



ACT #2026-433

1 HB95
2 HG2B766-4
3 By Representative Lovvorn
4 RFD: Ways and Means General Fund
5 First Read: 13-Jan-26
6 PFD: 17-Dec-25





1 Enrolled, An Act,

2
3 Relating to elections; to require the judge of probate
4 of each county to conduct a post-election audit after every
5 county and statewide general election to determine the
6 accuracy of the originally reported results of the election.
7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1.(a) This section shall be known and may be
9 cited as the Alabama Post-Election Audit Act.

10 (b) (1) Notwithstanding any other law to the contrary,
11 the judge of probate of each county shall order a
12 post-election audit, after every countywide and statewide
13 general election, of all ballots in one precinct of a
14 countywide or statewide race selected by the canvassing board
15 of each county as further provided in subdivision (2), which
16 appeared on the ballot and which is not subject to a recount.
17 Nothing in this section shall prohibit the judge of probate
18 , from ordering the audit of additional precincts and races. The
19 order shall include the name of the precincts and the races to
20 be audited. The order shall authorize the sheriff or other
21 county authority to provide access to the ballot containers
22 along with any other necessary election materials, including
23 electronic data.

24 (2) The canvassing board of each county , at noon on
25 the second Friday after any county and statewide general
26 election, shall select at least one precinct, excluding
27 absentee and provisional ballots, and at least one statewide
28 or countywide race to be audited by the judge of probate.



(3) The judge of probate, at noon on the second Friday after any county and statewide general election, shall select the date, time, and place of meeting to conduct the post-election audit and shall appoint an inspector and the appropriate number of other poll workers required to complete the audit in the same manner as for any other election. The judge of probate may use an inspector or any poll worker that was previously appointed to work during the current statewide general election. If the judge of probate appoints any new inspector or poll worker, the notification and publication of these appointments shall be in the same manner as provided in Section 17-8-2, Code of Alabama 1975. Compensation for poll workers shall be the same as provided in Section 17-8-12, Code of Alabama 1975.

(4) To begin the audit process, the voted ballot containers subject to the audit shall be delivered, unopened and still sealed in the original containers, to the inspectors in charge of the audit by the custodian of the ballot containers along with any other necessary election materials, including electronic data.

(5) The post-election audit shall commence no earlier than 31 days following the statewide general election or the expiration of the time period for filing an election contest, whichever is less, and shall be completed within 30 days of commencement.

(6) At the conclusion of the audit, the ballots shall be returned to their original containers and sealed. All other documents and materials related to the audit, including, but



not limited to, inspector and poll worker oaths, poll watcher oaths, seals and testing materials for any tabulator used in the audit, and copies of orders of the probate court related to the audit shall be placed in a separate container labeled "Record of Audit." The inspector and other poll workers shall sign the containers and return them to the appropriate authority for storage with other records related to the audited election. The judge of probate shall report the findings to the Secretary of State, who shall make all results from the post-election audit public by posting the results on the official website of the Secretary of State.

(7) The post-election audit report shall include all of the following:

a. A description of any problems or discrepancies encountered.

b. A description of the likely cause of any problems or discrepancies encountered.

c. Recommendations for corrective or remedial actions.

(8) The Secretary of State shall report all findings of the post-election audit to the Governor and the Legislature within 30 days of receipt of the audits.

(9) Poll watchers shall attend and observe the post-election audit in the same manner as for any other election, and appointments shall be made in the same manner as any general election. The judge of probate shall give notice to the public of the date, time, and location of the audit by publication in a newspaper of general circulation in the county or on the county's official website. Accredited members



85 of the media shall be permitted to be present and observe the
86 audit being performed.

87 (10) The judge of probate may conduct the post-election
88 audit by manual tally or by use of ballot counters, provided
89 that at least 30 selected ballots are individually, manually
90 examined and compared to the ballot counter result for each
91 selected ballot.

92 (c) All expenses incurred by any county as a result of
93 the audit shall be reimbursed in full by the Comptroller.

94 (d) The Secretary of State may adopt rules and
95 prescribe forms to implement this section.

96 Section 2. This act shall become effective immediately.



[Signature]

Speaker of the House of Representatives

[Signature]

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 15-Jan-26, as amended and was passed again as amended by Executive Amendment 07-Apr-26.

Yeas 96, Nays 0, Abstains 3

John Treadwell
Clerk

Senate	<u>31-Mar-26</u>	Amended and Passed
House	<u>07-Apr-26</u>	Concurred in Senate Amendment
Senate	<u>08-Apr-26</u>	Passed, as amended by Executive Amendment
		Yeas 26, Nays 0, Abstains 1

APPROVED 4-13-2026

TIME 10:00 am

[Signature]
GOVERNOR

Alabama Secretary Of State

Act Num....: 2026-433
Bill Num....: H-95

SPONSOR

LIMMATA

CO-SPONSORS

HOUSE ACTION

SENATE ACTION *24 Feb 7*

I HEREBY CERTIFY THAT THE
RESOLUTION AS REQUIRED IN
SECTION C OF ACT NO. 81-889
WAS ADOPTED AND IS ATTACHED
TO THE BILL, H.B. 912
YEAS 79 NAYS 9

JOHN TREADWELL, Clerk

I HEREBY CERTIFY THAT THE
NOTICE & PROOF IS ATTACHED
TO THE BILL, H.B. _____
AS REQUIRED IN THE GENERAL
ACTS OF ALABAMA, 1975 ACT NO.
919.

JOHN TREADWELL, Clerk

CONFERENCE COMMITTEE

House Conferees _____

DATE: 20
RD 1 RFD _____

This Bill was referred to the Standing Committee
of the Senate on FEB 6

and was acted upon by such Committee in
session and is by order of the Committee
returned theretfrom with a favorable report
w/amend(s) 1 w/sub 0 by a vote of
yeas 9 nays 5 abstain 0
this 25 day of Feb 20 26
Patrick Harris Chair

DATE: 2-25 2026
RF 1-24 RD 2 CAL _____

DATE: _____ 20____

RE-REFERRED ☐ RE-COMMITTED ☐
Committee _____

I hereby certify that the Resolution as
required in Section C of Act No. 81-889
was adopted and is attached to the Bill,
HB _____

YEAS _____ NAYS _____

PATRICK HARRIS,
Secretary

FURTHER SENATE ACTION (OVER)