



**House Judiciary Reported Substitute for HB100**

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A BILL  
TO BE ENTITLED  
AN ACT

Relating to crimes and offenses; to add Section 13A-5-14 to the Code of Alabama 1975; to establish increased penalties for a crime committed against an election official that is motivated by the individual's role as an election official; to amend Section 17-3-30.1, Code of Alabama 1975, to establish that a felony committed against an election official which is motivated by an individual's role as an election official is a crime of moral turpitude.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 13A-5-14 is added to the Code of Alabama 1975, to read as follows:

§13A-5-14

(a) A person who has been found guilty of a crime, the commission of which was shown beyond a reasonable doubt to have been motivated by the victim's actual or perceived role as an election official, shall be punished as follows:

(1) On conviction of a Class A felony, the sentence shall not be less than 15 years.

(2) On conviction of a Class B felony, the sentence



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29 shall not be less than 10 years.

30 (3) On conviction of a Class C felony, the sentence  
31 shall not be less than two years.

32 (4) On conviction of a Class D felony, the sentence  
33 shall not be less than 18 months.

34 (5) On conviction of any misdemeanor, the defendant  
35 shall be sentenced for a Class A misdemeanor and shall be  
36 sentenced to a minimum of three months.

37 (b) For purposes of subsection (a), a defendant who has  
38 been previously convicted of any felony and receives an  
39 enhanced sentence pursuant to this section is also subject to  
40 enhanced punishment under the Alabama Habitual Felony Offender  
41 Act, Section 13A-5-9.

42 (c) For purposes of this section, an "election  
43 official" is any absentee election manager, clerk, inspector,  
44 poll worker, registrar, judge of probate or his or her  
45 employee, or the Secretary of State or his or her employee.

46 Section 2. Section 17-3-30.1, Code of Alabama 1975, is  
47 amended to read as follows:

48 "§17-3-30.1

49 (a) This section shall be known and may be cited as the  
50 Felony Voter Disqualification Act.

51 (b) (1) The Legislature finds and declares ~~that~~ both of  
52 the following:

53 a. That Section 177 Article VIII of the Constitution of  
54 Alabama of ~~1901~~ 2022, ~~now appearing as Section 177 of Article~~  
55 ~~VIII of the Official Recompilation of the Constitution of~~  
56 ~~Alabama of 1901, as amended~~, provides that Alabama citizens



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57 shall lose the right to vote when convicted of a crime only if  
 58 the conviction was for a felony involving moral turpitude.

59 b. ~~Under~~ That under general law, there is no  
 60 comprehensive list of felonies that involve moral turpitude  
 61 ~~which~~ that disqualify ~~a person~~ an individual from exercising his  
 62 or her right to vote. Neither individuals with felony  
 63 convictions nor election officials have a comprehensive,  
 64 authoritative source for determining if a felony conviction  
 65 involves moral turpitude and is therefore a disqualifying  
 66 felony.

67 (2) The purposes of this section are all of the  
 68 following:

69 a. To give full effect to Section 177 ~~Article VIII~~ of  
 70 the Constitution of Alabama of ~~1901~~ 2022, ~~now appearing as~~  
 71 ~~Section 177 of Article VIII of the Official Recompilation of~~  
 72 ~~the Constitution of Alabama of 1901, as amended.~~

73 b. To ensure that no ~~one~~ individual is wrongly excluded  
 74 from the electoral franchise.

75 c. To provide a comprehensive list of acts that  
 76 constitute moral turpitude for the limited purpose of  
 77 disqualifying ~~a person~~ an individual from exercising his or her  
 78 right to vote.

79 (c) For purposes of Section 177 ~~Article VIII~~ of the  
 80 Constitution of Alabama of ~~1901~~ 2022, ~~now appearing as Section~~  
 81 ~~177 of Article VIII of the Official Recompilation of the~~  
 82 ~~Constitution of Alabama of 1901, as amended, a person~~ an  
 83 individual is disqualified to vote by reason of conviction of  
 84 a felony involving moral turpitude only when convicted of any



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85 of the following offenses in a degree constituting a felony:

86 (1) Murder as defined in the following sections:

87 a. Subdivision (1) of subsection (a) of Section  
88 13A-5-40.

89 b. Subdivision (2) of subsection (a) of Section  
90 13A-5-40.

91 c. Subdivision (3) of subsection (a) of Section  
92 13A-5-40.

93 d. Subdivision (4) of subsection (a) of Section  
94 13A-5-40.

95 e. Subdivision (5) of subsection (a) of Section  
96 13A-5-40.

97 f. Subdivision (6) of subsection (a) of Section  
98 13A-5-40.

99 g. Subdivision (7) of subsection (a) of Section  
100 13A-5-40.

101 h. Subdivision (8) of subsection (a) of Section  
102 13A-5-40.

103 i. Subdivision (9) of subsection (a) of Section  
104 13A-5-40.

105 j. Subdivision (10) of subsection (a) of Section  
106 13A-5-40.

107 k. Subdivision (11) of subsection (a) of Section  
108 13A-5-40.

109 l. Subdivision (12) of subsection (a) of Section  
110 13A-5-40.

111 m. Subdivision (13) of subsection (a) of Section  
112 13A-5-40.



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- 113 n. Subdivision (14) of subsection (a) of Section  
114 13A-5-40.
- 115 o. Subdivision (15) of subsection (a) of Section  
116 13A-5-40.
- 117 p. Subdivision (16) of subsection (a) of Section  
118 13A-5-40.
- 119 q. Subdivision (17) of subsection (a) of Section  
120 13A-5-40.
- 121 r. Subdivision (18) of subsection (a) of Section  
122 13A-5-40.
- 123 s. Subdivision (19) of subsection (a) of Section  
124 13A-5-40.
- 125 t. Section 13A-6-2.
- 126 (2) Manslaughter as defined in Section 13A-6-3.
- 127 (3) Assault as defined in Section 13A-6-20, except for  
128 subdivision (5) of subsection (a) of Section 13A-6-20, and  
129 Section 13A-6-21.
- 130 (4) Kidnapping in the first degree as defined in  
131 Section 13A-6-43.
- 132 (5) Kidnapping in the second degree as defined in  
133 Section 13A-6-44.
- 134 (6) Rape as defined in Sections 13A-6-61 and 13A-6-62.
- 135 (7) Sodomy as defined in Sections 13A-6-63 and  
136 13A-6-64.
- 137 (8) Sexual torture as defined in Section 13A-6-65.1.
- 138 (9) Sexual abuse as defined in Sections 13A-6-66,  
139 13A-6-67, and 13A-6-69.1.
- 140 (10) Enticing a child to enter a vehicle for immoral



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141 purposes as defined in Section 13A-6-69.

142 (11) Facilitating solicitation of unlawful sexual  
143 conduct with a child as defined in Section 13A-6-121.

144 (12) Electronic solicitation of a child as defined in  
145 Section 13A-6-122.

146 (13) Facilitating the on-line solicitation of a child  
147 as defined in Section 13A-6-123.

148 (14) Traveling to meet a child for an unlawful sex act  
149 as defined in Section 13A-6-124.

150 (15) Facilitating the travel of a child for an unlawful  
151 sex act as defined in Section 13A-6-125.

152 (16) Human trafficking as defined in Sections 13A-6-152  
153 and 13A-6-153.

154 (17) Terrorism as defined in Section 13A-10-152.

155 (18) Soliciting or providing support for an act of  
156 terrorism as defined in Section 13A-10-153.

157 (19) Hindering prosecution of terrorism as defined in  
158 Section 13A-10-154.

159 (20) Endangering the water supply as defined in Section  
160 13A-10-171.

161 (21) Possession, manufacture, transport, or  
162 distribution of a destructive device or bacteriological or  
163 biological weapon as defined in Section 13A-10-193.

164 (22) Selling, furnishing, giving away, delivering, or  
165 distribution of a destructive device, a bacteriological  
166 weapon, or biological weapon to a person who is less than 21  
167 years of age as defined in Section 13A-10-194.

168 (23) Possession, manufacture, transport, or

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169 distribution of a detonator, explosive, poison, or hoax device  
170 as defined in Section 13A-10-195.

171 (24) Possession or distribution of a hoax device  
172 represented as a destructive device or weapon as defined in  
173 subsection (c) of Section 13A-10-196.

174 (25) Attempt to commit an explosives or destructive  
175 device or bacteriological or biological weapons crime as  
176 defined in Section 13A-10-197.

177 (26) Conspiracy to commit an explosives or destructive  
178 device or bacteriological or biological weapons crime as  
179 defined in Section 13A-10-198.

180 (27) Hindrance or obstruction during detection,  
181 disarming, or destruction of a destructive device or weapon as  
182 defined in Section 13A-10-199.

183 (28) Possession or distribution of a destructive device  
184 or weapon intended to cause injury or destruction as defined  
185 in Section 13A-10-200.

186 (29) Treason as defined in Section 13A-11-2.

187 (30) Dissemination or public display of obscene matter  
188 containing visual depiction of persons under 17 years of age  
189 involved in obscene acts as defined in Section 13A-12-191.

190 (31) Possession and possession with intent to  
191 disseminate obscene matter containing visual depiction of  
192 persons under 17 years of age involved in obscene acts as  
193 defined in Section 13A-12-192.

194 (32) Parents or guardians permitting children to engage  
195 in production of obscene matter as defined in Section  
196 13A-12-196.



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197 (33) Production of obscene matter containing visual  
198 depiction of persons under 17 years of age involved in obscene  
199 acts as defined in Section 13A-12-197.

200 (34) Distribution, possession with intent to  
201 distribute, production of obscene material, or offer or  
202 agreement to distribute or produce, as defined in Section  
203 13A-12-200.2.

204 (35) Trafficking in cannabis, cocaine, or other illegal  
205 drugs or trafficking in amphetamine and methamphetamine as  
206 defined in Section 13A-12-231.

207 (36) Bigamy as defined in Section 13A-13-1.

208 (37) Incest as defined in Section 13A-13-3.

209 (38) Torture or other willful maltreatment of a child  
210 under ~~the age of~~ 18 years of age as defined in Section  
211 26-15-3.

212 (39) Aggravated child abuse as defined in Section  
213 26-15-3.1.

214 (40) Prohibited acts in the offer, sale, or purchase of  
215 securities as defined in Section 8-6-17.

216 (41) Burglary as defined in Sections 13A-7-5 and  
217 13A-7-6.

218 (42) Aggravated theft by deception as defined in  
219 Section 13A-8-2.1.

220 (43) Theft of property as defined in Sections 13A-8-3  
221 and 13A-8-4.

222 (44) Theft of lost property as defined in Sections  
223 13A-8-7 and 13A-8-8.

224 (45) Theft of trademarks or trade secrets as defined in





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225 Section 13A-8-10.4.

226 (46) Robbery as defined in Sections 13A-8-41, 13A-8-42,  
227 and 13A-8-43.

228 (47) Forgery as defined in Sections 13A-9-2 and  
229 13A-9-3.

230 (48) Any felony committed against an election official  
231 pursuant to Section 13A-5-14.

232 ~~(48)~~ (49) Any crime as defined by the laws of the United  
233 States or by the laws of another state, territory, country, or  
234 other jurisdiction, which, if committed in this state, would  
235 constitute one of the offenses listed in this subsection.

236 (d) Nothing in this section shall be interpreted as  
237 determining moral turpitude for any purpose other than  
238 disqualifying ~~a person~~ an individual from exercising his or  
239 her right to vote.

240 (e) The felonies involving moral turpitude listed in  
241 subsection (c) are the only felonies for which ~~a person~~ an  
242 individual, upon conviction, may be disqualified from voting.  
243 ~~Additional felonies may be added to the list in subsection (c)~~  
244 ~~only by amendment to this section."~~

245 Section 3. This act shall become effective on October  
246 1, 2024.