

CS FOR SENATE BILL NO. 138(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

**Offered:
Referred:**

Sponsor(s): SENATE STATE AFFAIRS COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to elections; relating to voters; relating to voting; relating to offices of**
2 **the Alaska Public Offices Commission; relating to the crime of unlawful interference**
3 **with voting in the first degree; relating to campaign signs; relating to the reporting of**
4 **financial and business interests by certain municipal officers and former officers and**
5 **candidates for municipal office; relating to the Redistricting Board; and providing for**
6 **an effective date."**

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

8 *** Section 1.** AS 15.05.010 is amended to read:

9 **Sec. 15.05.010. Voter qualification.** A person may vote at any election who

10 (1) is a citizen of the United States;

11 (2) is 18 years of age or older;

12 (3) has been a resident of the state and of the house district in which
13 the person seeks to vote for at least 30 days just before the election; and

1 (4) has registered [BEFORE THE ELECTION] as required under
2 AS 15.07 and is not registered to vote in another jurisdiction.

3 * **Sec. 2.** AS 15.05.020 is amended to read:

4 **Sec. 15.05.020. Rules for determining residence of voter.** For the purpose of
5 determining residence for voting, the place of residence is governed by the following
6 rules:

7 (1) A person may not be considered to have gained a residence solely
8 by reason of presence nor may a person lose it solely by reason of absence while in the
9 civil or military service of this state or of the United States or of absence because of
10 marriage to a person engaged in the civil or military service of this state or the United
11 States, while a student at an institution of learning, while in an institution or asylum at
12 public expense, while confined in public prison, while engaged in the navigation of
13 waters of this state or the United States or of the high seas, while residing upon an
14 Indian or military reservation, or while residing in the Alaska Pioneers' Home or the
15 Alaska Veterans' Home.

16 (2) The residence of a person is that place in which the person's
17 **physical** habitation is fixed, and to which, whenever absent, the person has **a definite,**
18 **articulable, and reasonable plan** [THE INTENTION] to return. If a person resides in
19 one place, but does business in another, the former is the person's place of residence.
20 Temporary work sites do not constitute a dwelling place.

21 (3) [A CHANGE OF RESIDENCE IS MADE ONLY BY THE ACT
22 OF REMOVAL JOINED WITH THE INTENT TO REMAIN IN ANOTHER
23 PLACE.] There can only be one residence.

24 (4) A person does not lose residence if the person leaves home and
25 goes to another country, state, or place in this state for temporary purposes only and
26 with the intent of returning **to the person's residence.**

27 (5) A person does not gain residence in any place to which the person
28 comes without the present intention to establish a permanent dwelling at that place.

29 (6) A person loses residence in this state if the person **establishes**
30 **residence in another state or** votes in another state's election, either in person or by
31 absentee ballot, and will not be eligible to vote in this state until again qualifying

1 under AS 15.05.010.

2 (7) The term of residence is computed by including the day on which
3 the person's residence begins and excluding the day of election.

4 (8) The address of a voter as it appears on the official voter registration
5 record is presumptive evidence of the person's voting residence. This presumption is
6 negated [ONLY] if the voter notifies the director in writing of a change of voting
7 residence. **When a voter's qualification is questioned under AS 15.15.210 or**
8 **challenged in accordance with the procedure adopted in regulation under**
9 **AS 15.20.215, the presumption may be rebutted by providing evidence to the**
10 **division that the voter has established residence in another state or place in this**
11 **state or evidence that the voter is not a resident under (2) - (7) of this section.**

12 * **Sec. 3.** AS 15.07.060(a) is amended to read:

13 (a) Each applicant who requests registration or reregistration shall supply the
14 following information:

15 (1) the applicant's name and sex;

16 (2) if issued, the applicant's State of Alaska driver's license number or
17 State of Alaska identification card number, or the last four digits of the applicant's
18 social security number;

19 (3) the applicant's date of birth;

20 (4) the applicant's Alaska residence address;

21 (5) a statement of whether the applicant has previously been registered
22 to vote in another jurisdiction, and, if so, the jurisdiction and the address of the
23 previous registration;

24 (6) a declaration that the applicant will be 18 years of age or older
25 within 90 days after the date of registration;

26 (7) a declaration that the applicant is a citizen of the United States;

27 (8) the date of application;

28 (9) the applicant's signature or mark, **or an electronic image of the**
29 **applicant's signature submitted in the format and according to the process**
30 **specified by the division in regulation;**

31 (10) any former name under which the applicant was registered to vote

1 in the state;

2 (11) an attestation that the information provided by the applicant in (1)
3 - (10) of this subsection is true; and

4 (12) a certification that the applicant understands that a false statement
5 on the application may make the applicant subject to prosecution [FOR A
6 MISDEMEANOR] under this title or **for perjury under** AS 11.

7 * **Sec. 4.** AS 15.07.060 is amended by adding new subsections to read:

8 (g) The division shall provide an applicant the opportunity to designate, from
9 among the written languages in which the division is required to print election
10 materials under 52 U.S.C. 10503, as amended, the language in which the applicant
11 prefers to receive ballots and other election materials printed for an election. The
12 division shall provide the applicant with ballots and election materials in the
13 applicant's designated language unless the applicant designates a language in which
14 the division is not required to print ballots and election materials. The division shall
15 notify an applicant when ballots and election materials printed in the designated
16 language are not available and allow the applicant another opportunity to designate a
17 language under this subsection. The division shall provide an applicant with ballots
18 and election materials in the designated language until the earlier of the date that

19 (1) the applicant's voter registration is inactivated or cancelled; or

20 (2) the division is no longer required under 52 U.S.C. 10503, as
21 amended, to print ballots and election materials in the designated language.

22 (h) An applicant who requests registration within 30 days before an election
23 shall supply a declaration stating whether the applicant established residency at least
24 30 days before the date of the election in

25 (1) the state;

26 (2) the house district in which the applicant seeks to vote at the
27 election.

28 * **Sec. 5.** AS 15.07.070(c) is amended to read:

29 (c) The names of persons submitting completed registration forms by mail that
30 are postmarked at least 30 days before the next election, or submitting completed
31 registration forms by facsimile or other electronic transmission approved by the

1 director under AS 15.07.050 that are received at least 30 days before the next election,
2 shall be placed on the official registration list for that election. If a registration form
3 received by mail less than 30 days before an election does not have a legible and dated
4 postmark, the name of the person submitting the form shall be placed on the official
5 registration list for that election if the form was signed and dated by the person at least
6 30 days before the election and if the form is received by the director or election
7 supervisor at least 25 days before the election. The name of a person submitting a
8 completed registration form by mail or by facsimile or other electronic transmission
9 that does not meet the applicable requirements of this subsection may not be placed on
10 the official registration list for that election but shall be placed on the master register
11 after that election. **A person submitting a completed registration form that does**
12 **not meet the requirements of this subsection for placement on the master register**
13 **for the next election but who complies with AS 15.07.060(h) may vote an**
14 **absentee, special needs, or questioned ballot at that election.**

15 * Sec. 6. AS 15.07.070(d) is amended to read:

16 (d) Qualified voters may register in person before a registration official or
17 through a voter registration agency at any time throughout the year. **A qualified voter**
18 **who registers** [, EXCEPT THAT A PERSON REGISTERING] within 30 days **before**
19 **or on the day of an election may vote only an absentee, special needs, or**
20 **questioned ballot** [PRECEDING AN ELECTION IS NOT ELIGIBLE TO VOTE] at
21 that election. **The division may not reject the absentee, special needs, or**
22 **questioned ballot of a qualified voter who registers within 30 days before or on**
23 **the day of an election on the grounds that the voter is not on the official**
24 **registration list for the election.** Upon receipt and approval of the registration forms,
25 the director or the election supervisor shall forward to the voter an acknowledgment in
26 the form of a registration card, and the voter's name shall immediately be placed on
27 the master register. Names of persons registering 30 or more days before an election
28 shall be placed on the official registration list for that election.

29 * Sec. 7. AS 15.07.090(b) is amended to read:

30 (b) A voter shall reregister if the voter's registration is cancelled as provided in
31 AS 15.07.130. **A person reregistering under this subsection may vote only an**

1 **absentee, special needs, or questioned ballot until** [THE REREGISTRATION IS
2 EFFECTIVE FOR] the next election that occurs at least 30 days after the date of
3 reregistration. **The division may not reject the absentee, special needs, or**
4 **questioned ballot of a qualified voter who reregisters within 30 days before or on**
5 **the day of an election on the grounds that the voter is not on the official**
6 **registration list for the election.**

7 * **Sec. 8.** AS 15.07.090(c) is amended to read:

8 (c) The director shall transfer the registration of a voter from one precinct to
9 another within a house district when requested by the voter. **If a** [THE] request **is**
10 [SHALL BE] made **within** 30 [OR MORE] days before [THE] election day **or on**
11 **election day, a person transferring registration to a new precinct may vote only**
12 **an absentee, special needs, or questioned ballot. The division may not reject the**
13 **absentee, special needs, or questioned ballot of a qualified voter who transfers**
14 **registration within 30 days before or on the day of an election on the grounds**
15 **that the voter is not on the official registration list for the election.** The director
16 shall transfer the registration of a voter from one house district to another when
17 requested by the voter. The voter must reside in the new house district for at least 30
18 days in order to vote **a ballot for that district.**

19 * **Sec. 9.** AS 15.07.090(d) is amended to read:

20 (d) A person who claims to be a registered voter, but for whom no evidence of
21 registration in the precinct can be found, **may vote only an absentee, special needs,**
22 **or questioned ballot. The division may not reject the absentee, special needs, or**
23 **questioned ballot of a qualified voter who registers within 30 days before or on**
24 **the day of an election on the grounds that the voter is not on the official**
25 **registration list for the election** [SHALL BE GRANTED THE RIGHT TO VOTE
26 IN THE SAME MANNER AS THAT OF A QUESTIONED VOTER AND THE
27 BALLOT SHALL BE TREATED IN THE SAME MANNER. THE BALLOT
28 SHALL BE CONSIDERED TO BE A "QUESTIONED BALLOT" AND SHALL BE
29 SO DESIGNATED. THE DIRECTOR OR THE DIRECTOR'S REPRESENTATIVE
30 SHALL DETERMINE WHETHER THE VOTER IS REGISTERED IN THE HOUSE
31 DISTRICT BEFORE COUNTING THE BALLOT. A VOTER WHO HAS FAILED

1 TO OBTAIN A TRANSFER AS PROVIDED IN (c) OF THIS SECTION SHALL
2 VOTE A "QUESTIONED BALLOT" IN THE PRECINCT IN WHICH THE VOTER
3 RESIDES].

4 * **Sec. 10.** AS 15.07.130(a) is amended to read:

5 (a) Periodically, at times of the director's choosing, but **not** [NO] less
6 frequently than in January of each calendar year, the director shall examine the master
7 register maintained under AS 15.07.120 and shall send, by **forwardable**
8 [NONFORWARDABLE] mail to the voter's registration mailing address, **and to the**
9 **voter's electronic mail address, if available**, a notice requesting address
10 confirmation or correction. **The notice must explain that the voter's registration**
11 **will be inactivated unless the voter responds to the notice within 45 days after the**
12 **date the notice is sent. The director shall send the notice** to each voter

13 (1) whose mail from the division has been returned to the division in
14 the two years immediately preceding the examination of the register;

15 (2) who has not contacted the division in the two years immediately
16 preceding the examination of the register **and** [; OR (3)] who has not voted or
17 appeared to vote in the two **years** [GENERAL ELECTIONS] immediately preceding
18 the examination of the register; **or**

19 **(3) who, after registering to vote in this state and in the two years**
20 **immediately preceding the examination of the register, has**

21 **(A) registered to vote in another state;**

22 **(B) received a driver's license from another state;**

23 **(C) registered a vehicle in another state;**

24 **(D) received public assistance from another state;**

25 **(E) served on a jury in another state;**

26 **(F) obtained a resident hunting or fishing license in another**
27 **state;**

28 **(G) paid the state resident tuition rate for a public**
29 **university in another state;**

30 **(H) received a homestead or residential property tax**
31 **exemption in another state; or**

1 **(I) received a benefit available only to residents of another**
2 **state.**

3 * **Sec. 11.** AS 15.07.130(b) is amended to read:

4 (b) If a registered voter **does** [HAS] not **respond to a notice sent under (a) of**
5 **this section within 45 days after the date the notice is sent, the director shall**
6 **inactivate the voter's registration** [, WITHIN THE PRECEDING FOUR
7 CALENDAR YEARS, CONTACTED THE DIVISION AND HAS NEITHER
8 VOTED NOR APPEARED TO VOTE IN A LOCAL, REGIONAL SCHOOL
9 BOARD, PRIMARY, SPECIAL, OR GENERAL ELECTION DURING THE LAST
10 FOUR CALENDAR YEARS AND A NOTICE SENT TO THE VOTER UNDER (a)
11 OF THIS SECTION WAS RETURNED AS UNDELIVERABLE, THE VOTER
12 SHALL BE ADVISED BY A NOTICE SENT BY FORWARDABLE MAIL TO THE
13 VOTER'S LAST KNOWN ADDRESS THAT REGISTRATION WILL BE
14 INACTIVATED UNLESS THE VOTER RESPONDS TO THE NOTICE NO
15 LATER THAN 45 DAYS AFTER THE DATE OF THE NOTICE SENT UNDER
16 THIS SECTION]. The director shall maintain on the master register the name of a
17 voter whose registration is inactivated. The director shall cancel a voter's inactive
18 registration in accordance with the procedures set out in 42 U.S.C. 1973gg-6 (sec. 8,
19 National Voter Registration Act of 1993) after the second general election that occurs
20 after the registration becomes inactive if the voter does not contact the division or vote
21 or appear to vote.

22 * **Sec. 12.** AS 15.07.130(d) is amended to read:

23 (d) The notice sent under **(a)** [(b)] of this section must include a postage
24 prepaid and pre-addressed return card on which the voter may state the voter's current
25 address. The notice must indicate

26 (1) that the voter should return the card not later than 45 days after the
27 date of the notice if the voter did not change residence;

28 (2) that failure to return the card by the 45-day deadline could result in
29 removal of the voter's name from the official registration list for a subsequent election;

30 (3) that the voter's registration will be cancelled if the voter does not
31 contact the division during, or vote or appear to vote in an election held during, the

1 period beginning on the date of the notice and ending on the day after the last day of
2 the fourth calendar year that occurs after the date of notice; and

3 (4) how the voter can continue to be eligible to vote if the voter has
4 changed residence.

5 * **Sec. 13.** AS 15.07 is amended by adding a new section to read:

6 **Sec. 15.07.133. Process to cancel registration.** The director shall develop a
7 process to allow a voter to cancel the voter's registration in person before an election
8 official or electronically. The director shall prominently display instructions at each
9 polling place and on the division's Internet website for a voter to cancel the voter's
10 registration.

11 * **Sec. 14.** AS 15.10.170(a) is amended to read:

12 (a) The precinct party committee, where an organized precinct committee
13 exists, or the party district committee where no organized precinct committee exists,
14 or the state party chairperson where neither a precinct nor a party district committee
15 exists, may appoint one or more [PERSONS AS] watchers in each precinct and
16 counting center for any election. A [EACH] candidate may appoint one or more
17 watchers for each precinct or counting center in the candidate's respective district or
18 the state for any election. An [ANY] organization or organized group that sponsors or
19 opposes **a ballot proposition** [AN INITIATIVE, REFERENDUM,] or **question**
20 [RECALL] may have one or more [PERSONS AS] watchers at the polls and counting
21 centers after first obtaining authorization from the director. **A candidate, or an**
22 **organization or organized group with authorization from the director, may**
23 **appoint at least one watcher for each location where ballots or envelopes are**
24 **reviewed or counted in a precinct or counting center.** A state party chairperson, a
25 precinct party committee, a party district committee, or a candidate may not have more
26 than one watcher on duty at a time in any precinct or counting center. A watcher must
27 be a United States citizen. The watcher may be present at a position inside the place of
28 voting or counting that affords a full view of all action of the election officials taken
29 from the time the polls are opened until the ballots are finally counted and the results
30 certified by the election board or the data processing review board. The election board
31 or the data processing review board may require each watcher to present written proof

1 showing appointment by the precinct party committee, the party district committee,
2 the organization or organized group, or the candidate the watcher represents **and that**
3 **is signed by the respective chairperson of the precinct party committee, party**
4 **district committee, state party chairperson, organization or organized group, or**
5 **candidate.**

6 * **Sec. 15.** AS 15.10 is amended by adding a new section to read:

7 **Sec. 15.10.175. International election observers.** (a) An international election
8 observer may be present at a position inside the precinct or counting center that
9 affords a full view of the activity of election officials from the time the polls are
10 opened until the ballots are finally counted and the results certified by the election
11 board or the data processing review board.

12 (b) Notwithstanding AS 15.15.210, AS 15.20.203, and 15.20.207, an
13 international election observer may not question a voter or challenge a voter's ballot.

14 (c) In this section, "international election observer" means a person who is

15 (1) not a citizen of the United States;

16 (2) designated by an international membership organization of which
17 the United States is a member; and

18 (3) invited by the United States Department of State to be part of a
19 mission to observe the election.

20 * **Sec. 16.** AS 15.13.020(j) is amended to read:

21 (j) The commission shall establish **offices** [AN OFFICE, WHICH MAY BE
22 CALLED A REGIONAL OFFICE, IN EACH SENATE DISTRICT IN THE STATE
23 TO KEEP ON FILE FOR PUBLIC INSPECTION COPIES OF ALL REPORTS
24 FILED WITH THE COMMISSION BY CANDIDATES FOR STATEWIDE OFFICE
25 AND BY CANDIDATES FOR LEGISLATIVE OFFICE IN THAT DISTRICT;
26 HOWEVER, WHERE ONE MUNICIPALITY CONTAINS MORE THAN ONE
27 HOUSE DISTRICT, ONLY ONE COMMISSION OFFICE SHALL BE
28 ESTABLISHED IN THAT MUNICIPALITY. THE REGIONAL OFFICE SHALL
29 MAKE ALL FORMS AND PERTINENT MATERIAL AVAILABLE TO
30 CANDIDATES. ALL REPORTS SHALL BE FILED BY CANDIDATES, GROUPS,
31 AND INDIVIDUALS DIRECTLY WITH THE COMMISSION'S CENTRAL

1 DISTRICT OFFICE. THE COMMISSION SHALL ENSURE THAT COPIES OF
2 ALL REPORTS BY STATEWIDE AND LEGISLATIVE CANDIDATES IN EACH
3 SENATE DISTRICT ARE FORWARDED PROMPTLY TO THAT DISTRICT OR
4 REGIONAL OFFICE].

5 * **Sec. 17.** AS 15.15.060 is amended by adding a new subsection to read:

6 (f) At each polling place, the division shall provide language assistance as
7 required under 52 U.S.C. 10503. An election supervisor shall post at each polling
8 place information regarding the availability of language assistance in English and all
9 other languages for which language assistance is required to be provided in the
10 jurisdiction under federal law.

11 * **Sec. 18.** AS 15.15.170 is amended to read:

12 **Sec. 15.15.170. Prohibition of political persuasion near election polls. (a)**

13 During the hours the polls are open, a person who is in the polling place or within 200
14 feet of any entrance to the polling place may not

15 **(1)** attempt to persuade a person to vote for or against a candidate,
16 proposition, or question; **or**

17 **(2) physically display a photo, video, or other image of the person's**
18 **or another person's marked ballot in an attempt to persuade a person to vote for**
19 **or against a candidate, proposition, or question.**

20 **(b)** The election officials shall post warning notices at the required distance in
21 the form and manner prescribed by the director.

22 * **Sec. 19.** AS 15.15 is amended by adding a new section to read:

23 **Sec. 15.15.205. Questioning of voter who requested absentee ballot.** If a
24 voter appears on the official registration list as having received or voted an absentee
25 ballot, the election official shall affirmatively advise the voter that the voter may
26 surrender the absentee ballot for destruction or cast a questioned ballot. If the voter
27 does not surrender the absentee ballot, the voter shall be allowed to vote a questioned
28 ballot.

29 * **Sec. 20.** AS 15.15.280 is amended to read:

30 **Sec. 15.15.280. Prohibiting the exhibition of marked ballots. A** [SUBJECT
31 TO AS 15.15.240 A] voter may not exhibit the voter's ballot to an election official or

1 any other person so as to enable any person to ascertain how the voter marked the
2 ballot.

3 * **Sec. 21.** AS 15.15.280 is amended by adding a new subsection to read:

4 (b) This section does not apply to a voter who

5 (1) requests assistance under AS 15.15.240; or

6 (2) subject to the prohibition on political persuasion in, or within 200
7 feet of an entrance to, a polling place under AS 15.15.170, shares a photo, video, or
8 other image of the voter's marked ballot with another person or with the public.

9 * **Sec. 22.** AS 15.15.410 is amended to read:

10 **Sec. 15.15.410. Voting multiple ballots [PLURAL VOTING].** Upon a
11 determination that a person has voted more than once in the same election, the director
12 shall notify the attorney general. **The division may not count a ballot voted by a**
13 **person if the division determines, based on evidence, that the person voted more**
14 **than one ballot with the intent that the division count multiple ballots voted by**
15 **the person. If the division determines that the person did not intend for the**
16 **division to count multiple ballots voted by the person and the person voted**

17 **(1) an absentee, special needs, or questioned ballot and also voted a**
18 **ballot that is not an absentee, special needs, or questioned ballot, the division**
19 **shall count the ballot that is not an absentee, special needs, or questioned ballot;**

20 **(2) more than one absentee, special needs, or questioned ballot and**
21 **did not vote a ballot that is not an absentee, special needs, or questioned ballot,**
22 **the division shall count the ballot in the first envelope the division reviews.**

23 * **Sec. 23.** AS 15.15 is amended by adding a new section to read:

24 **Sec. 15.15.455. Risk-limiting audits.** (a) In addition to the ballot counting
25 review conducted under AS 15.15.420 - 15.15.440, after each state election but before
26 the certification of the ballot counting review under AS 15.15.450, the director shall
27 conduct a risk-limiting audit of selected election results. The audit must be designed
28 using statistical methods to limit the risk of certification of an election result that is
29 inconsistent with the result that would be obtained by conducting a recount.

30 (b) The director shall adopt regulations necessary to implement and administer

31 (a) of this section. The regulations must include a procedure for selecting which

1 election results to audit and for notifying a candidate in a race subject to a risk-limiting
2 audit of the audit. In adopting regulations under this subsection, the director shall
3 consult recognized statistical experts, equipment vendors, and municipal clerks and
4 shall consider best practices for conducting risk-limiting audits.

5 (c) A candidate with a direct interest in a risk-limiting audit who seeks to
6 protect the candidate's interests during the audit may provide, at the candidate's own
7 expense, one or more observers to witness the audit.

8 * **Sec. 24.** AS 15.20.030 is amended to read:

9 **Sec. 15.20.030. Preparation of ballots, envelopes, and other material.** The
10 director shall provide ballots for use as absentee ballots in all districts. The director
11 shall provide a secrecy sleeve in which the voter shall initially place the marked ballot,
12 and shall provide a postage-paid return [AN] envelope with the prescribed voter's
13 certificate on it, in which the secrecy sleeve with ballot enclosed shall be placed. The
14 director shall prescribe the form of and prepare the voter's certificate, envelopes, and
15 other material used in absentee voting. The voter's certificate shall include a
16 declaration, for use when required, that the voter is a qualified voter in all respects, a
17 blank for the voter's signature, and a space for recording the date that the voter
18 executed the certificate. An envelope may not identify a voter's party affiliation [,
19 A CERTIFICATION THAT THE AFFIANT PROPERLY EXECUTED THE
20 MARKING OF THE BALLOT AND GAVE THE VOTER'S IDENTITY, BLANKS
21 FOR THE ATTESTING OFFICIAL OR WITNESS, AND A PLACE FOR
22 RECORDING THE DATE THE ENVELOPE WAS SEALED AND WITNESSED].
23 The envelope with the voter's certificate must include a notice that false statements
24 made by the voter [OR BY THE ATTESTING OFFICIAL OR WITNESS] on the
25 certificate are punishable by law.

26 * **Sec. 25.** AS 15.20.072 is amended by adding a new subsection to read:

27 (h) If a voter and the voter's representative satisfy the requirements of (d) of
28 this section, the division may not reject a voter's special needs ballot based on an error
29 by an election official or representative on the register under (c) or an error by a
30 representative under (d) of this section.

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

1 (d) Upon receipt of an absentee ballot by mail, the voter [, IN THE
2 PRESENCE OF A NOTARY PUBLIC, COMMISSIONED OFFICER OF THE
3 ARMED FORCES INCLUDING THE NATIONAL GUARD, DISTRICT JUDGE
4 OR MAGISTRATE, UNITED STATES POSTAL OFFICIAL, REGISTRATION
5 OFFICIAL, OR OTHER PERSON QUALIFIED TO ADMINISTER OATHS,] may
6 proceed to mark the ballot in secret, to place the ballot in the secrecy sleeve, to place
7 the secrecy sleeve in the envelope provided, and to sign the voter's certificate on the
8 envelope. The [IN THE PRESENCE OF AN OFFICIAL LISTED IN THIS
9 SUBSECTION WHO SHALL SIGN AS ATTESTING OFFICIAL AND SHALL
10 DATE THE SIGNATURE. IF NONE OF THE OFFICIALS LISTED IN THIS
11 SUBSECTION IS REASONABLY ACCESSIBLE, AN ABSENTEE VOTER
12 SHALL SIGN THE VOTER'S CERTIFICATE IN THE PRESENCE OF AN
13 INDIVIDUAL WHO IS 18 YEARS OF AGE OR OLDER, WHO SHALL SIGN AS
14 A WITNESS AND ATTEST TO THE DATE ON WHICH THE VOTER SIGNED
15 THE CERTIFICATE IN THE INDIVIDUAL'S PRESENCE, AND, IN ADDITION,
16 THE] voter shall certify, as prescribed in AS 09.63.020, under penalty of perjury, that
17 the statements in the voter's certification are true.

18 * **Sec. 27.** AS 15.20.081(e) is amended to read:

19 (e) An absentee ballot must be marked on or before the date of the election.
20 Except as provided in (h) of this section, a voter who returns the absentee ballot by
21 mail, whether provided to the voter by mail or by electronic transmission, shall use a
22 mail service at least equal to first class and mail the ballot not later than the day of the
23 election to the election supervisor for the house district in which the voter seeks to
24 vote. Except as provided in AS 15.20.480, the ballot may not be counted unless it is
25 received by the close of business on the 10th day after the election. [IF THE BALLOT
26 IS POSTMARKED, IT MUST BE POSTMARKED ON OR BEFORE ELECTION
27 DAY.] After the day of the election, ballots may not be accepted unless received by
28 mail. A ballot received after the day of the election that is not postmarked or is
29 postmarked after the day of the election may not be counted unless the ballot
30 envelope is marked with a United States Postal Service tracking barcode or a
31 division of elections ballot tracking barcode sufficient to verify that the ballot was

1 **mailed on or before the day of the election.**

2 * **Sec. 28.** AS 15.20.081 is amended by adding new subsections to read:

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

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

8 or

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

11 (n) If a voter requests under AS 15.07.060(g) or, at least 45 days before an
12 election, requests in writing or by other means designated in regulations adopted by
13 the director to receive a ballot in a language other than English in which the division is
14 required to print election materials under 52 U.S.C. 10503, as amended, the director
15 shall provide the voter with a ballot and election materials under this section in the
16 language requested.

17 * **Sec. 29.** AS 15.20.201(b) is amended to read:

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

27 * **Sec. 30.** AS 15.20.203(b) is amended to read:

28 (b) An absentee ballot **must be rejected** [MAY NOT BE COUNTED] if

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

30 (2) [AN OFFICIAL OR THE WITNESSES AUTHORIZED BY LAW
31 TO ATTEST THE VOTER'S CERTIFICATE FAIL TO EXECUTE THE

1 CERTIFICATE, EXCEPT THAT AN ABSENTEE BALLOT CAST IN PERSON
2 AND ACCEPTED BY AN ABSENTEE VOTING OFFICIAL OR ELECTION
3 SUPERVISOR MAY BE COUNTED DESPITE FAILURE OF THE ABSENTEE
4 VOTING OFFICIAL OR ELECTION SUPERVISOR TO PROPERLY SIGN AND
5 DATE THE VOTER'S CERTIFICATE AS ATTESTING OFFICIAL AS REQUIRED
6 UNDER AS 15.20.061(c);

7 (3) THE BALLOT IS NOT ATTESTED ON OR BEFORE THE
8 DATE OF THE ELECTION;

9 (4)] the ballot **envelope and certificate**, if **delivered by mail after the**
10 **day of the election** [POSTMARKED],

11 (A) is [NOT] postmarked **after** [ON OR BEFORE] the date of
12 the election;

13 (B) **has a United States Postal Service tracking barcode or a**
14 **division of elections ballot tracking barcode verifying that the ballot was**
15 **mailed after the date of the election; or**

16 (C) **is executed after the date of the election;**

17 (3) [(5)] after the day of election, the ballot was delivered by a means
18 other than mail;

19 (4) [OR (6)] the voter voted

20 (A) in person and is a

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

28 (ii) voter other than one described in (i) of this
29 subparagraph, did not provide identification described in
30 AS 15.15.225(a), was not personally known by the election official,
31 and has not provided the identifiers required in AS 15.07.060(a)(2) and

1 (3); or

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

7 (i) driver's license, state identification card, current and
8 valid photo identification, birth certificate, passport, or hunting or
9 fishing license; or

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

14 **(5) the voter did not vote absentee in-person and the signature on**
15 **the certificate is not consistent with the voter's signature in voter registration**
16 **records.**

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

18 (k) Except for a voter who voted absentee in-person, the district absentee
19 counting board shall determine whether a voter's signature on the certificate is
20 consistent with the voter's signature in voter registration records using a signature
21 verification process that includes signature comparison software, according to a
22 procedure provided in regulations adopted by the director. An election official may not
23 determine that the signature on a voter's return envelope does not match the signature
24 stored in the voter's registration record solely based on substitution of initials or use of
25 a common nickname. The director shall provide training in signature comparison and
26 the use of signature comparison software to election officials who compare signatures
27 under this section.

28 * **Sec. 32.** AS 15.20 is amended by adding a new section to read:

29 **Sec. 15.20.215. Rules for challenging ballot.** The director shall adopt by
30 regulation a procedure and time frame for a person present at the ballot counting
31 review to challenge the decision of whether to count an absentee, special needs, or

1 questioned ballot. The procedure must provide a reasonable amount of time to submit
2 a challenge.

3 * **Sec. 33.** AS 15.20.220(b) is amended to read:

4 (b) The state review board shall review and count absentee ballots under
5 AS 15.20.081(e) and (h), absentee ballots properly cured under AS 15.20.222, and
6 questioned ballots that have been forwarded to the director and that have not been
7 reviewed or counted by a district counting board.

8 * **Sec. 34.** AS 15.20 is amended by adding new sections to read:

9 **Sec. 15.20.221. Ballot-tracking system.** (a) The director shall establish an
10 online ballot-tracking system. The director may procure the system from a third party.
11 The system must be designed to allow a voter to easily use the system through a
12 mobile electronic device. The system must allow a voter to

- 13 (1) confirm that the voter's ballot has been sent by the division;
- 14 (2) track the date of the ballot's delivery to the voter;
- 15 (3) confirm the division's receipt of the voter's ballot;
- 16 (4) determine whether the voter's certificate has been reviewed;
- 17 (5) determine whether the voter's ballot has been counted; and
- 18 (6) provide the information necessary to cure a rejected ballot.

19 (b) The online ballot-tracking system must

- 20 (1) verify a voter's identity; and
- 21 (2) indicate to a voter

22 (A) the process by which the voter may cure the lack of
23 signature or verify the voter's identity, if the signature on the voter's ballot was
24 missing; and

25 (B) the reason the voter's ballot was not counted, if the ballot
26 was not counted.

27 (c) The division may not charge a voter a fee to use the online ballot-tracking
28 system.

29 **Sec. 15.20.222. Procedure for curing uncounted ballot.** (a) If a voter returns
30 a ballot that is rejected because the voter does not have a signature stored in voter
31 registration records, the certificate is missing a signature, the signature on the

1 certificate is determined under AS 15.20.203 to not match the signature in voter
2 registration records, or the voter provided insufficient voter identification, the director
3 shall immediately make a reasonable effort to contact the voter, explain the ballot
4 deficiency, explain how the deficiency may be cured, and inform the voter of the
5 deadline to cure the ballot. The director shall, within 24 hours, attempt to begin
6 sending notices of deficiency by electronic mail to the voter's electronic mail address
7 if the voter has provided an electronic mail address. If the voter has provided a
8 telephone number, the director shall, within 24 hours, attempt to notify the voter of the
9 deficiency by telephone call and text message. The director shall, within 48 hours, but
10 not later than five days after election day, send a notice of deficiency by first class,
11 nonforwardable mail to the address in the voter's registration record.

12 (b) A notice of deficiency must include an explanation of the need for a
13 signature for verification purposes. The notice must include a form for the voter to
14 confirm that the voter returned a ballot to the division, provide a copy of a form of
15 identification accepted by the division under AS 15.15.225(a), and provide a signature
16 for verification. The director shall provide a printed copy of the form with the notice
17 of deficiency mailed to the voter. The director shall also make the form available in a
18 format that can be completed and returned electronically.

19 (c) The rejected ballot of a voter who received a notice of deficiency may be
20 counted only if

21 (1) the voter returns the form sent with the notice of deficiency, the
22 division receives the form within 14 days after election day, and the form confirms
23 that the voter returned a ballot to the division;

24 (2) the voter provides a signature and includes a copy of a form of
25 identification accepted by the division under AS 15.15.225(a); and

26 (3) the ballot is otherwise valid.

27 (d) A voter's rejected ballot may not be counted and the director shall, if
28 applicable, send copies of the signature on the voter's return envelope and the
29 signature stored in voter registration records to the attorney general for investigation if
30 the voter returns the form and the form indicates that the voter did not return a ballot
31 to the division.

1 (e) The division shall update the signature stored in voter registration records
2 if the voter, after providing a copy of a form of identification accepted by the division
3 under AS 15.15.225(a), either provides a signature for the voter's missing signature or
4 cures a nonmatching signature under this section.

5 * **Sec. 35.** AS 15.20 is amended by adding a new section to article 4 to read:

6 **Sec. 15.20.810. Drop boxes for elections conducted by mail.** The director
7 shall provide secure ballot drop boxes. The director shall adopt regulations governing
8 the use and location of ballot drop boxes. If practicable, the director shall provide a
9 drop box at each division regional office. The director shall, for a municipality with
10 over 20,000 residents, provide one drop box for each 20,000 residents in locations
11 chosen to ensure that drop boxes are accessible to the most possible voters. When
12 selecting drop box locations, the director may consult with municipalities, school
13 districts, tribal organizations, and nonpartisan civic organizations. The director may
14 provide a drop box in a municipality with fewer than 20,000 residents. The director
15 shall include in the regulations the criteria for selecting the locations of drop boxes,
16 the security requirements for the drop boxes, and a requirement that drop boxes be
17 open 24 hours a day in the 10 days before an election day. The regulations must
18 require that each drop box be open on the election day until 8:00 p.m.

19 * **Sec. 36.** AS 15.56.030(d) is amended to read:

20 (d) For purposes of (a)(2) and (3) of this section, "other valuable thing"

21 (1) includes

22 (A) an entry in a game of chance in which a prize of money or
23 other present or future pecuniary gain or advantage may be awarded to a
24 participant wherein the total of the prizes offered is greater than \$2 per
25 participant with a maximum of \$100; and

26 (B) government employment or benefits;

27 (2) does not include

28 (A) materials having a nominal value bearing the name,
29 likeness, or other identification of a candidate, political party, political group,
30 party district committee, or organization, or stating a position on a ballot
31 proposition or question;

1 (B) food and refreshments provided incidental to an activity
2 that is nonpartisan in nature and directed at encouraging persons to vote, or
3 incidental to a gathering in support of or in opposition to a candidate, political
4 party, political group, party district committee, organization, or ballot question
5 or proposition;

6 (C) care of the voter's dependents provided in connection with
7 the absence of a voter from home for the purpose of voting;

8 (D) services provided by a person acting as a representative
9 under AS 15.20.072;

10 (E) services provided by an election official as defined in
11 AS 15.80.010; [AND]

12 (F) transportation of a voter to or from the polls without
13 charge; **and**

14 **(G) postage-paid return envelopes required in**
15 **AS 15.20.030.**

16 * **Sec. 37.** AS 15.80 is amended by adding a new section to read:

17 **Sec. 15.80.006. Cybersecurity.** The director shall, by regulation, develop a
18 cybersecurity program to defend the voter registration records kept by the division
19 against cyber attacks and data breaches and enable the division to detect and recover
20 from cyber attacks. The program must include cybersecurity training for election
21 officials.

22 * **Sec. 38.** AS 19.25.105(a) is amended to read:

23 (a) Outdoor advertising may not be erected or maintained within 660 feet of
24 the nearest edge of the right-of-way and visible from the main-traveled way of the
25 interstate, primary, or secondary highways in this state except the following:

26 (1) directional and other official signs and notices **that** [WHICH]
27 include [, BUT ARE NOT LIMITED TO,] signs and notices pertaining to natural
28 wonders, scenic and historic attractions, which are required or authorized by law, and
29 which shall conform to federal standards for interstate and primary systems;

30 (2) signs, displays, and devices advertising the sale or lease of property
31 upon which they are located or advertising activities conducted on the property;

1 (3) signs determined by the state, subject to concurrence of the United
2 States Department of Transportation, to be landmark signs, including signs on farm
3 structures or natural surfaces of historic or artistic significance, the preservation of
4 which would be consistent with the provisions of this chapter;

5 (4) directional signs and notices pertaining to schools;

6 (5) advertising on bus benches or bus shelters, and adjacent trash
7 receptacles, if the state determines that the advertising conforms to local, state, and
8 federal standards for interstate and primary highways;

9 **(6) temporary political campaign signs not larger than 32 square**
10 **feet in size displayed on private property if the owner or resident of the property**
11 **is not being compensated for the display, the sign is not a risk to the public, and**
12 **the sign is outside of an interstate, primary, or secondary highway right-of-way.**

13 * **Sec. 39.** AS 24.45.091 is amended to read:

14 **Sec. 24.45.091. Publication of reports.** Copies of the statements and reports
15 filed under this chapter shall be made available to the public at the commission's
16 **offices and on the commission's Internet website** [CENTRAL OFFICE, THE
17 OFFICE OF THE LIEUTENANT GOVERNOR, THE LEGISLATIVE REFERENCE
18 LIBRARY OF THE LEGISLATIVE AFFAIRS AGENCY, AND AT THE
19 COMMISSION'S DISTRICT OFFICES PRESCRIBED IN AS 15.13.020(j)] as soon
20 as practicable after each reporting period.

21 * **Sec. 40.** AS 24.45.111(b) is amended to read:

22 (b) The commission shall preserve the statements and reports required to be
23 filed under this chapter for a period of six years from the date of filing. **Copies** [IF
24 THE COMMISSION'S CENTRAL OFFICE IS NOT IN THE STATE CAPITAL,
25 COPIES] of all statements and reports filed under this chapter shall be maintained in
26 **the commission's offices and be made available on the commission's Internet**
27 **website** [AN OFFICE ESTABLISHED BY THE COMMISSION IN THE STATE
28 CAPITAL OR IN THE OFFICE OF THE LIEUTENANT GOVERNOR].

29 * **Sec. 41.** AS 29.26.050 is amended by adding a new subsection to read:

30 (d) Except as a municipality may require for elections held only in specific
31 local election districts or service areas under (b) of this section, a person who has lived

1 within the municipality for at least 30 days, but who has not registered to vote in state
2 elections at a residence address within the municipality at least 30 days before a
3 municipal election, may vote only an absentee, special needs, or questioned ballot in
4 that election. The municipality may not reject the absentee, special needs, or
5 questioned ballot of a qualified voter who registers within 30 days before or on the day
6 of an election on the grounds that the voter is not on the official registration list for the
7 election.

8 * **Sec. 42.** AS 39.50.020(b) is amended to read:

9 (b) A public official, [OR] former public official, **or candidate for municipal**
10 **office** [OTHER THAN AN ELECTED OR APPOINTED MUNICIPAL OFFICER]
11 shall file the statement with the Alaska Public Offices Commission. Candidates for the
12 office of governor and lieutenant governor and, if the candidate is not subject to
13 AS 24.60, the legislature shall file the statement under AS 15.25.030. **The Alaska**
14 **Public Offices Commission shall provide copies of the statements filed by**
15 **municipal** [MUNICIPAL] officers, former municipal officers, and candidates for
16 elective municipal office **to** [SHALL FILE WITH] the **applicable** municipal clerk or
17 other municipal official designated to receive **the statements** [THEIR FILING FOR
18 OFFICE]. All statements required to be filed under this chapter are public records.

19 * **Sec. 43.** AS 39.50.200(b) is amended by adding a new paragraph to read:

20 (65) Redistricting Board.

21 * **Sec. 44.** AS 44.62.310(h)(3) is amended to read:

22 (3) "public entity" means an entity of the state or of a political
23 subdivision of the state including an agency, a board or commission, **the**
24 **Redistricting Board**, the University of Alaska, a public authority or corporation, a
25 municipality, a school district, and other governmental units of the state or a political
26 subdivision of the state; it does not include the court system or the legislative branch
27 of state government.

28 * **Sec. 45.** AS 15.10.170(b); AS 15.20.203(i), 15.20.203(j); and AS 29.26.050(a)(3) are
29 repealed.

30 * **Sec. 46.** The uncodified law of the State of Alaska is amended by adding a new section to
31 read:

1 APPLICABILITY. AS 15.56.030(d), as amended by sec. 36 of this Act, applies to
2 offenses committed on or after the effective date of sec. 36 of this Act.

3 * **Sec. 47.** The uncodified law of the State of Alaska is amended by adding a new section to
4 read:

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

9 * **Sec. 48.** Section 47 of this Act takes effect immediately under AS 01.10.070(c).

10 * **Sec. 49.** Except as provided in sec. 48 of this Act, this Act takes effect January 1, 2024.