

CS FOR SENATE BILL NO. 36(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 2/2/05

Referred: Judiciary

Sponsor(s): SENATOR THERRIAULT

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to applications requesting the delivery of absentee ballots."**

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

3 * **Section 1.** AS 15.20.081(b) is amended to read:

4 (b) An application requesting delivery of an absentee ballot to the applicant by
5 mail must be **either hand-delivered or mailed directly to the division of elections**
6 **by the applicant or by a person that is acting at the applicant's direction and that**
7 **is not a political group or political party. The application must be** received by the
8 division of elections not less than **10** [SEVEN] days before the election for which the
9 absentee ballot is sought. **A political group or political party may not encourage**
10 **or assist in a violation of this subsection.** An application for an absentee ballot for a
11 state election from a qualified voter requesting delivery of an absentee ballot to the
12 applicant by electronic transmission must be received by the division of elections not
13 later than 5:00 p.m. Alaska time on the day before the election for which the absentee
14 ballot is sought. An absentee ballot application submitted by mail under this section
15 must permit the person to register to vote under AS 15.07.070 and to request an

1 absentee ballot for each state election held within that calendar year for which the
 2 voter is eligible to vote. An absentee ballot application submitted by electronic
 3 transmission under this section may not include a provision that permits a person to
 4 register to vote under AS 15.07.070.

5 * **Sec. 2.** AS 15.20.081 is amended by adding a new subsection to read:

6 (j) The director shall adopt regulations under AS 44.62 (Administrative
 7 Procedure Act) specifying the information required to be included on an absentee
 8 ballot application submitted by mail or hand-delivered. The regulations must require
 9 that an application requesting delivery of an absentee ballot

10 (1) contain only that information required under regulations adopted
 11 by the director;

12 (2) conceal the personal information of the individual requesting
 13 delivery of an absentee ballot while the application is in the custody of the United
 14 States Postal Service or other person delivering the application to the division; and

15 (3) if not prepared by the division, be approved by the director before
 16 distribution to the public.

17 * **Sec. 3.** AS 15.56.030(a) is amended to read:

18 (a) A person commits the crime of unlawful interference with voting in the
 19 first degree if the person

20 (1) uses, threatens to use, or causes to be used force, coercion,
 21 violence, or restraint, or inflicts, threatens to inflict, or causes to be inflicted damage,
 22 harm, or loss, upon or against another person to induce or compel that person to vote
 23 or refrain from voting in an election;

24 (2) knowingly pays, offers to pay, or causes to be paid money or other
 25 valuable thing to a person to vote or refrain from voting in an election; [OR]

26 (3) solicits, accepts, or agrees to accept money or other valuable thing
 27 with the intent to vote for or refrain from voting for a candidate at an election or for an
 28 election proposition or question; or

29 **(4) is a political group or political party, encourages or assists in a**
 30 **violation of AS 15.20.081(b), and has been previously convicted for unlawful**
 31 **interference with voting in the second degree under AS 15.56.035(a)(5).**

1 * **Sec. 4.** AS 15.56.035(a) is amended to read:

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

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

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

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

11 [OR]

12 (4) as a registration official

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

15 (B) accepts a fee from an applicant applying for registration; **or**

16 **(5) is a political group or political party and encourages or assists**
17 **in a violation of AS 15.20.081(b).**