

APA-1
07/04

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. _____ Department or Agency: Secretary of State

Rule No. 820-2-2-.21

Rule Title: Application Form to the State Election Board for Issuance of a Certificate of
Citizenship for Voting Purposes

New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly
harm or endanger the public health, welfare or safety? No

Is there a reasonable relationship between the state's police
power and the protection of the public health, safety or welfare? No

Is there another, less restrictive method of regulation available
that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly
increasing the costs of any goods or services involved and, if so,
to what degree? No

Is the increase in cost, if any, more harmful to the public than
the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the
purpose of, and so they have, as their primary effect, the
protection of the public? Yes

.....
Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be
accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-
23, Code of Alabama 1975.

.....
Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the
requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all
applicable filing requirements of the Administrative Procedure Division of the Legislative
Reference Service.

Signature of certifying office

Beth Chap

Date 4-20-12

(DATE FILED)

Office of the Secretary of State
Elections Division

NOTICE OF INTENDED ACTION

AGENCY NAME: Secretary of State

RULE NO. & TITLE: 820-2-2-.17 Voter Registration Instructions for
Voter Registrars to Assess
Eligibility of Voter Registration
Applicant
820-2-2-.18 Affidavit and Application for
Certification of Free Alabama Birth
Record for Voter Registration Use
820-2-2-.19 Citizenship Document Inconsistency
Affidavit Form
820-2-2-.20 Form for Notification of
Insufficiency of Proof of
Citizenship
820-2-2-.21 Application Form to the State
Election Board for Issuance of a
Certificate of Citizenship for
Voting Purposes
820-2-2-.22 Certificate of Citizenship for
Voting Purposes
820-2-2-.23 Temporary Rules for State Election
Board
820-2-2-.24 Agency-Based Voter Registration
Form
820-2-2-.25 Mail-In Voter Registration Form

INTENDED ACTION: New rules.

SUBSTANCE OF PROPOSED ACTION:

Adopt voter registration rules to comply with the Code of Alabama,
section 31-13-28 (2011).

TIME, PLACE, MANNER OF PRESENTING VIEWS:

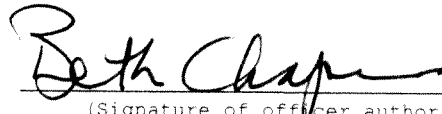
Views may be presented in writing and should be addressed to Jean Brown, Chief Legal Advisor, Office of the Secretary of State, P.O. Box 5616, Montgomery, Alabama 36103.

FINAL DATE FOR COMMENT AND COMPLETION OF THE NOTICE:

June 4, 2012

CONTACT PERSON AT AGENCY:

Adam Thompson, Office of the Secretary of State, State Capitol, 600 Dexter Avenue, Suite S-105, Montgomery, Alabama 36104; 334-353-7818.

A handwritten signature in cursive script, appearing to read "Beth Chapman", is written over a horizontal line.

(Signature of officer authorized to promulgate and adopt rules or his or her deputy)

(b)The board of registrars shall create a record in the statewide voter registration database for an applicant who has submitted insufficient proof of citizenship and shall place the applicant in a status of "suspense" with a reason of "insufficient citizenship documentation." The board of registrars shall scan the completed "Notification of Insufficiency of Proof of Citizenship" (Form C-3) into the statewide voter registration database and attach it to the applicant's record.

Authors: Jean Brown; Edward Packard.

Statutory Authority: Code of Alabama, section 31-13-28 (2011); Code of Alabama, section 17-3-1 (2006).

History: New Rule: Filed April 20, 2012; effective May 25, 2012.

820-2-2-.21 Application Form to the State Election Board for Issuance of a Certificate of Citizenship for Voting Purposes.

The following application form ("Form C-4") to the State Election Board for issuance of a Certificate of Citizenship for Voting Purposes shall be completed and submitted by applicants if a board of registrars determines that an applicant has not submitted satisfactory documentary proof of citizenship as required under Code of Alabama, section 31-13-28 (2011).

APPLICATION TO THE STATE ELECTION BOARD FOR ISSUANCE OF A CERTIFICATE OF CITIZENSHIP FOR VOTING PURPOSES (Form C-4)

Complete and submit only if applicant has not submitted satisfactory documentary proof of citizenship. If applicant has already been denied registration but believes that he or she has submitted documentation that complies with the stated requirements, then applicant's remedy is appeal to the Probate Judge.

I, _____, hereby request issuance of a Certificate of Citizenship for Voting Purposes from the State Election Board. In support thereof, I affirm as follows:

I am a United States citizen but do not possess or have access to any of the following documents showing United States Citizenship:

- (1) A driver's license or nondriver's identification card issued by the division of motor vehicles or the equivalent government agency of any state within the United States if the agency indicates on the applicant's driver's license or nondriver's identification card that the person has provided satisfactory proof of United States citizenship; **Alabama driver's license or nondriver's ID card must be a "Star" license or ID.**
- (2) A birth certificate that verifies United States citizenship to the satisfaction of the county election officer or Secretary of State.
- (3) A valid or expired passport identifying me and my passport number.
- (4) United States naturalization documents or the number of the certificate of naturalization.
- (5) Other documents or methods of proof of United States citizenship issued by the federal government pursuant to the Immigration and Nationality Act of 1952, and amendments thereto.
- (6) A Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.
- (7) A consular report of birth abroad of a citizen of the United States of America.
- (8) A certificate of citizenship issued by the United States Citizenship and Immigration Services.
- (9) A certification of report of birth issued by the United States Department of State.

- (10) An American Indian card, with KIC classification, issued by the United States Department of Homeland Security.
- (11) A final adoption decree showing my name and United States birthplace.
- (12) An official United States military record of service showing my place of birth in the United States.
- (13) An extract from a United States hospital record of birth created at the time of my birth indicating the applicant's place of birth in the United States.
- (14) Federal confirmation of U.S. citizenship under 8 U.S.C. §1373.

I believe that I am a United States citizen based upon the following information:
(Provide the details as to why or how you became a citizen of the United States.)

I submit herewith the following documentation that proves that I am a United States citizen:

(Attach copies of any documentation that you believe demonstrates citizenship, such as newspaper birth announcements, family Bible entries, certificate of foreign birth if it reflects U.S. citizenship, affidavits signed by three U.S. citizens who know you are a U.S. citizen and have known you for 10 years or more, etc.)

NOTICE OF RIGHT TO HEARING BEFORE THE BOARD

I understand that I am entitled to a hearing before the Board and an opportunity to testify and to present witnesses and additional evidence of citizenship if the Board does not issue a Certificate of Citizenship for Voting Purposes based upon the information that I have supplied above. I understand that I have the right to have counsel, provided at my own expense, present at said hearing. I *(check one)* request do not request that I be provided such a hearing. I understand that notice of the hearing will be mailed to the address that I have provided.

Signature of applicant

Mail completed form and attached documents to:

Alabama Secretary of State
600 Dexter Avenue
Montgomery, Alabama 36130

You may also submit the completed form to your local Board of Registrars which will forward it to the Secretary of State's Office.