

CS FOR HOUSE BILL NO. 129(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 1/18/24

Referred: Rules

Sponsor(s): HOUSE JUDICIARY COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to voter registration; and providing for an effective date."**

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

3 *** Section 1.** AS 15.07.130(a) is amended to read:

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

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

14 (2) who has not contacted the division in the two years immediately
 15 preceding the examination of the register **and** [; OR (3)] who has not voted or

1 appeared to vote in the two years [GENERAL ELECTIONS] immediately preceding
 2 the examination of the register; or

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

5 (A) registered to vote in another state;

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

7 (C) registered a vehicle in another state;

8 (D) served on a jury in another state;

9 (E) received benefits under a claim of residency in another
 10 state, territory, or country; or

11 (F) established residence in another state, territory, or
 12 country.

13 * Sec. 2. AS 15.07.130(b) is amended to read:

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

1 * **Sec. 3.** AS 15.07.130(d) is amended to read:

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

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

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

9 (3) that the voter's registration will be cancelled if the voter does not
10 contact the division during, or vote or appear to vote in an election held during, the
11 period beginning on the date of the notice and ending on the day after the last day of
12 the fourth calendar year that occurs after the date of notice; and

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

15 * **Sec. 4.** AS 15.07.130 is amended by adding new subsections to read:

16 (g) The division shall adopt regulations providing for regular review and
17 updates of the master register. The regulations must provide for review of the register
18 for data breaches, the number of registered voters compared to persons eligible to vote
19 in the state, and the names of deceased voters, persons convicted of a felony involving
20 moral turpitude, persons not qualified to vote under AS 15.05, and persons registered
21 to vote in another state. The regulations must specify records and databases for use in
22 reviewing the master register; the records and databases must include databases
23 sourced from governmental agencies outside the division, including the United States
24 Postal Service national change of address database, the database of permanent fund
25 dividend recipients, Alaska Court System databases, state motor vehicle records,
26 records of the state programs of corrections, property and sales tax records, records of
27 the federal social security system, municipal assessor databases, the United States
28 Social Security Administration death index, an alien database maintained by the
29 United States Department of Homeland Security, and jury duty records from other
30 jurisdictions. The director may compare the master register to state welfare and public
31 assistance agency databases to identify information relevant to registration to vote in

1 state elections, including address changes, deaths, and citizenship status, and shall
 2 review the number of voters registered at each registration address to identify
 3 anomalous registration totals.

4 (h) The director shall adopt a best practice voter registration system to
 5 improve identity matching when comparing the master register with the records and
 6 databases used to review the master register. The director shall develop a written
 7 maintenance schedule and guideline manual for the system and provide a report on the
 8 system to the senate secretary and the chief clerk of the house of representatives on or
 9 before the first day of the first regular session of each legislature and shall notify the
 10 legislature that the report is available.

11 (i) The director shall, in a notice sent under (a) of this section, inform a voter
 12 of the criteria to qualify as a voter and the penalties for voter misconduct.

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

14 **Sec. 15.07.133. Process to cancel registration.** The director shall develop a
 15 process to allow a voter to cancel the voter's registration in person before an election
 16 official or electronically. The director shall prominently display instructions for a
 17 voter to cancel the voter's registration at each polling place.

18 * **Sec. 6.** AS 15.07.195 is amended by adding a new subsection to read:

19 (e) Unless disclosure of information related to a data breach of information
 20 made confidential by this section would compromise a criminal investigation, the
 21 director shall, not less than 30 days after discovering the breach, publish notice of the
 22 nature and severity of the breach on the division's Internet website and report the
 23 details of the breach to the president of the senate and the speaker of the house of
 24 representatives.

25 * **Sec. 7.** This Act takes effect July 1, 2024.