 15.20.081(a) by knowingly supplying or encouraging  
26 or assisting another person to supply to a voter an absentee ballot application form  
27 with a political party or group affiliation indicated if the voter is not already registered  
28 as affiliated with that political party or group;

29 (6) knowingly designs, marks, or encourages or assists another person  
30 to design or mark an absentee ballot application in a manner that suggests choice of  
31 one ballot over another as prohibited by AS 15.20.081(a); [OR]

1 (7) knowingly submits or encourages or assists another person to  
 2 submit an absentee ballot application to an intermediary who could control or delay  
 3 the submission of the application to the division of elections or who could gather data  
 4 from the application form as prohibited by AS 15.20.081(a); or

5 **(8) knowingly collects a ballot from a voter unless**

6 **(A) the voter expressly requested that the person collect the**  
 7 **ballot;**

8 **(B) the person did not solicit the ballot; and**

9 **(C) the person did not collect more than six ballots voted in**  
 10 **a single election.**

11 \* **Sec. 49.** AS 15.56.035 is amended by adding a new subsection to read:

12 (d) In this section, "collects" means the action of gaining possession or control  
 13 of a ballot.

14 \* **Sec. 50.** AS 15.56.040(a) is amended to read:

15 (a) A person commits the crime of voter misconduct in the first degree if the  
 16 person

17 (1) votes or attempts to vote in the name of another person, **including**  
 18 **another person who is cognitively unable to express their vote,** or in a name other  
 19 than the person's own;

20 (2) votes or attempts to vote more than once at the same election with  
 21 the intent that the person's vote be counted more than once;

22 (3) intentionally makes a false affidavit, swears falsely, or falsely  
 23 affirms under an oath required by this title;

24 (4) knowingly votes or solicits a person to vote after the polls are  
 25 closed with the intent that the vote be counted.

26 \* **Sec. 51.** AS 15.56.060(a) is amended to read:

27 (a) A person commits the crime of unlawful interference with an election if  
 28 the person

29 (1) induces or attempts to induce an election official to fail in the  
 30 official's duty by force, threat, intimidation, or offers of reward;

31 (2) intentionally changes, attempts to change, or causes to be changed

1 an official election document including ballots, tallies, and returns;

2 (3) intentionally delays, attempts to delay, or causes to be delayed the  
3 sending of the certificate, register, ballots, or other materials whether original or  
4 duplicate, required to be sent by AS 15.15.370; [OR]

5 (4) intentionally opens or tampers with a sealed absentee ballot  
6 certificate, absentee ballot envelope, or package of ballots without express  
7 authorization from the director;

8 (5) intentionally breaches, hacks, alters, or tampers with election  
9 machinery, including a tabulator machine, a program, a system, a server, or  
10 software used to verify identity, count, or tabulate, or manage or control any  
11 election function; or

12 (6) is contracted or employed by the state to print or reproduce in any  
13 manner an official ballot, and the person knowingly

14 (A) personally appropriates, or gives or delivers to, or permits  
15 to be taken by anyone other than a person authorized by the director, official  
16 ballots; or

17 (B) prints or reproduces or has printed or reproduced official  
18 ballots in a form or with a content other than that prescribed by law or as  
19 directed by the director.

20 \* **Sec. 52.** AS 15.56 is amended by adding a new section to read:

21 **Sec. 15.56.065. Election fraud.** (a) A person commits the crime of election  
22 fraud if the person violates AS 15.56.060 and causes the outcome of an election to  
23 change.

24 (b) Election fraud is a class B felony.

25 \* **Sec. 53.** AS 15.56.070(a) is amended to read:

26 (a) A person commits the crime of election official misconduct in the first  
27 degree if while an election official, the person

28 (1) intentionally fails to perform an election duty or knowingly does an  
29 unauthorized act with the intent to affect an election or its results;

30 (2) knowingly permits or makes or attempts to make a false count of  
31 election returns; [OR]

1 (3) intentionally conceals, withholds, destroys, or attempts to conceal,  
2 withhold, or destroy election returns; **or**

3 **(4) knowingly discloses, shares, or reports, to a person who is not**  
4 **an election official, election results, returns, or any confidential election data**  
5 **before the polls close on election day.**

6 \* **Sec. 54.** AS 15.80 is amended by adding a new section to read:

7 **Sec. 15.80.001. Authority of the legislature.** Throughout this title, the power  
8 of the legislature to prescribe the time, place, and manner of an election under the  
9 Constitution of the United States and methods of voting under art. V, sec. 3,  
10 Constitution of the State of Alaska, is paramount. The judicial branch may not usurp  
11 this power without the legislature's express consent. The division shall consider any  
12 judicial decision contrary to this section advisory, and the division may not comply  
13 with such a decision unless the legislature provides express consent.

14 \* **Sec. 55.** AS 15.80 is amended by adding a new section to read:

15 **Sec. 15.80.006. Electronic signature prohibited.** An election official may not  
16 accept an electronic signature in lieu of a voter's signature unless a notarized signature  
17 verification accompanies the electronic signature.

18 \* **Sec. 56.** AS 15.80 is amended by adding a new section to read:

19 **Sec. 15.80.009. Notification of security breach.** The lieutenant governor shall  
20 immediately notify the legislature and the public of a security breach of a voter  
21 registration record or a voting machine.

22 \* **Sec. 57.** AS 15.80.010(38) is amended to read:

23 (38) "signature" or "subscription" includes a mark **made by a person**  
24 **who cannot write, with the name of that person written near the mark by a**  
25 **witness who writes the witness's own name near the name of the person who**  
26 **cannot write** [INTENDED AS A SIGNATURE OR SUBSCRIPTION];

27 \* **Sec. 58.** AS 18.65.240(a) is amended to read:

28 (a) A person may not be appointed as a police officer, except on a  
29 probationary basis, unless the person (1) has satisfactorily completed a basic program  
30 of police training approved by the council, which includes at least 12 hours of  
31 instruction regarding domestic violence, **as that term is defined in AS 18.66.990,**

1 [AND] at least 12 hours of instruction regarding sexual assault, as **that term is**  
 2 [THOSE TERMS ARE] defined in AS 18.66.990, **and at least four hours of**  
 3 **instruction in detecting and investigating election fraud;** and (2) possesses other  
 4 qualifications the council has established for the employment of police officers,  
 5 including minimum age, education, physical and mental standards, citizenship, moral  
 6 character, and experience. The council shall prescribe the means of presenting  
 7 evidence of fulfillment of these requirements.

8 \* **Sec. 59.** AS 43.23.015(b) is amended to read:

9 (b) The department shall prescribe and furnish an application form for  
 10 claiming a permanent fund dividend. The application must include

11 (1) notice of the penalties provided for under AS 43.23.270;

12 (2) a statement of eligibility and a certification of residency;

13 (3) the means for an applicant eligible to vote under AS 15.05, or a  
 14 person authorized to act on behalf of the applicant, to furnish information required by  
 15 AS 15.07.060(a)(1) - (4) and (7) - (9), **identify the house district the applicant has**  
 16 **been a resident of for the last 30 days,** and **attest** [AN ATTESTATION] that such  
 17 information is true.

18 \* **Sec. 60.** The uncodified law of the State of Alaska is amended by adding a new section to  
 19 read:

20 FIRST BIENNIAL AUDIT OF MASTER REGISTER. The division shall, in  
 21 consultation with an external, nationally recognized subject-matter expert, conduct the first  
 22 audit of the master register under AS 15.07.130(h), enacted by sec. 7 of this Act, within 90  
 23 days after the effective date of sec. 7 of this Act. The division shall publish the report and  
 24 submit the report to the senate secretary and the chief clerk of the house of representatives not  
 25 later than 150 days after the effective date of sec. 7 of this Act.

26 \* **Sec. 61.** The uncodified law of the State of Alaska is amended by adding a new section to  
 27 read:

28 APPLICABILITY. AS 15.56.035(a)(8), enacted by sec. 48 of this Act,  
 29 AS 15.56.040(a)(1), as amended by sec. 50 of this Act, AS 15.56.060(a)(4) and (5), enacted  
 30 by sec. 51 of this Act, AS 15.56.065, enacted by sec. 52 of this Act, and AS 15.56.070(a)(4),  
 31 enacted by sec. 53 of this Act, apply to offenses committed on or after the effective date of

1 secs. 48 and 50 - 53 of this Act.

2 \* **Sec. 62.** The uncodified law of the State of Alaska is amended by adding a new section to  
3 read:

4       TRANSITION: REGULATIONS. The Department of Revenue and the division of  
5 elections may adopt regulations necessary to implement the changes made by this Act. The  
6 regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the  
7 effective date of the law implemented by the regulation.

8 \* **Sec. 63.** Section 62 of this Act takes effect immediately under AS 01.10.070(c).

9 \* **Sec. 64.** Except as provided in sec. 63 of this Act, this Act takes effect January 1, 2022.