

HB

7

<TARGET><BILL>HB 7</BILL><SUBJECT>HB
7</SUBJECT><COMM>HSTA30</COMM></TARGET>

ALASKA LEGISLATURE

Representative Jonathan Kreiss-Tomkins

Angoon · Coffman Cove · Craig · Edna Bay · Elfin Cove · Game Creek · Hollis · Hoonah · Kake · Kasaan · Klawock · Kupreanof · Naukati · Pelican Petersburg · Point Baker · Port Alexander · Port Protection · Sitka · Tenakee Springs · Thorne Bay · Whale Pass

rep.jonathan.kreiss-tomkins@akleg.gov

Committees:
State Affairs, Chair
Fisheries
Judiciary



Juneau, Alaska 99801 (Jan. – April)
State Capitol, Room 411
907.465.3732

Sitka, Alaska 99835 (May – Dec.)
201 Katlian Street, Ste. 103
907.747.4665

HB 7 Sponsor Statement - Ballot Selfies

This bill would officially allow Alaskan voters to take and share “ballot selfies” — the photos that people take of themselves or their ballots in the voting booth. Technically, it’s illegal to share one in Alaska right now, though in practice, the law goes unenforced.

Sharing ballot photos was traditionally prohibited to prevent voter intimidation and vote buying (e.g., someone tells or pays you to vote a certain way, and makes you show picture of your ballot to prove you did). But technology and the internet have changed the reasons we take and share pictures: ballot selfies have become a common way to express support for a candidate, a cause, or the act of voting itself.

Alaska would be stepping into well-charted territory by allowing ballot selfies. Many other state recognize ballot selfies as a form of political speech, protected under the First Amendment. Bans on selfies have been struck down as unconstitutional in New Hampshire, Indiana, Nebraska, Rhode Island, Michigan, California, and Utah, joining states like Washington, Oregon, California, and Montana which never outlawed selfies to begin with.

There’s no evidence to suggest ballot buying is a widespread problem in Alaska: the state does not enforce the current law that bans ballot photos. If ballot selfies are legalized, standing laws which criminalize voting interference would remain (AS 15.56.030).

HOUSE COMMITTEE REPORT

2/6/17

(7)

Date Referred to Committee: January 18, 2017 FURTHER REFERRALS: Community and Regional Affairs

Date of Committee Action: February 2, 2017

The STATE AFFAIRS Committee considered:

HB 7

HOUSE BILL NO. 7

"An Act relating to the exhibition of marked ballots."

HB 7-DISPLAY OF PHOTOS OF MARKED BALLOT

Recommends it be replaced with HCS or CS for HB 7 (Sta)
 For Senate Bills with new title: Technical Title New Title: HCR _____ Same Title New Title





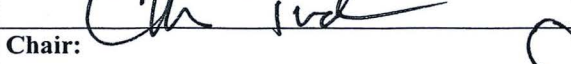

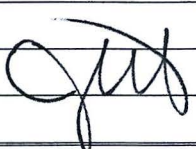
- attach amendments
- add new referral to _____ Committee
- Letter of Intent _____ Committee

- List of Abbrev for Depts.:
- ADM
 - AJS
 - CED
 - COR
 - EED
 - DEC
 - DFG
 - GOV
 - DHS
 - LWF
 - LAW
 - LEG
 - MVA
 - DNR
 - DPS
 - REV
 - DOT
 - UA

NEW FISCAL NOTES				
*FN# is assigned by Chief Clerk's Office				
*FN#	List by Dept(s):	Fiscal	Indet.	Zero
1	GOV			✓

PREVIOUS FISCAL NOTES				
FN#	List by Dept(s):	Fiscal	Indet.	Zero

7

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
	Johnson	✓			
	Wool	✓			
	LeDoux	✓			
	Knopp	✓			
	Birch	✓			
	Tuck	X			
Chair: 	Kreiss-Tomkins	X			
Chair:					

ALASKA LEGISLATURE

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State Affairs



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201 Katlian Street, Ste. 103
(907) 747-4665

Sectional for HB 7 — Ballot Selfie Bill

“An Act relating to the exhibition of marked ballots.”

Section 1.

Grants permission for qualified voters who need assistance in filling out a ballot to share their ballot with a designated election official as outlined in AS 15.15.240.

Section 2.

Allows for voters to share their images of their marked ballot with the public, if they so choose. Voters still cannot show their physical ballot, and existing penalties for coercion, vote buying, or bribery under AS 15.56.030 still apply.

NEWS > COLORADO NEWS

Temporary restraining order sought banning enforcement of Colorado law restricting ballot selfies

By **KIRK MITCHELL** | kmitchell@denverpost.com | The Denver Post

PUBLISHED: October 31, 2016 at 8:56 am | UPDATED: October 31, 2016 at 9:06 am

Federal Judge Christine Arguello will hear arguments Wednesday in Denver both for and against a Colorado law originally passed in 1891 that bans people 125 years later from publishing their ballot choices through cellular phone selfies.

Caryn Ann Harlos, the spokeswoman for the Libertarian Party of Colorado, said Monday that the “outdated law” violates citizens’ rights of free speech. She and others are seeking a preliminary injunction preventing authorities from enforcing the law.

“Ultimately we’re hoping that the law be struck down as unconstitutional,” Harlos said Monday. “Colorado has imposed abysmal restrictions upon our rights to free political speech.”

But Suzanne Staiert, deputy secretary of state, recently said in a statement that the law protects voters from undo voter coercion.

“We believe the current law protects the integrity of the election and protects voters from intimidation or inducement,” Staiert said in a recent public statement. “In fact, given Colorado’s unique election system and rise of social networking, the prohibition may be more important in Colorado than in other states and may be more timely today than ever.”

The Colorado Libertarian party has invited people to go to the Alfred A. Arraj U.S. District Courthouse with their marked ballots concealed in envelopes for a “demonstration of support.” If Arguello issues the restraining order preventing law enforcement from enforcing the law protesters will do a “group ballot selfie picture,” Harlos said.

While Harlos points out that “it may be claimed” that no has ever been prosecuted under the law, all laws are ultimately a threat of state force.

“It is the metaphorical lifting of one’s shirt to show there is a gun in the waistband, which gun can always be turned against those engaging in unpopular political speech at any time the government chooses,” Harlos said in a news release.

The firestorm over the so-called ballot selfies started Oct. 20 after Denver District Attorney Mitch Morrissey issued a news release to remind people that it is illegal to show someone else a completed ballot, including selfies and other pictures posted on social media.

TAGS: **BALLOT SELFIES, ELECTION 2016, MITCH MORRISSEY**

Kirk Mitchell of The Denver Post.

Kirk Mitchell

Kirk Mitchell is a general assignment reporter at The Denver Post who focuses on criminal justice stories. He began working at the newspaper in 1998, after writing for newspapers in Mesa, Ariz., and Twin Falls, Idaho, and The Associated Press in Salt Lake City. Mitchell first started writing the Gold Case blog in Fall 2007, in part because Colorado has more than 1,400 unsolved homicides.



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Quotes

This small team of data scientists has made an algorithm that is turning a giant 19 billion dollar industry up-side-down.

Rideout v. Gardner

Select Language

Powered by Google Translate

Closed

Expands Expression

MODE OF EXPRESSION

Electronic / Internet-based Communication

DATE OF DECISION

August 11, 2015

OUTCOME

Law or Action Overturned or Deemed Unconstitutional

CASE NUMBER

14-cv-489-PB

REGION & COUNTRY

United States, North America

JUDICIAL BODY

Appellate Court

TYPE OF LAW

Constitutional Law

THEMES

Political Expression

TAGS

First Amendment, Censorship

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CASE ANALYSIS

Case Summary and Outcome

New Hampshire passed a law that makes it unlawful for voters to take and disclose photos of their voting ballots to show others how they have voted. Three voters investigated under this law challenged it on First Amendment grounds. The court ruled that the new law is a content-based restriction on speech that cannot survive the standard of strict scrutiny.

Facts

In 2014, an existing law that forbid voters from disclosing their voter ballots was amended. The amended law, the New Hampshire Revised Statute § 659:35, penalized with fines the taking and sharing of digital images or photographs of marked voter ballots and sharing those images on social media or in other public ways.

The amendment aimed to curb buying votes. The court noted that New Hampshire did not offer evidence showing that vote buying or voter coercion occurred in New Hampshire since the late 1800s.

The plaintiffs in this case are three of the four people the Attorney General began to investigate in an alleged violation of the statute.

Leon Rideout, the first plaintiff, photographed his marked voter ballot and posted in on Facebook and Twitter. Andrew Langlois, the second plaintiff, wrote the name of his dead dog on his ballot, took a picture of it and shared in on Facebook. Brandon Ross, the third plaintiff, took a photo of his marked voter ballot and posted in on Facebook with a phrase "Come at me bro," as he was aware of the amended law.

Decision Overview

Honorable Judge Paul Barbadoro, of the New Hampshire U.S. District Court, wrote the memorandum and order. The Court first ruled on whether the restriction on speech was content based or content neutral. The distinction is important because, content based speech must withstand higher scrutiny. Applying precedent from *Reed v. Town of Gilbert*, 135 S. Ct. 2218

(2015), the Court ruled that the amended law is content based because it restricts speech on the basis of its subject matter. The Court dismissed the state's defense that a ballot is a non-public forum and thus, strict scrutiny should not be applied. To the Court, the argument was flawed because the law did not restrict speech on the ballot, but the public dissemination of the ballot.

To withstand strict scrutiny, a law must further a compelling interest and be narrowly tailored to achieve that interest. For an interest to be compelling, it must address an actual problem. New Hampshire does not have a problem with voter buying or other voter fraud, so no problem exists that the law alleges to address.

DECISION DIRECTION



GLOBAL PERSPECTIVE



CASE SIGNIFICANCE



OFFICIAL CASE DOCUMENTS



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University | Statement on
Disability

**Global Freedom of
Expression**
Columbia University
91 Claremont Ave,
Suite 523
New York, NY 10027
1-212-854-6785

 **1-212-854-6785**

 **GLOBALFREESPEECH@COLUMBIA.EDU**

 **GLOBALFOEANDI**

Election Day PSA: It's illegal to share photos of your ballot online in many states. Here's why.

By Caitlin Dewey November 4, 2014

This Election Day, feel free to tell Facebook you voted. Get that jaunty [little voting hat](#) on Tumblr. Tweet it on the [#election2014](#) hashtag.

But unless you live in Wyoming, North Dakota or [a small handful of other states](#), do *not*, for the love of democracy, share a photo of your ballot on social media. "Ballot selfies," as they've been dubbed, are still illegal in most of the country — [and punishable](#) by ballot invalidation, if not significant fines or jail time.

ADVERTISING

So, in an age where ceaseless self-documentation has become the cultural norm, why do those laws exist in the first place?

"It's a very unusual case," says Jeffrey Hermes, the deputy director of the Media Law Resource Center in New York. "Usually

ISRAEL BEYOND BELIEF

intersection of two fundamental aspects of democracy: freedom of speech and the integrity of the voting process.”

Hermes breaks it down this way: Suppose you were a nefarious character who wanted to skew the voting process in some way. You could buy votes, but you’d want proof that people actually voted like you told them to. You could mislead people who don’t understand the voting process or don’t speak English well. You could intimidate other voters into voting like you do.

In these cases, photos from inside the voting booth would really help you, the nefarious character, perpetrate election fraud. And so, many states have just banned those photos categorically. In this narrow circumstance, they’ve indicated, there’s something more essential to democracy than free speech.

That is not, needless to say, a universal opinion. On Friday, the New Hampshire ACLU [filed a lawsuit](#) challenging the state’s ballot selfie law on First Amendment grounds. That came after the state attorney general investigated at least two New Hampshire voters, Andrew Langlois and state Rep. Leon Rideout, for taking and sharing photos of their primary ballots in September. Rideout’s ballot can still be seen [online](#).

Intersect newsletter

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The corner of the Internet and interesting.

“Political speech is essential to a functioning democracy,” NHCLU staff attorney Gilles Bissonnette said in a statement. “The First Amendment does not allow the State to, as it is doing here, broadly ban innocent political speech with the hope that such a sweeping ban will address underlying criminal conduct.”

Hermes agrees. Election fraud and vote-buying are serious, legitimate concerns, he says, and states have every right to address them. But he points out that states have other ways to target election fraud, like vigorously investigating and prosecuting it. And he can envision hypothetical situations where ballot selfies would actually prove crucial to avoiding problems at the polls: If you’re in a small district of 100 or 150 voters, for instance, and enough of those voters snap pictures of their ballots, the compiled results could be used to determine if voting irregularities had taken place.

The NHCLU sees some other benefits for voting selfies, too: as forms of protest, as in the case of the New Hampshire man who “wrote in” the name of his dog; or as a powerful, organic measure to get out the vote, as selfie-takers share their ballots across their social networks.

Whatever the benefits, however, voters in most states won’t see them this election year. And that concerns Hermes, who says any laws that “restrict participation in the political process” are worth watching — and warily.

“Discussion is also important to the security of the vote,” he said. “Far from undermining the democratic process, [this type of information] actually strengthens it.”

Caitlin Dewey is the food policy writer for Wonkblog. Subscribe to her daily newsletter: tinyletter.com/cdewey.
Follow @caitlindewey

The Post Recommends

The perfect meme for the 'alternative facts' era: #seanspicersays

After the press secretary's first press conference, a hashtag was born.

The Army's elite Ranger Regiment will soon have its first female soldier

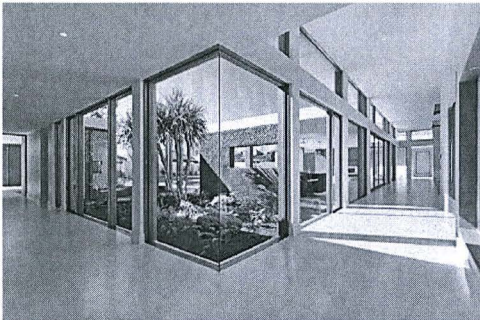
The unit is considered the Army's premier raid force.

One of Trump's foreign policy advisers is a 2009 college grad who lists Model UN as a credential

Here's what we know so far about the advisers named by Trump in a meeting with The Washington Post.

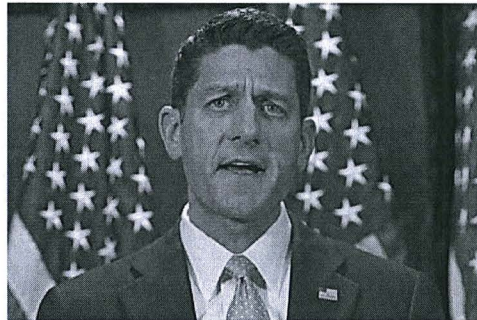
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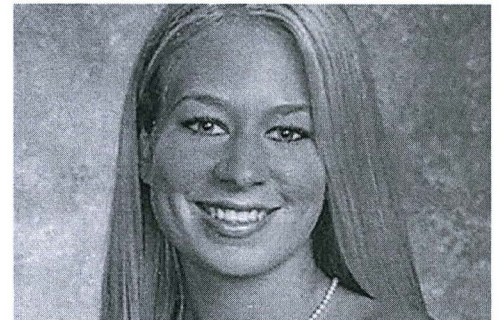
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TheDollarDaily



Teen Vanishes On Spring Break. But 10 Years Later, Police Uncover Truth

LifeDaily

Fiscal Note

State of Alaska
2017 Legislative Session

Bill Version: HB 7
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB007-OOG-DOE-1-27-17
Title: DISPLAY OF PHOTOS OF MARKED BALLOT
Sponsor: KREISS-TOMKINS
Requester: (H) STA

Department: Office of the Governor
Appropriation: Elections
Allocation: Elections
OMB Component Number: 21

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2018	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2018 Request	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
OPERATING EXPENDITURES	FY 2018	FY 2018					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2017) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2018) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? **No**
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Not applicable; initial version.

Prepared By: <u>Josephine Bahnke, Director</u>	Phone: <u>(907)465-2644</u>
Division: <u>Division of Elections</u>	Date: <u>01/27/2017 05:39 PM</u>
Approved By: <u>Guy Bell, Administrative Director</u>	Date: <u>01/27/17</u>
Agency: <u>Division of Administrative Services, Office of the Governor</u>	

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2017 LEGISLATIVE SESSION

BILL NO. HB 7

Analysis

This legislation proposes to allow Alaskan voters to take and share "ballot selfies" - the photos that people take of themselves or their ballots in the voting booth. Under existing Alaska Statute, it is unlawful for a voter to display a marked ballot.

This change has no impact on the financial costs associated with the division's conduct of state and federal elections. Nor will any additional staff be required to implement the proposed law.

ALASKA LEGISLATURE
Representative Jonathan Kreiss-Tomkins

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Ver A
Sectional for HB 7 — Ballot Selfie Bill

“An Act relating to the exhibition of marked ballots.”

Section 1.

Conforming the amendment to AS 15.15.280.

Section 2.

Allows for voters to shares a photo, video, or other image of the voter’s marked ballot with the public, if they so choose.



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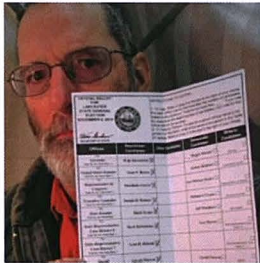


27 **BALLOT SELFIES ARE CONSTITUTIONALLY PROTECTED. NOW WHAT?**

By Ethan Wilson

Want to take a picture of your voted ballot and post it on social media? Go right ahead!

A recent federal district court decision may potentially spur sweeping changes to many states' voting laws.



At the heart of the issue in New Hampshire is the relatively new phenomenon of the selfie, and more specifically, the ballot selfie. The court decision, handed down by United States District Judge Paul Barbadoro, held a New Hampshire law banning all disclosure of one's ballot unconstitutional as a violation of the First Amendment right to free speech.

The court ruled the ballot selfie is constitutionally protected political speech that can be restricted only by meeting the highest standard of constitutional scrutiny—triggering strict scrutiny is generally known as sounding the death knell for the government action being challenged.

Barbadoro concluded that because New Hampshire could not prove any specific instances of vote buying, voter coercion, or other frauds linked to ballot selfies, the state did not have a compelling government interest in restricting the photos. Since the ballot selfie was held to be political speech, it commands the same constitutional protection required of other First Amendment rights.

Elections scholars disagree as to whether legalizing ballot selfies will actually promote vote-buying and other frauds. Despite the potential for fraudulent behaviors, however, the courts must determine whether bad acts constitute a compelling government interest such that restricting political speech (ballot selfies) is constitutionally acceptable. In this case, it was not.

Before the court decision, photography in voting booths was generally prohibited with few exceptions for the press and media. Every state has rules and regulations governing conduct and behavior in and immediately around voting booths. For the most part, these laws strictly prohibit photography. The New Hampshire decision may lead to significant changes.

Some states are already making changes to existing law allowing for voters to legally take and distribute ballot selfies.

For example, Utah and Arizona recently passed legislation expressly allowing voters to take photographs of their ballots and distribute them via social media. In Utah, HB 72 amends the election code to permit an individual to transfer an electronic image of the individual's ballot in a manner that allows the image to be viewed by the individual or another. In Arizona, S 1287 allows a voter to retransmit an image of his or her personal ballot over social media as an exception to the general prohibition against photography in the voting booth.

Moreover, because the New Hampshire decision was handed down after most states' legislative sessions ended for the year, expect much more legislation on this topic during the next legislative session.

Now, what's the best Instagram filter to use on my ballot?

Ethan Wilson is a policy associate in NCSL's Center for Ethics in Government.

[Email Ethan](#)

Posted in: [Public Policy](#)

Actions: [E-mail](#) | [Permalink](#) |

[NCSL Member Toolbox](#)

A M E N D M E N T

OFFERED IN THE HOUSE
TO: HB 7

BY REPRESENTATIVE KREISS-TOMKINS

1 Page 1, line 1, following "ballots":

2 Insert "**and the prohibition on political persuasion near election polls**"

3

4 Page 1, following line 2:

5 Insert a new bill section to read:

6 "*** Section 1.** AS 15.15.170 is amended to read:

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

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

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

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

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

17

18 Page 1, line 3:

19 Delete "**Section 1**"

20 Insert "**Sec. 2**"

21

22 Renumber the following bill section accordingly.

23

1 Page 1, line 11, following "(2)":

2 Insert "subject to the prohibition on political persuasion in, or within 200 feet of an
3 entrance to, a polling place under AS 15.15.170,"

ALASKA STATE LEGISLATURE
HOUSE BILL NO. 7

7
File
please

HISTORY IN THE HOUSE

20 17
1/18

Read first time and referred to:

STA CRA

____ RPT CS() ____ New Title
____ DP ____ DNP ____ NR ____ AM
____ FN ____ OFN / Prev: ____ FN ____ OFN

____ RPT CS() ____ New Title
____ DP ____ DNP ____ NR ____ AM
____ FN ____ OFN / Prev: ____ FN ____ OFN

____ RPT CS() ____ New Title
____ DP ____ DNP ____ NR ____ AM
____ FN ____ OFN / Prev: ____ FN ____ OFN

____ RPT CS() ____ New Title
____ DP ____ DNP ____ NR ____ AM
____ FN ____ OFN / Prev: ____ FN ____ OFN

Read second time

- CS() Adopted New Title
- Amended _____
- Returned to 2nd & amended _____
- Advanced to 3rd Rdg. UC / or _____

Read third time

- Title Amendment
- Return to 2nd _____
- Passed Y ____ N ____ E ____ A ____
- EFD same or Y ____ N ____ E ____ A ____
- CBR same or Y ____ N ____ E ____ A ____
- CRT same or Y ____ N ____ E ____ A ____
- _____

Reconsideration

Reconsideration not taken up

- Title Amendment
- Return to 2nd _____
- Passed/Rec Y ____ N ____ E ____ A ____
- EFD same or Y ____ N ____ E ____ A ____
- CBR same or Y ____ N ____ E ____ A ____
- CRT same or Y ____ N ____ E ____ A ____
- _____

Engrossed

Signed by the Speaker
Transmitted to the Senate

Chief Clerk of the House

HISTORY IN THE SENATE

20

Read first time and referred to:

____ RPT SCS() ____ NT: SCR ____
____ DP ____ DNP ____ NR ____ AM
____ FN ____ OFN / Prev: ____ FN ____ OFN
To: _____

____ RPT SCS() ____ NT: SCR ____
____ DP ____ DNP ____ NR ____ AM
____ FN ____ OFN / Prev: ____ FN ____ OFN
To: _____

____ RPT SCS() ____ NT: SCR ____
____ DP ____ DNP ____ NR ____ AM
____ FN ____ OFN / Prev: ____ FN ____ OFN
To: _____

Read second time

- SCS() Adopted New Title
SCR No. ____
- Amended _____
- Returned to 2nd & amended _____
- Advanced to 3rd Rdg. UC / or _____

Read third time

- Title Amendment
- Return to 2nd _____
- Passed Y ____ N ____ E ____ A ____
- EFD same or Y ____ N ____ E ____ A ____
- CBR same or Y ____ N ____ E ____ A ____
- CRT same or Y ____ N ____ E ____ A ____
- _____

Reconsideration

Reconsideration not taken up

- Title Amendment
- Return to 2nd _____
- Passed/Rec Y ____ N ____ E ____ A ____
- EFD same or Y ____ N ____ E ____ A ____
- CBR same or Y ____ N ____ E ____ A ____
- CRT same or Y ____ N ____ E ____ A ____
- _____

Engrossed

Signed by the President
Returned to the House

Secretary of the Senate

CS FOR HOUSE BILL NO. 7(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered:

Referred:

Sponsor(s): REPRESENTATIVES KREISS-TOMKINS, Kawasaki, Knopp

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the exhibition of marked ballots and the prohibition on political
2 persuasion near election polls."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 * Section 1. AS 15.15.170 is amended to read:

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

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

8 (1) attempt to persuade a person to vote for or against a candidate,
9 proposition, or question; or

10 (2) physically display a photo, video, or other image of the person's
11 marked ballot in an attempt to persuade a person to vote for or against a
12 candidate, proposition, or question.

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

1 * **Sec. 2.** AS 15.15.280 is amended to read:

2 **Sec. 15.15.280. Prohibiting the exhibition of marked ballots.** A [SUBJECT
3 TO AS 15.15.240 A] voter may not exhibit the voter's ballot to an election official or
4 any other person so as to enable any person to ascertain how the voter marked the
5 ballot.

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

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

8 (1) requests assistance under AS 15.15.240; or

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