

2016 MUNICIPAL ELECTIONS CALENDAR

Excerpted from the 2016 Elections Manual, prepared by the Alabama League of Municipalities

(Citations are to the Code of Alabama, 1975)

DISCLAIMER: This election calendar is provided as a service to candidates running in the general municipal election and those officials responsible for conducting the municipal election to be held on August 23, 2016, with a run-off on October 4, 2016, if necessary. *Use of this calendar is at the sole risk of the candidate. It is the responsibility of the candidate or official to verify the dates on which forms are due.* The Alabama League of Municipalities and the municipality and/or official that may distribute this form disclaim any responsibility or liability for failure to comply with any filing requirement or any other election law.

References are to dates in the year 2016 unless otherwise indicated and all citations are to the Code of Alabama 1975. In most cases, the dates printed in this publication represent the final deadline for performing the listed duties. The League urges officials and candidates to accomplish these duties well in advance of the deadline.

Electronic Voting Rule—An ordinance establishing the use of electronic vote counters must be adopted. No deadline is set, but the ordinance must be adopted far enough in advance to meet other election deadlines. §17-7-21.

August 23, 2015

First day candidates for municipal elections can begin to raise money. §17-5-7(b)(2). Under general law, there is no limitation on the amount an individual or corporation may contribute to the campaign of a person running for municipal office.

NOTE: Once a candidate establishes a principle campaign committee pursuant to the Fair Campaign Practices Act, the committee must file monthly campaign disclosure reports pursuant to §17-5-8. The reports are due on the second business day of the subsequent month during the time leading up to the election with the exception of the month preceding the election. For the four (4) weeks prior to the election, weekly reports covering each week must be filed on Monday of the following week. A candidate who is required to file a weekly report during this period is *not* also required to file a monthly report in the month in which the election is held. This eliminates duplicative filings. See §17-5-8(k), Code of Alabama 1975. Forms are available from the probate judge, the Secretary of State, or the municipal clerk.

FCPA Forms for municipal candidates must be filed with the probate judge in the county in which the office is sought. See §17-5-9(a).

In the case of candidates for a municipal office where the municipality is located in more than one county, the statements and reports shall be filed *in the county where the city hall of the municipality is located*. The probate judge of the county where the report is filed, if the municipality is located in more than one county, shall provide a copy of the report to the probate judge of the other county or counties where the municipality is located. See §17-5-9(c).

February 23

Last day for the council to change the salaries for officials who will be elected in August. §§11-43-2 and 11-43-80. Last day for the council to decide whether to elect councilmembers at large or from districts. §§11-43-2 and 11-43-63. Last day for the council in municipalities with a population of less than 10,000 according to the most recent decennial census to provide for a procedure for the appointment of additional election officials to receive, count, and return the absentee ballots cast at the election. §§ 11-46-27, 17-11-10 and 17-11-11.

March 31

Last day for councils elected at large to number the places for election purposes. §11-46-22

May 23

Last day for the council to change its district lines. §11-46-23. Last day for the council to change the location of designated voting places or add an additional voting place.

May 25

Last day a person can become a resident of the municipality and district and still be a candidate for election. Candidates must reside in the municipality and the district for a period of 90 days before the election. §11-425(g); §11-43-63.

June 24

Electronic Voting Rule – First day to conduct a training school for officials who will conduct an election using electronic voting machines. §17-8-9. No election official shall service in any election in which an electronic voting machines is used, unless he or she shall have received such instruction **within 60 days prior to the election** and is fully qualified to perform the duties in connection with the electronic voting machine, and has received a certificate from the authorized instructor to that effect. This does not prevent the appointment of an uninstructed person as an election official to fill a vacancy among the election officials.

June 30

Last day on which the council may adopt an ordinance establishing qualification fees. §11-46-2.

July 5

Mayor gives notice of the election on the first Tuesday in July. §11-46-22(a). Candidates may begin qualifying once notice is published. Qualifying forms are available from the municipal clerk. §11-46-22(a). **NOTE:** The Fair Campaign Practices Act requires all candidates to file with the PROBATE JUDGE in the county where the city hall of the municipality is located a list of two to five persons who will serve as their campaign committee. §17-5-9(c). Candidates may serve as their own committee, but must still file a form to this effect with the PROBATE JUDGE. THIS FORM MUST BE FILED WITHIN FIVE (5) DAYS OF QUALIFYING TO RUN FOR OFFICE. THIS FORM MUST BE FILED REGARDLESS OF WHETHER THE CANDIDATE HAS REACHED THE \$1,000 THRESHOLD UNDER THE FAIR CAMPAIGN PRACTICES ACT. Forms are available from the probate judge, Secretary of State or the municipal clerk. §17-5-4.

IN ADDITION, once a candidate establishes a principal campaign committee pursuant to the Fair Campaign Practices Act, the committee must file monthly campaign disclosure reports pursuant to §17-5-8. The reports are due on the second business day of the subsequent month with the exception of the month preceding the election at which point the reports are due weekly on Monday of the following week leading up to the election. §17-5-8.

FURTHER, the Ethics Law requires candidates to file a statement of economic interests with the STATE ETHICS COMMISSION. . . . In addition, the Ethics Commission must confirm to the municipal clerk within five (5) business days that the candidate that the candidate has filed the form required. § 36-25-15. **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 the statement of economic interests as they are required to submit an annual report which is on file with the ETHICS COMMISSION. §36-25-15.

July 19

Last day to qualify to run for municipal office. The qualifying form must be filed by 5:00 p.m., Central Daylight Time, with the MUNICIPAL CLERK. Forms are available from the clerk. §11-46-25(g).

Mayor must cause the printing of the ballots. §11-46-25. Mayor must file a list of qualified voters with the clerk. If the mayor is a candidate in the election, the council must appoint a qualified person to perform this duty. §§11-46-36, 11-46-37, and 17-11-5.

July 22

Last day for sample of the ballot or vote card to be placed on display in municipalities using vote tabulators that require voters to fill out a card or paper ballot to be read by the tabulator. §11-46-31.

Last day to place a voting machine on display. §11-46-31.

July 25

For candidates qualifying on July 19, last possible day for candidates to file with the PROBATE JUDGE an Appointment of Principal Campaign Committee Form. §17-5-4

For candidates qualifying on July 19, last possible day for candidate to file Statement of Economic Interest with the Ethics Commission. §36-25-15.

July 26

Deadline for mayor to deliver absentee election supplies to the municipal clerk, not more than seven (7) days after the last day to qualify. §17-11-12.

August 1

Principal campaign committee must file a weekly campaign disclosure report with the PROBATE JUDGE in the county where the city hall of the municipality is located pursuant to §17-5-8. FCPA Weekly Reports are required weekly on the Monday of the succeeding week for each of the four weeks prior to the election that includes all reportable activities of the previous week. Forms are available from the probate judge, Secretary of State or the municipal clerk.

August 8

Principal campaign committee must file a weekly campaign disclosure report with the PROBATE JUDGE in the county where the city hall of the municipality is located pursuant to §17-5-8. FCPA Weekly Reports are required weekly on the Monday of the succeeding week for each of the four weeks prior to the election that includes all reportable activities of the previous week. Forms are available from the probate judge, Secretary of State or the municipal clerk.

August 8

Last day for the council to appoint election officials, not less than 15 days before the election. **NOTE:** The clerk must notify the persons chosen as election officials and must hold an election school for them. The clerk must notify the official at least 48 hours before the school is scheduled. §§11-46-27 and 11-46-30.

August 9

Electronic Voting Rule – First day to test electronic vote counters, not more than 14 days before the election. The test must be conducted as close as practicable to the date of the election. The test is open to the public. The League recommends forty-eight (48) hours notice of the test. Rule 307-X-1-.04.

August 10

Last day to register to vote for the municipal general election, 15th day before the election. §17-3-50(a).

August 12

Last day for the mayor to publish lists of the election officers and the voting places to which they are assigned, at least 10 days prior to the election. §11-46-27.

August 15

Principal campaign committee must file a weekly campaign disclosure report with the PROBATE JUDGE in the county where the city hall of the municipality is located pursuant to §17-5-8. FCPA Weekly Reports are required weekly on the Monday of the succeeding week for each of the four weeks prior to the election that includes all reportable activities of the previous week. Forms are available from the probate judge, Secretary of State or the municipal clerk.

August 18

Last day for a voter to apply for a regular absentee ballot, 5 days prior to the election. §17-11-3(a).

Last day to publish the list of qualified voters, at least 5 days prior to the election. §11-46-36.

Electronic Voting Rule – Last day to conduct a training school for officials who will conduct an election using electronic voting machines, not less than 5 days before an election. §17-8-9.

August 19

Last day for an absentee voter who is required to provide identification but failed to include it with the ballot to submit identification to the absentee election manager by 5:00 p.m. on the Friday before the election to prevent the ballot from becoming a provisional ballot. §17-10-2(c)(1)(a).

August 22

Principal campaign committee must file a weekly campaign disclosure report with the PROBATE JUDGE in the county where the city hall of the municipality is located pursuant to §17-5-8. FCPA Weekly Reports are required weekly on the Monday of the succeeding week for each of the four weeks prior to the election that includes all reportable activities of the previous week. Forms are available from the probate judge, Secretary of State or the municipal clerk.

Last day for a voter to apply for an emergency absentee ballot if he or she is required by his or her employer to be out of the country on election day. §17-11-3(d).

The clerk, along with two watchers, must inspect and seal voting machines which will be used in the election beginning no later than 9:00 a.m. §11-46-33.

If an absentee ballot is returned by mail, it must be postmarked by August 22 **and** received by noon the day of the election. The deadline for hand-delivery of absentee ballots is the close of business on August 22. §17-11-3(c), 17-11-18.

August 23

Election Day. Regular municipal elections are held on the fourth Tuesday in August. §11-46-2.

NOTE: Section 11-46-28 provides that the polls be open from 7:00 a.m. to 7:00 p.m. and that a municipality may set those times under Eastern Standard Time if necessary.

Election officials must meet at their respective polling places at least 30 minutes before polls open. §11-46-28.

The clerk must ensure that all ballots, boxes and supplies are provided at each polling place, or if machines are used, that proper supplies are provided at each polling place. §11-46-33.

Candidates may appoint a poll watcher to observe voting procedures in the polling place. The appointment must be made in writing, signed by the candidate, and filed with the election officials at the polling place. §11-46-35.

Electronic Voting Rule – Precinct counters must be tested according to the manufacturer's instructions to ensure that they are set at zero and prepared for voting. Rules 307-X-1-11.

Deadline for returning absentee ballots by mail or an emergency absentee ballot for a registered voter who requires emergency treatment by a licensed physician within 5 days of the election is 12:00 noon on August 23. §17-11-18.

Beginning at 12:00 noon, the clerk shall deliver the sealed affidavit envelopes containing absentee ballots to the absentee election officials. §17-11-10.

August 24

Deadline for the absentee precinct inspector to notify voters whose absentee ballots have become provisional due to the inspector's personal knowledge that voter was not eligible to vote by mailing a copy of the challenge statement of the inspector by the day after the election. §17-10-2(c)(3)(b).

Municipal clerk must deliver the written affirmations of the provisional voters, inspector challenge statements, and all voter re-identification forms in a sealed envelope addressed to the board of registrars to the board of registrars no later than noon on the day following the election. §17-10-2(d).

August 26

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 no later than 5:00 PM on the Friday following the election. §17-10-2(c)(1)(c).

August 30

Commencing at noon on the first Tuesday next after the election, the council must canvass the election results. §11-46-55. See also §11-46-46. If a candidate receives a majority of the votes cast for the office, the council issues a certificate of election. If no candidate receives a majority, the council shall order a run-off election to be held. ANYONE WITH STANDING TO CONTEST THE ELECTION MAY REQUEST A RECOUNT WITHIN FORTY-EIGHT HOURS OF THE OFFICIAL CANVASS OF THE ELECTION RESULTS. §11-46-55.1.

September 5

Last day a candidate may contest the results of the general election, within 5 days after the result of the election is declared. §11-46-69.

September 6

Last day for the mayor (or other person assigned to this duty) to deliver absentee ballots and supplies to the clerk for the run-off election, not more than 14 days after the first election. §17-11-12.

September 12

Principal campaign committee must file a weekly campaign disclosure report for the runoff election with the PROBATE JUDGE in the county where the city hall of the municipality is located pursuant to §17-5-8. FCPA Weekly Reports are required weekly on the Monday of the succeeding week for each of the four weeks prior to the election that includes all reportable activities of the previous week. Forms are available from the probate judge, Secretary of State or the municipal clerk.

September 19

Principal campaign committee must file a weekly campaign disclosure report for the runoff election with the PROBATE JUDGE in the county where the city hall of the municipality is located pursuant to §17-5-8. FCPA Weekly Reports are required weekly on the Monday of the succeeding week for each of the four weeks prior to the election that includes all reportable activities of the previous week. Forms are available from the probate judge, Secretary of State or the municipal clerk.

September 25

Electronic Voting Rule – First day to test electronic vote counters for the run-off election. The test must be conducted as close as practicable to the date of the election. The test is open to the public. The League recommends forty-eight (48) hours notice of the test. Rule 307-X-1-.04.

September 26

Principal campaign committee must file a weekly campaign disclosure report for the runoff election with the PROBATE JUDGE in the county where the city hall of the municipality is located pursuant to §17-5-8. FCPA Weekly Reports are required weekly on the Monday of the succeeding week for each of the four weeks prior to the election that includes all reportable activities of the previous week. Forms are available from the probate judge, Secretary of State or the municipal clerk.

September 29

Last day for a voter to apply for a regular absentee ballot 5 days before the election. §17-11-3(a).

September 30

Last day for an absentee voter who is required to provide identification but failed to include it with the ballot to submit this identification to the absentee election manager by 5:00 p.m. on the Friday before the election to prevent the ballot from becoming a provisional ballot. §17-10-2(c)(1)(a).

October 3

Principal campaign committee must file a weekly campaign disclosure report for the runoff election with the PROBATE JUDGE pursuant to §17-5-8 in the county where the city hall of the municipality is located. FCPA Weekly Reports are required weekly on the Monday of the succeeding week for each of the four weeks prior to the election that includes all reportable activities of the previous week. Forms are available from the probate judge, Secretary of State or the municipal clerk.

October 3

Last day for a voter to apply for an emergency absentee ballot if he or she is required by his or her employer to be out of the country on election day. §17-11-3(d).

The clerk, along with two watchers, must inspect and seal voting machines which will be used in the election. §11-46-33.

If an absentee ballot is returned by mail, it must be postmarked by October 3 **and** received by noon the day of the election. The deadline for hand-delivery of absentee ballots is the close of business on October 3. §17-11-3(c), 17-11-18.

October 4

Run-off Election Day. Candidates may appoint a poll watcher to observe voting procedures in the polling place. The appointment must be made in writing, signed by the candidate, and filed with the election officials at the polling place. §11-46-35.

Electronic Voting Rule – Precinct counters must be tested according to the manufacturer’s instructions to ensure that they are set at zero and prepared for voting. Rules 307-X-1-11.

Deadline for returning absentee ballots by mail or an emergency absentee ballot for a registered voter who requires emergency treatment by a licensed physician within 5 days of the election is 12:00 noon on October 4. §17-11-3(c), 17-11-18.

October 5

Deadline for the absentee precinct inspector to notify voters whose absentee ballots have become provisional due to the inspector’s personal knowledge that voter was not eligible to vote by mailing a copy of the challenge statement of the inspector by the day after the election.. §17-10-2(c)(3)(b).

Municipal clerk must deliver the written affirmations of the provisional voters, inspector challenge statements, and all voter re-identification forms in a sealed envelope addressed to the board of registrars to the board of registrars no later than noon.

October 7

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 no later than 5:00 P.M. on the Friday following the election. §17-10-2(c)(1)(c).

October 11

Commencing at noon on the first Tuesday next after the election the council must canvass the election results. §11-46-55. See also §11-46-46. ANYONE WITH STANDING TO CONTEST THE ELECTION MAY REQUEST A RECOUNT WITHIN FORTY-EIGHT HOURS OF THE OFFICIAL CANVASS OF THE ELECTION RESULTS. §11-46-55.1.

October 17

Last day a candidate may contest the results of the run-off election, within 5 days after the result of the election is declared. §11-46-69.

November 7

Newly elected municipal officials take office on the first Monday in November following the election. §11-46-21(c). Council meets for its organizational session. §11-43-44.

December 21

Last day for candidates who were ***not*** involved in the run-off election to raise money to pay off their campaign debts, 120 days after the election. §17-5-7.

February 1, 2017

Last day for candidates who were involved in the run-off election to raise money to pay off their campaign debts, 120 days after the election. §17-5-7.

March 23, 2017

The clerk shall destroy the contents of the ballot boxes for the municipal general election unless there is notification that the election has been contested, 6 months after the election. Section 11-46-46, Code of Alabama 1975.

The clerk no longer must preserve written notices for withdrawal of candidates in municipal general election, 6 months after the election. §11-46-25.

April 4, 2017

The clerk shall destroy the contents of the ballot boxes for the municipal run-off election unless there is notification that the election has been contested, 6 months after the election. Section 11-46-46, Code of Alabama 1975.

The clerk no longer must preserve written notices for withdrawal of candidates in municipal run-off election, 6 months after the election. §11-46-25.

NOTE: Candidates who are not elected should dissolve their campaign committees by filing a form with the PROBATE JUDGE in the county where the city hall of the municipality is located. The Fair Campaign Practices Act requires all candidates who fail to dissolve their campaign committees to file an annual report listing all contributions or expenditures with the probate judge. Forms are available from the probate judge, the Secretary of State, or the municipal clerk. There have been changes to the Fair Campaign Practices Act since the 2012 election and there are different filing deadlines. Please refer to the manual for more information.

