

# 2013 CITY OF TUSCALOOSA ELECTIONS CALENDAR

## **August 27, 2012 (12 months before election)**

- ❑ First day candidates for municipal elections can begin raising money. Section 17-22A-7 (b) (2), *Code of Alabama 1975*. Campaign pre-election financial reports are due on the last day of each month beginning 12 months prior to the election date after becoming a candidate. The Fair Campaign practices Act defines two ways to become a candidate Section 17-5-18. (1) Reaching a threshold by either raising or spending \$1,000 or (2) Qualifying as a candidate.

## **January 22, 2013 (seven months preceding election)**

- ❑ Last day City Council can adopt redistricting ordinance for it to apply to election. Section 11-44B-10 (b) (3), *Code of Alabama 1975*. Redistricting ordinance shall not apply to any election held within six months after it becomes effective. Note: January 27 falls on a Sunday. The last council meeting date prior to the 27<sup>th</sup> is Tuesday, January 22.<sup>i</sup>

## **February 5, 2013**

- ❑ City Council adopts resolution that authorizes, adopts, and directs the use of electronic vote counting systems for use in all elections. Resolution must be filed with Secretary of State. Section 17-24-3 (a), *Code Alabama 1975*. Note: The law does not specify a date for adoption of the resolution.
- ❑ City Council adopts resolution that authorizes execution of a contract with an election consultant. Note: The law does not require a municipality to execute such a contract nor stipulate a date if one is executed. However, Regulation 307-X-1-.07 of the “Procedures for Electronic Vote Counting Systems” refers to Sections 17-9-36 and 17-9-37 of the *Code of Alabama 1975* which states the governing body of a municipality shall designate a person(s) to have custody of the machines and keys and for compensation of the custodian. Regulation 307-X-1-.07 also gives a municipality authority to employ electronic voting specialists to serve as troubleshooters during elections.
- ❑ Deadline for all required submissions to the U.S. Department of Justice for approval pursuant to the Voting Rights Act of 1965.

## **February 26, 2013 (six months preceding election)**

- ❑ Last day City Council can change the salaries for mayor/council who will be elected in August. Sections 11-43-2 and 11-43-80 (b), *Code of Alabama 1975*. Note: February 27 falls on a Wednesday. The last council meeting date prior to the 27<sup>th</sup> is Tuesday, February 26.<sup>ii</sup>

## **February 28, 2013 (180 days prior to election)**

- ❑ Last day for completion of program to identify electors eligible to vote if the city has adopted a resolution authorizing a contract with the county and its board of registrars to conduct such an identification program. Section 11-46-4 (a), *Code of Alabama 1975*.

### **May 29, 2013 (90 days prior to election)**

- Last day a person can become a resident of the municipality and district and still be a candidate for election. Sections 11-46-25 (g) and 11-44B-5, *Code of Alabama, 1975*, as amended; Section 4 of Act No. 97-616 of the Alabama Legislature as amended by Act No. 2000-362.

### **June 26, 2013 (five days prior to first day of qualifying)**

- Last day City Council may adopt ordinance establishing qualifying fee. Section 11-46-2, *Code of Alabama 1975*. Section 11-44B-5 established a \$200.00 qualifying fee for mayor/council candidates. Section 4 of Act No. 97-616 of the Alabama Legislature as amended by Act No. 2000-362 established a \$50.00 qualifying fee for board of education candidates.

### **July 1, 2013 (one day prior to when the mayor gives notice of the election)**

- Last day City Council can adopt ordinance establishing poll hours. Section 11-46-28 (a), *Code of Alabama 1975*. (**This may not be necessary, since 11-46-28 requires that all polling places be open from 7:00 a.m. until 7:00 p.m.**)

### **July 2, 2013 (first Tuesday in July preceding election)**

- Mayor gives notice of election by publishing notice in newspaper on July 2. Section 11-46-22 (a), *Code of Alabama 1975*.
- Candidates may begin formal qualifying after Mayor gives notice. Section 11-46-22 (a), *Code of Alabama 1975*.

### **July 2 – July 16, 2013 (from first day of qualifying until last day of qualifying)**

- Simultaneously with the date he or she becomes a candidate or files his or her qualifying papers, a candidate must file with the city clerk a completed statement of economic interests. **The clerk is required to remove from the ballot the name of any candidate who fails to file the statement of economic interests by the deadline.** Incumbents do not have to file statements of economic interests if they have an annual report that is on file with the State Ethics Commission. Sections 36-25-14 (a) (3); 36-25-15 (a); 36-25-15 (c), *Code of Alabama 1975*.

### **July 5, 2013 (Friday of each week beginning on the month prior to the election date)**

- All candidates are required to file campaign finance disclosure reports on the Friday of each week beginning July 5. Section 17-5-8 (a) (2), *Code of Alabama 1975*. **NOTE: Required filing dates are July 5, July 12, July 19, July 26, August 2, August 9, August 16 and August 23.**

### **July 8 – July 22, 2013**

- City clerk forwards statement of economic interests to the State Ethics Commission within five days of when each candidate qualifies. Section 36-25-15 (a), *Code of Alabama 1975*.

- ❑ Within five days of when each candidate qualifies, the city clerk notifies the State Ethics Commission of the name of each candidate and the date the person became a candidate. Section 36-25-15 (b), *Code of Alabama 1975*. Note: July 7 and 21 fall on Sundays; therefore, beginning and ending deadlines are Mondays, July 8 and 22.<sup>1</sup>
- ❑ The Fair Campaign Practices Act requires all candidates within five days after becoming a candidate to file with the probate judge a statement naming the candidate's principal campaign committee, together with a written acceptance or consent by such committee. Sections 17-22A-4 and 17-22A-9 (a), *Code of Alabama 1975*. Note: July 7 and 21 fall on Sundays; therefore, beginning and ending deadlines are Mondays, July 8 and 22.<sup>1</sup>

### **July 16, 2013 (third Tuesday in July)**

- ❑ Qualifying ends at 5:00 p.m. Section 11-46-25 (g), *Code of Alabama 1975*.
- ❑ Mayor shall cause the printing of the ballots. Section 11-46-25 (g), *Code of Alabama 1975*.
- ❑ In the case where only one person has filed a statement of candidacy for an office by 5:00 p.m., the mayor or other chief executive officer files with the City Council a written statement, attested by the clerk, certifying that only one person filed a statement of candidacy. Section 11-46-26, *Code of Alabama 1975*.
- ❑ The mayor or other chief executive officer prepares and files with city clerk the list of qualified voters **on or before** the third Tuesday in July preceding the election. Section 11-46-36 (a), *Code of Alabama 1975*.
- ❑ The mayor must file a list of qualified voters to the absentee election manager. Section 17-10-5(b).
- ❑ As soon as possible after qualifying ends, City Council must appoint disinterested person to perform election duties of mayor if mayor is candidate in election. Section 11-46-37, *Code of Alabama 1975*.

### **July 22, 2013 (within five days after qualifying ends; 30 days preceding election)**

- ❑ Last possible day a candidate can file with the probate judge a statement naming a principal campaign committee. Sections 17-22A-4 and 17-22A-9 (a), *Code of Alabama 1975*. Note: July 21 falls on a Sunday; therefore, deadline for task is Monday, July 22.<sup>1</sup>
- ❑ Last day for city clerk to forward statements of economic interest filed by candidates to the Ethics Commission. Section 36-25-15 (a), *Code of Alabama 1975*. Note: July 21 falls on a Sunday; therefore, deadline for task is Monday, July 22.<sup>1</sup>
- ❑ Last day the city clerk can notify the Ethics Commission of the name of each candidate and the date each person became a candidate. Section 36-25-15 (b), *Code of Alabama 1975*. Note: July 21 falls on a Sunday; therefore, deadline for task is Monday, July 22.<sup>1</sup>
- ❑ Last day City Council can place a voting machine, sample of the ballot or vote card on display. Section 11-46-31, *Code of Alabama 1975*.

### **July 23, 2013 (not more than seven days after last day to qualify)**

- ❑ Last day the officer (mayor) charged with printing and obtaining absentee ballots and supplies can deliver such supplies to the absentee election manager. Section 17-10-12 (a), *Code of Alabama 1975*.
- ❑ At the first regular City Council meeting following council's receipt of any statements certifying only one person filed statement of candidacy, the City Council adopts a resolution declaring any sole qualifier duly elected to office and issues certificate of election to such person. Section 11-46-26, *Code of Alabama 1975*.

### **August 6, 2013 (not less than 21 days prior to election)**

- ❑ Last day mayor or other chief executive officer shall obtain and deliver absentee ballots and supplies to the city clerk. Section 11-46-32 (a), *Code of Alabama 1975*. Note: See July 26. Pursuant to Section 11-46-57, Chapter 10 of Title 17 of the state code appears to take precedence over any code sections pertaining to absentee balloting when there is a conflict between Title 17 and another title; therefore, July 26 will be used as the deadline for delivery of absentee ballots and supplies to the city clerk.

### **August 12, 2013 (not less than 15 days before the election)**

- ❑ Last day City Council can appoint officers to hold the election. Sections 11-46-24 (b) and 11-46-27 (a), *Code of Alabama 1975*. (Note: Number of officers and duties is unclear. We will have for each district one (1) Inspector, one (1) Assistant Inspector, and minimum of four (4) Registration Clerks, nine (9) Poll List Clerks, and three (3) Ballot Clerks. 307-X-1-.10.)

### **August 13, 2013 (not more than 14 days before the election)**

- ❑ First day electronic vote counting system can be tested. Testing shall be as close as is practical to the date of the election. Public notice of the test must be sent to news media and filed with Secretary of State at least 48 hours prior to test. Section 17-24-9 (a), *Code of Alabama 1975* as amended by Act No. 99-663 of the Alabama Legislature; Rule 307-X-1-.04 of the state of Alabama "Procedures for Electronic Vote Counting Systems."

### **August 16, 2013 (10 days prior to election)**

- ❑ Last day for the mayor or other chief executive officer to publish list of election officers in newspaper. Section 11-46-27 (e), *Code of Alabama 1975*.
- ❑ Deadline for registering to vote at Tuscaloosa County Board of Registrars. Sections 11-46-38 (b) and 17-4-120 (a), *Code of Alabama 1975*. Note: August 17 is a Saturday; therefore, deadline for this task is Friday, August 16.<sup>1</sup>
- ❑ First day for treasurers of candidates' principal campaign committees to file with probate judge second report of contributions and expenditures. Sections 17-22A-8 (a) (1) and 17-22A-9 (a), *Code of Alabama 1975*. Note: since August 17 falls on a Saturday, this task would be accomplished on Friday, August 16.<sup>1</sup>

- ❑ Supplemental list of qualified voters furnished to absentee election manager as soon as the list becomes available. Section 17-10-5 (b), *Code of Alabama 1975*. Note: A supplemental voters list cannot be prepared until after the end of registration. Since registration ends at close of business day on Friday, August 16, the list will not be available until Monday, August 19.

### **August 22, 2013 (5 days prior to election)**

- ❑ Last day City Clerk can publish list of registered voters by placing list in at least three public places. Section 11-46-36 (a), *Code of Alabama 1975*.
- ❑ Last day a voter can apply for a regular absentee ballot. Section 17-10-3 (a), *Code of Alabama 1975*.
- ❑ Last day the authority charged with holding an election can cause to be held a school of instruction for election workers. Notice of the school must be published at least 48 hours before the school is held. Sections 11-46-30 (a), 17-9-19 (a), and 17-24-7 (a), *Code of Alabama 1975*.

### **August 23, 2013 (four days before the elections)**

- ❑ Governing body shall appoint additional officers to count absentee ballots if the number of ballots cast warrants additional officers. Section 11-46-27 (b), *Code of Alabama 1975*. [Note: Since the last Council meeting prior to the election will be August 18, the task should be considered at that time.]

### **August 26, 2013 (one day prior to election)**

- ❑ Last day for an absentee voter who is required to provide identification but failed to include it with the ballot to submit this identification by 5:00 p.m. to prevent the ballot from becoming a provisional ballot. Section 17-10A-2(c)(1)(a).
- ❑ Last day any candidate may withdraw as a candidate by giving written notice to the mayor. Section 11-46-25 (j), *Code of Alabama 1975*.
- ❑ Inspection and sealing of vote counting machines must begin no later than 9:00 a.m. of the Monday before the election. Section 11-46-33 (b), *Code of Alabama 1975*. Public notice must be given 48 hours prior to the test. Section 17-24-9 (a), *Code of Alabama 1975*.
- ❑ Last day voter can apply for and vote an emergency absentee ballot. Sections 17-10-12 (b) and 17-10-12 (c), *Code of Alabama 1975*.
- ❑ Absentee ballots must be postmarked as of the date prior to the day of the election and received no later than noon on the day of election or hand delivered to absentee election manager no later than 5:00 p.m. on the day prior to the election. Section 17-10-23, *Code of Alabama 1975*.

### **August 27, 2013 (fourth Tuesday in August)**

- ❑ Election Day. Sections 11-44B-4 and 11-46-21 (a), *Code of Alabama 1975*; sections 5 (b) and 5 (c), Act No. 97-616 of the Alabama Legislature as amended by Act No. 2000-362.

- ❑ City Clerk causes vote counting machines to be delivered to polling places at least one hour before polls open. Section 11-46-33 (c), *Code of Alabama 1975*.
- ❑ Every polling place shall open for voting at 7:00 a.m. and shall close at 7:00 p.m. Election workers arrive at polling sites at least 30 minutes before polls open. Section 11-46-28 (a), *Code of Alabama 1975*; Rule 307-X-1-11, state of Alabama “Procedures for Electronic Vote Counting Systems.”
- ❑ Prior to the opening of polls, city clerk furnishes list of qualified voters to inspectors at each poll site. Section 11-46-36 (a), *Code of Alabama 1975*.
- ❑ At the Tuesday City Council meeting, council designates time to convene and canvass the returns of the election. The canvass must take place no later than noon on the Wednesday following the election. Section 11-46-46 (a), *Code of Alabama 1975*.

### **August 28, 2013 (one day after election)**

- ❑ Deadline for absentee election manager to notify voters whose absentee ballots have become provisional due to the inspector’s personal knowledge that voter was not eligible to vote. Section 17-10A-2(c)(3)(b). Municipal clerk must deliver the written affirmations of the provisional voters, inspector challenge statements, and all voter reidentification forms in a sealed envelope addressed to the board of registrars to the board of registrars no later than noon.

### **August 30, 2013**

- ❑ Last day for an absentee voter who was required to provide identification but failed to provide it before the election to submit identification to the board of registrars in order to have the vote counted. Section 17-10A-2(c)(1)(c)

### **September 3, 2013**

- ❑ The Council must canvass the election results before 12:00 Noon. Sections 11-46-46 and 11-46-55. If a candidate receives a majority of the votes cast for the office, the Council issues a certificate of election. City Clerk files a copy of each certificate of election with probate judge. Section 11-46-55 (d), *Code of Alabama 1975*. **ANYONE WITH STANDING TO CONSTEST THE ELECTION MAY REQUEST A RECOUNT WITHIN FORTY-EIGHT HOURS OF THE OFFICIAL CANVASS OF THE ELECTION RESULTS.** Section 11-46-55.1. See 307-X-1-.21, “Procedures for Electronic Vote Counting Systems” for recount time limits (48 hours after official canvass of returns).
- ❑ If necessary, City Council orders runoff to be held on the **sixth** Tuesday following the regular election. Section 11-46-55 (d), *Code of Alabama 1975*.

### **September 10, 2013**

- ❑ Officer charged with the printing and distribution of the ballots and election supplies shall deliver to the absentee election manager sufficient number of absentee election ballots and supplies for the runoff. The delivery must occur no more than seven days after the regular election. Section 17-10-12 (a), *Code of Alabama 1975*.

### **September 24, 2013 (not more than 14 days before the run-off election)**

- ❑ First day electronic vote counting system can be tested. Testing shall be not more than 14 days before but shall be as close as is practical to the date of the election. Public notice of the test must be sent to news media and filed with Secretary of State at least 48 hours prior to test. Section 17-24-9 (a), *Code of Alabama 1975* as amended by Act No. 99-663 of the Alabama Legislature; Rule 307-X-1-.04 of the state of Alabama “Procedures for Electronic Vote Counting Systems.”

### **September 27, 2013 (10 days before runoff)**

- ❑ First day for treasurers of candidates’ principal campaign committees to file with probate judge third report of contributions and expenditures. Sections 17-22A-8 (a) (2) and 17-22A-9 (a), *Code of Alabama 1975*. Note: Since September 28 falls on a Saturday, the first day for this task to be completed would be on Friday, September 27.<sup>1</sup>
- ❑ Last day for registering to vote. Sections 11-46-38 (b) and 17-4-120 (a), *Code of Alabama 1975*. Note: Since September 28 falls on a Saturday, this task must be performed Friday, September 27.
- ❑ Supplemental list of qualified voters furnished to absentee election manager as soon as the list becomes available. Section 17-10-5 (b), *Code of Alabama 1975*. Note: this list cannot be completed until after registration ends. Since registration does not end until close of business day on Friday, September 27, the list will be furnished on Monday, September 30.

### **October 3, 2013 (5 days before runoff)**

- ❑ Last day a voter can apply for a regular absentee ballot. Section 17-10-3 (a), *Code of Alabama 1975*.
- ❑ Last day for treasurers of candidates’ principal campaign committees to file with probate judge third report of contributions and expenditures. Sections 17-22A-8 (a) (2) and 17-22A-9 (a), *Code of Alabama 1975*.

### **October 7, 2013 (one day before runoff)**

- ❑ Last day for an absentee voter who is required to provide identification but failed to include it with the ballot to submit this identification by 5:00 p.m. to prevent the ballot from becoming a provisional ballot. Section 17-10A-2(c)(1)(a).
- ❑ Last day any candidate may withdraw as a candidate by giving written notice to the mayor. Section 11-46-25 (j), *Code of Alabama 1975*.
- ❑ Inspection and sealing of vote counting machines must begin no later than 9:00 a.m. of the Monday before the election. Section 11-46-33 (b), *Code of Alabama 1975*.
- ❑ Last day voter can apply for and vote an emergency absentee ballot. Section 17-10-12 (b) and (c), *Code of Alabama 1975*.

- ❑ Absentee ballots must be postmarked as of the date prior to the day of the election or hand delivered to absentee election manager no later than 5:00 p.m. on the day prior to the election. Section 17-10-23, *Code of Alabama 1975*.

### **October 8, 2013 (sixth Tuesday following fourth Tuesday in August)**

- ❑ Runoff. Sections 11-46-21 (a) and 11-46-55 (d), *Code of Alabama 1975*; sections 5 (b) and 5 (c), Act No. 97-616 of the Alabama Legislature as amended by Act No. 2000-362.
- ❑ City Clerk causes vote counting machines to be delivered to polling places at least one hour before polls open. Section 11-46-33 (c), *Code of Alabama 1975*.
- ❑ Election workers arrive at polling sites at least 30 minutes before polls open. Section 11-46-28 (a), *Code of Alabama 1975*; Rule 307-X-1-.11, state of Alabama “Procedures for Electronic Vote Counting Systems.”
- ❑ Prior to the opening of polls, city clerk furnishes list of qualified voters to inspectors at each poll site. Section 11-46-36 (a), *Code of Alabama 1975*
- ❑ At the Tuesday City Council meeting, council designates time to convene and canvass the returns of the election. The canvass must take place no later than noon on the Wednesday following the election. Section 11-46-46 (a), *Code of Alabama 1975*.

### **October 9, 2013 (one day after run-off election)**

- ❑ Deadline for absentee election manager to notify voters whose absentee ballots have become provisional due to the inspector’s personal knowledge that voter was not eligible to vote. Section 17-10A-2(c)(3)(b). Municipal clerk must deliver the written affirmations of the provisional voters, inspector challenge statements, and all voter reidentification forms in a sealed envelope addressed to the board of registrars to the board of registrars no later than noon.

### **October 11, 2013**

- ❑ Last day for an absentee voter who was required to provide identification but failed to provide it before the election to submit identification to the board of registrars in order to have the vote counted. Section 17-10A-2(c)(1)(c)

### **October 15, 2013**

- ❑ The Council must canvass the election results before 12:00 Noon. Sections 11-46-46 and 11-46-55. If a candidate receives a majority of the votes cast for the office, the Council issues a certificate of election. City Clerk files a copy of each certificate of election with probate judge. Section 11-46-55 (d), *Code of Alabama 1975*. **ANYONE WITH STANDING TO CONTEST THE ELECTION MAY REQUEST A RECOUNT WITHIN FORTY-EIGHT HOURS OF THE OFFICIAL CANVASS OF THE ELECTION RESULTS.** Section 11-46-55.1. See 307-X-1-.21, “Procedures for Electronic Vote Counting Systems” for recount time limits (48 hours after official canvass of returns).

### **October 28, 2013 (60 days after regular election)**

- ❑ List of absentee voters filed with probate judge. Section 17-10-5 (b), *Code of Alabama 1975*. Note: October 27 falls on a Sunday; therefore, deadline for this task is Monday, October 28.<sup>1</sup>

### **November 4, 2013 (first Monday in November following election)**

- ❑ Elected officials assume office at noon on the first Monday in November following their election. Section 11-44B-3, *Code of Alabama 1975*; Section 5 (d), Act No. 97-616 of the Alabama Legislature as amended by Act No. 2000-362. See 11-46-21(c). The Council meets for its organizational session.

### **December 9, 2013 (60 days after runoff)**

- ❑ List of absentee voters filed with probate judge. Section 17-10-5 (b), *Code of Alabama 1975*. Note: December 7 falls on a Saturday; therefore, deadline for this task is Monday, December 9.<sup>1</sup>

### **December 27, 2013 (120 days after regular election)**

- ❑ Last day candidates not involved in runoff can accept, solicit, or receive contributions to pay off campaign debt or to reach threshold for qualifying. Section 17-22A-7 (b) (3), *Code of Alabama 1975*.

### **January 31, 2014 (January 31 following election)**

- ❑ Last day candidates, political committees, and elected officials can file with probate judge reports of contributions and expenditures made during the year. Section 17-22A-8 (b), *Code of Alabama 1975*.

### **February 27, 2014 (six months after regular election)**

- ❑ Statements of candidacy can be destroyed. Section 11-46-25 (i), *Code of Alabama 1975*.
- ❑ Candidates' written notices of withdrawal can be destroyed. Section 11-46-25 (j), *Code of Alabama 1975*.
- ❑ Sealed ballot boxes can be destroyed if there is no contest. Section 11-46-46-(b), *Code of Alabama 1975*.

### **April 8, 2014 (six months after runoff)**

- ❑ Statements of candidacy can be destroyed. Section 11-46-25 (i), *Code of Alabama 1975*.
- ❑ Candidates' written notices of withdrawal can be destroyed. Section 11-46-25 (j), *Code of Alabama 1975*.
- ❑ Sealed ballot boxes can be destroyed if there is no contest. Section 11-46-46-(b), *Code of Alabama 1975*.

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<sup>i</sup> Section 11-46-20 (c), *Code of Alabama 1975*, states that whenever the last day on which an act may be done falls on a legal holiday or on a day on which the office in which the act must be done is authorized by law to be closed, such act may be done on the next succeeding secular or working day.

<sup>ii</sup> Section 11-46-20 (c), *Code of Alabama 1975*, states that whenever the last day on which an act may be done falls on a legal holiday or on a day on which the office in which the act must be done is authorized by law to be closed, such act may be done on the next succeeding secular or working day.