

HOUSE BILL NO. 267

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES SCHRAGE, Drummond

Introduced: 1/18/22

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to curing a rejected absentee ballot; and providing for an effective
2 date."

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

4 * **Section 1.** AS 15.20.203(i) is amended to read:

5 (i) The director shall mail the materials described in (h) of this section and
6 notice of the process to cure a rejected absentee ballot under AS 15.20.204 to the
7 voter not later than three days after a ballot has been rejected and in no event later
8 than 10 days after the election if the ballot is rejected by the 10th day after the
9 election. In addition to mailing the material described in (h) of this section, the
10 director may notify a voter by telephone, electronic mail, or text message that a
11 ballot has been rejected

12 [(1) 10 DAYS AFTER COMPLETION OF THE REVIEW OF
13 BALLOTS BY THE STATE REVIEW BOARD FOR A PRIMARY ELECTION OR
14 A SPECIAL PRIMARY ELECTION UNDER AS 15.40.140;

(2) 60 DAYS AFTER CERTIFICATION OF THE RESULTS OF A GENERAL ELECTION OR SPECIAL ELECTION OTHER THAN A SPECIAL PRIMARY ELECTION DESCRIBED IN (1) OF THIS SUBSECTION].

* **Sec. 2.** AS 15.20.203(j) is amended to read:

(j) The director shall make available through a free access system to each absentee voter a system to check to see whether the voter's ballot was counted and, if not counted, the reason why the ballot was not counted. The director shall make this information available through the free access system **immediately after the director receives the voter's rejected ballot** [NOT LESS THAN

(1) 10 DAYS AFTER CERTIFICATION OF THE RESULTS OF A PRIMARY ELECTION OR A SPECIAL PRIMARY ELECTION UNDER AS 15.40.140; AND

(2) 30 DAYS AFTER CERTIFICATION OF THE RESULTS OF A GENERAL OR SPECIAL ELECTION, OTHER THAN A SPECIAL PRIMARY ELECTION DESCRIBED IN (1) OF THIS SUBSECTION].

* **Sec. 3.** AS 15.20 is amended by adding a new section to read:

Sec. 15.20.204. Curing a rejected absentee ballot. (a) Not later than 10 days after the election, a voter may, in person at a polling location or other location designated by the division or in a sworn affidavit on a form provided by the division, provide proof of identification and cure an absentee ballot rejected because of a voter's failure to

(1) sign the certificate;

(2) date the certificate or because the voter provides an improper date on the certificate, if received by the division or postmarked on or before the day of the election; or

(3) provide proof of identity as required by AS 15.20.081(f).

(b) If a voter's absentee ballot is rejected on or before election day, the voter may attest in a sworn affidavit that the voter's absentee ballot was rejected and mark a questioned ballot.

(c) Cured absentee ballots shall be forwarded immediately to the director by the most expeditious service.

1 * **Sec. 4.** AS 15.20.220(b) is amended to read:

2 (b) The state review board shall review and count absentee ballots under
3 AS 15.20.081(e) and (h), **absentee ballots properly cured under AS 15.20.204,** and
4 questioned ballots that have been forwarded to the director and that have not been
5 reviewed or counted by a district counting board.

6 * **Sec. 5.** This Act takes effect June 1, 2022.