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Honorable Joan Neville
Chairman, Board of Registrars
Morgan County, Alabama
Post Office Box 668
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Boards of Registrars - Voting - Elections - Redistricting

When changes are made in voting precincts and locations, new voter identification cards should be issued before the effective election date. One card may be issued with dual-voting precinct designations, one for municipal elections, and one for all other elections.

Dear Ms. Neville:

This opinion is issued in response to your request for an opinion from the Attorney General.

QUESTIONS

1. Though the law seems clear about deadlines for changing precinct boundaries, we find no mention of notifying individual voters of their voting precinct changes. What is our obligation as to notification of voters prior to an election of their new voting location?

2. What is the deadline before an election when we must send out new voter ID cards designating voting precinct locations?
3. If the Morgan County Commission elects to change their boundaries AFTER the June 2, 1992, primary election and June 23 run-off election, may we at least delay notifying voters whose city precinct has changed of their new voter locations until AFTER the June primaries? That would avoid confusion by allowing them to vote in their old precinct for the June primaries.
4. If the Morgan County Commission elects NOT to change their present precinct boundaries, are we to issue dual-voting precinct designations to those affected by the Decatur city changes, one for city elections, one for all other elections?

FACTS AND ANALYSIS

Your request states:

The City of Decatur is currently revising its precinct boundaries and expects to have no difficulty effecting the changes and obtaining Justice Department approval prior to May 25, 1992, the 90-day requirement date for changes prior to the August 25, 1992, municipal election.

It is doubtful at this time that Morgan County could effect any changes in their current precinct boundaries prior to the 90-day period before the June 2, 1992, primary election. In fact, Morgan County may not elect to change their precinct boundaries, we don't know, we haven't yet met with the Commissioners.

Section 17-4-121 provides:

"The registrars shall issue to each person registered a certificate of registration."

This certificate of registration is generally referred to as a voter ID card. Although the Code does not directly require that new voter ID cards be issued to individual voters after changes are made in voting locations, it is our opinion that it is implied that new ID cards must be issued. Voters are prohibited from casting ballots in any precinct or district where their names do not appear on the official voter list. Code of Alabama 1975, § 17-4-127. The issuance of new voter ID cards will greatly reduce the confusion that could occur on election day and will prevent many voters from attempting to vote in the wrong location. Similarly, there is not a statutory deadline for issuance of these cards. However, they should be sent out in time for voters to receive them before the date of the election when the changes are to take effect.

If the county commission does not change its precinct boundaries but the city does, I see no problem with delaying the issuances of the new voter ID cards until some time after the June primary and run-off elections, but before the August 25 municipal election. It should be noted that voting places for precincts should not be changed within three months before an election is to be held and that voting places shall be the same for all elections, except municipal elections. See Code of Alabama 1975, § 17-5A-5.

If the city and county have different voting precincts, one voter ID card may be issued with dual-voting precinct designations, one for city elections and one for all other elections.

CONCLUSION

When changes are made in voting precincts and locations, new voter identification cards should be issued before the effective election date. One card may be issued with dual-voting precinct designations, one for municipal elections and one for all other elections.

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I hope this sufficiently answers your questions. If our office can be of further assistance, please do not hesitate to contact us.

Sincerely,

JIMMY EVANS
Attorney General
By:



JAMES R. SOLOMON, JR.
Chief, Opinions Division

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