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Sectional Analysis SB 1 - 33-LS0001\A

"An act relating to election security, voting, and ballots; providing for an effective date."

Section 1. Amends AS 15.15.030 to add a new paragraph that provides an official ballot must contain a watermark seal or other security identifier. Allows for a security identifier to include an election official signature.

Section 2. Amends AS 15.15 by adding new sections that mandates that the director shall adopt a regulation providing for ballot security and chain of custody. Requires a redundant secure and sealed system that accounts for the location and entity that has custody of a ballot or record, from the printer until 22 months after the applicable election is certified. Maintains strict physical chain of custody protocols, utilizing a barcode or other sufficient system. Requires periodic updates to incorporate best practice chain of custody protocols.

Requires all ballots sent out to be returned to an approved location, to preserve the forensic integrity of the ballots.

Establishes an election offense hotline. Requires the director to ensure that the hotline is continuously staffed during the hours that absentee voting stations are open, during the hours that an early voting location is open, and 24 hours after the polls open, and daily until all election results are certified.

Section 3. Amends AS 15.15.060 by adding a new sub section requiring the director to post the election hotline notices in a conspicuous place at the polls.

Section 4. Amends AS 15.15.250 by requiring that the ballots will be required to be voided and secured to maintain forensic evidence and strict chain of custody of all ballots.

Section 5. Amends 15.20.020 authorizing the director with administrative supervision authority to implement the use of online multi factor authentication system for tracking absentee ballots.

Section 6. Amends 15.20.064 by adding a new subsection modifying early voting requirements to allow an absentee voter to vote a question ballot if they do not have sufficient proof of residency identification. The election board and candidates will have the opportunity to sufficiently determine if the voter was qualified to vote.

Section 7. Amends 15.20.081(e) to provide that a ballot received after the day of the election that is not postmarked or is postmarked after the day of the election may not be counted unless the ballot envelope is marked with the United States Postal Service tracking barcode sufficient to verify that the ballot was mailed on or before the day of the election.

Section 8. Amends 15.20.203(b) to close a loophole that allowed a ballot to be counted despite the failure of an absentee voting official or election supervisor to properly sign and date the voters certificate as an official required under 15.20.061. This section requires a United States Postal Service tracking barcode sufficient to verify that the battle was mailed on or before the day of the election.

Section 9. Amends 15.20.220(b) by authorizing the state review board to review and count absentee ballots if the ballots have been properly cured. Refers to the new section 15.20.222 that sets up the procedure for curing uncounted ballots.

Section 10. Amends 15.20.221 by adding a new sections, that mandate the director to establish an online multi factor authentication (MFA) system. Authorizes the director to procure the system from a third-party. Stipulates the system must be designed to allow a voter to easily use the system to a mobile electronic device. Apps must allow for a very efficient curing and tracking process. This section also outlines the procedure for curing simple ballot errors.

Section 11. Amends 15.20.900 by adding new subsections requiring the division to conduct routine forensic examination of each precinct tabulator before and after the election. Prohibits any connectivity to the internet or a cellular network. Requires a strict chain of custody protocol for precinct tabulators in a separate storage device, and requires the division to provide a technical subject matter expert appointment for supervised access to all election data algorithm software equipment including precinct tabulator storage devices, voting machines and vote tally systems.

Section 12 Amends AS 15.800.006 by adding a new section requiring the director to develop a cyber security program to keep election data safe.

Section 13. Amends 24.20.060 granting the Legislative Council powers to provide a contractual technical subject matter expert to conduct a full forensic audit of voting machines, tabulators, storage devices, and vote tally systems.

Section 14. Adds a new section to the uncodified law allowing transitional regulations

Section 15. Section 14 of the bill has an immediate effective date, to allow transitional regulations

Section 16. Excluding section 15 (immediate effective date,) allows the rest of the bill to take effect January 1, 2024.