

**Session**

State Capitol, Room 404  
Juneau, AK 99801  
(907) 465-4931

**Interim**

1500 W. Benson, Room 218  
Anchorage, AK 99503  
(907) 269-0205

# ALASKA STATE LEGISLATURE



House Coalition, Minority Leader

**Committees**

Energy Special Committee, Member

Rules Committee, Member

## REPRESENTATIVE CALVIN SCHRAGE

### House Bill 37 version A

### Sectional Analysis

*An Act relating to elections; relating to voters; relating to the crime of unlawful interference with voting; and providing for an effective date.*

**Section 1** – Removes language from AS 15.05.010 requiring a qualified voter to register before an election as stipulated in AS 15.07.

**Section 2** – Amends AS 15.07.060(a) to allow a person registering or re-registering as a voter to apply using an electronic signature. The section also amends AS 15.07.060 to require those who are registered in another jurisdiction to acknowledge an understanding that the director will notify the chief elections officer of the other jurisdiction that the applicant has registered to vote in this state and request the applicant's voter registration in the other jurisdiction be canceled. Also requires the applicant to acknowledge understanding that false statements on the application are subject to prosecution for perjury.

**Section 3** - Amends AS 15.07.060 to add a new subsection allowing an applicant to designate in which language the applicant prefers to receive the ballots and other election materials printed for the election, based upon the written languages in which the division is required by 52 U.S.C. 10503 to print election materials.

Amends AS 15.07.060 to require an applicant seeking registration within 30 days of election day to provide an affidavit attesting whether the applicant established residency at least 30 days before the election in the state and the house district in which the applicant seeks to vote, and to provide proof through government identification or bills displaying applicant's name and Alaska residence address.

**Section 4** – Amends AS 15.07.070(c) to stipulate that an applicant whose registration does not meet the requirements for placement on the master register for the next election may vote an absentee in-person, special needs, or questioned ballot in that election.

**Section 5** – Amends AS 15.07.070(d) to stipulate that a qualified voter who registers within 30 days of an election may vote only an absentee in-person, special needs or questioned ballot at that election. It removes the language making the person ineligible to vote at that election, and restricts the division from rejecting the absentee in-person, special needs or questioned ballot of a qualified voter who registered within 30 days of election on the grounds the voter is not on an official registration list.

**Section 6** – Amends AS 15.07.070(h) requiring the voter’s certificate used for voting an absentee in-person, special needs, or questioned ballot to include instructions that a person registering to vote using the voter’s certificate and wishing to declare the person’s affiliation should complete the affiliation section on the certificate.

**Section 7** - Amends AS 15.07.090(b) to stipulate that a person who has reregistered under this subsection may vote only an absentee in-person, special needs or questioned ballot until the next election occurs, at least 30 days after re-registration. The division may not reject the absentee in-person, special needs or questioned ballot of a qualified voter who reregisters within 30 days before election day because the voter’s name is not on official registration list.

**Section 8** – Amends AS 15.07.090(c) to require a person who, within 30 days before election day, has moved to a new precinct to vote only an absentee in-person, special needs or questioned ballot. The division may not reject the ballot of a qualified voter who transferred registration within 30 days before election on the grounds the voter is not on the official registration list for the election. A voter must reside in the new house district for at least 30 days to vote a ballot for that district.

**Section 9** – Amends AS 15.07.090(d) to stipulate that a qualified voter who registers within 30 days of election and for whom no evidence of registration in the precinct can be found may only vote an absentee in-person, special needs, or questioned ballot, and that the division may not reject said ballot on the grounds the voter is not on the official registration list for the election.

**Section 10** – Amends AS 15.07.130(e) to rename absentee voting stations “early voting stations.”

**Section 11** – Amends AS 15.10.090 to require the division, whenever possible, to send two written notices of a change of precinct boundary or polling place designation.

**Section 12** – Amends AS 15.10.170(a) to allow an organization sponsoring or opposing a ballot proposition to have watchers at polls and counting centers once authorized by the director of Elections, and signed acknowledgment of the watcher’s appointment by the chairperson of the organization.

**Section 13** - Adds a new subsection to AS 13.15.060 stipulating each polling place will provide language assistance as required by 52 U.S.C. 10503.

**Section 14** – Adds a new subsection to AS 15.15.170 prohibiting the display of photo or video images of a person’s marked ballot near an election polling place if the display is an attempt to persuade a person to vote for against a candidate or proposition.

**Section 15** – Amends AS 15.15.280 to prohibit a voter from exhibiting the voter’s marked ballot to an election official to enable the person to ascertain how the voter marked the ballot.

**Section 16** – Adds a new subsection to AS 15.15.280 requiring that the prohibition against showing a marked ballot at a polling place does not apply to a voter who requests assistance voting (under AS 15.15.240) or, subject to the prohibition on political persuasion within 200 feet of an entrance, shares a photo of the voter’s marked ballot. This section would allow the use of “ballot selfies.”

**Section 17** - Amends AS 15.15.370 to add a stipulation requiring that, when the director of Elections publishes unofficial ballot total results, they will include the subsequent rankings selected by the voters who ranked that candidate as the voters’ first choice.

**Section 18** – Adds a new subsection to AS 15.15.430(a) to include in the director’s review of ballot counting voter’s rankings for each candidate on the ballot.

**Section 19** – Amends AS 15.20.020 to require the director make available instructions on how to use the online system for tracking absentee ballots established in AS 15.20.221.

**Section 20** – Amends AS 15.20.030 to include a postage-paid return envelope with the mail-in ballot and materials. It also adds a space for recording the date of the voter’s signature declaring the person is a qualified voter. This section prohibits identification of a voter’s party affiliation on the ballot envelope, and also removes reference to the requirement of witness signatures.

**Section 21** – Amends AS 15.20.045 to stipulate that a location designated as an early voting station will remain an early voting station for subsequent elections unless the location is no longer available for use or the director of the Division of Elections determines that the location is no longer appropriate. The section requires the director to provide public notice when a location is no longer appropriate for use as an early voting station.

**Section 22** – Amends AS 15.20.045(c) to replace the term “absentee voting station” with the term “early voting station”.

**Section 23** – Adds a new subsection to AS 15.20.045 requiring the director to appoint one or more registration officials to serve in each early voting station in all elections during the hours the station is open.

**Section 24** – Amends AS 15.20.050 to require the director of Elections to notify the public of the location of early voting stations. Renames absentee voting stations as early voting stations.

**Section 25** –Conforming language to rename “absentee voting stations” as “early voting stations”.

**Section 26** – Amends AS 15.20.064(b) specifying that verification of a voter’s residence address appearing on the official registration list must be current for that election.

**Section 27** – Adds new subsection (e) to AS 15.20.064 that requires a voter to cast an absentee ballot if a voter’s eligibility to vote cannot be verified by an election official.

**Section 28** – Amends AS 15.20.072(b) to allow a voter, through a representative, to request a special needs ballot from an absentee voting official at an early voting station. This aligns AS 15.20.072(b) with renaming “absentee voting station” as “early voting station” for uniformity.

**Section 29** – Amends AS 15.20.081 (b) to require absentee ballot applications to permit the person to declare a political affiliation, if any.

**Section 30** – Amends AS 15.20.081(d) to eliminate the witness requirement for absentee ballots.

**Section 31** – Amends AS 15.20.081 to add a new subsection (m) that requires an absentee ballot application to include an option for a voter to choose to receive absentee ballots by mail for future regularly scheduled state elections. The new subsection stipulates that the director may require a voter to reapply to receive an absentee ballot by mail if the voter has not voted an absentee ballot for four years or the voter’s previous absentee ballot was returned as undeliverable. Also adds new subsection (n) that requires the director to provide a ballot and election materials in a language other than English if a voter so requests at least 45 days before an election and if the requested language is one listed in 52 U.S.C. 10503.

**Section 32** – Amends AS 15.20.201(a) to require the election supervisor to begin reviewing voter certificates and envelopes for absentee ballots ten days before election day, which is three days earlier than current law. Also, this section adds the requirement that an absentee ballot may not be counted until the voter certificate has been reviewed.

**Section 33** - Amends AS 15.20.203(b) to require the election board to reject an absentee ballot if the voter has not signed the certificate, if the ballot envelope and certificate is delivered, postmarked, or has a tracking barcode showing it was mailed after election day, or if the signature on the certificate does not match the voter’s registration records. This section implements signature verification and removes the requirement of a witness signature on the certificate.

**Section 34** – Adds a new subsection (k) to AS 15.20.203 requiring district absentee boards to verify the voter’s signature on the certificate is consistent with the voter’s signature in voter registration records. An exception is made for voters who vote absentee in-person. Also, requires the director to provide training in signature verification and signature comparison software for election officials reviewing signatures.

**Section 35** – Amends AS 15.20.220(b) to add absentee ballots properly cured to the list of ballots to be reviewed by the state review board.

**Section 36** – Adds new subsection AS 15.20.221 which establishes an online ballot tracking system designed to allow a voter to easily use the system through a mobile electronic device to confirm receipt and progression, by date, of the voter’s ballot through the election system. The tracking system also indicates the process by which a voter can cure issues with the ballot such as lack of a signature, a signature that does not match the signature on record, or identity verification questions. The system will also provide the reason a ballot was not counted.

Section 15.20.222 creates a procedure for curing uncounted ballots by allowing a voter to cure an absentee ballot rejected because a voter does not have a signature stored in voter registration records, failed to sign the certificate, the signature on the certificate does not match the signature in the voter registration records, or the voter provided insufficient proof of identity as required by AS 15.20.081(f). If a voter's absentee ballot was 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.

**Section 37** – Amends AS 15.20.800 (a) to allow the director of Elections to conduct an election by mail in small communities with a population of 750 or less where the Division of Elections is unable to hire election workers or in areas threatened by natural disasters, disease outbreak or imminent terrorist attack. Also specifies that the provisions on disaster/disaster declarations apply to all communities, not just 750 or less.

**Section 38** – Amends AS 15.56.030(d) to specify that the postage-paid return envelopes provided pursuant to AS 15.20.030 for purposes of returning ballots do not constitute the crime of unlawful interference with voting, as they are not considered an “other valuable thing” pursuant to AS 15.56.030(a).

**Section 39** – Amends AS 15.56.199(1) to adjust the definition of “election” to include local elections as defined in AS 15.80.010 conducted by the Division of Elections, not just state elections.

**Section 40** – Adds new section AS 15.80.009 to establish a minimum compensation for election workers.

**Section 41** – Amends AS 29.20.380(c) to authorize a municipal clerk to act as an absentee voting official for an early voting station under AS 15.20.045(b). Conforming language changing "absentee voting station" to “early voting station.”

**Section 42** – Adds new subsection (d) to AS 29.26.050 which stipulates that a person living within a municipality for at least 30 days, but who has not registered to vote in state elections at a residence address within the municipality for at least 30 days before a municipal election, may vote only an absentee, special needs or questioned ballot. The municipality may not reject the ballot of a qualified voter who registers within 30 days before election day because the voter is not on the official registration list.

**Section 43** – Repeals AS 29.26.050(a)(3), requiring a voter to be registered at least 30 days before the municipal election at which the person seeks to vote. Also repeals AS 15.10.170 (b), AS 15.20.203(j) and AS 29.26.050(a)(3).

**Section 44** – Adds a new section to uncodified law stipulating the division of elections shall provide a report to the Legislature by November 1, 2025, recommending options for expanding early voting in rural communities and low-income neighborhoods.

**Section 45** – Adds a new section to uncodified law on the applicability of AS 15.56.030(d), stipulating that sec. 38 of this Act applies to offenses committed on or after the effective date of this bill.

**Section 46** – Adds a new section to uncodified law stipulating the division of elections may adopt regulations necessary to implement the changes made by this bill in accordance with the Administrative Procedures Act.

**Section 47** – Stipulates Section 46 takes effect immediately.

**Section 48** – Provides an effective date of January 1, 2024, for the bill’s provisions except for section 47.