

APA-1
07/04

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. _____ Department or Agency: Secretary of State

Rule No. 820-2-2-.25

Rule Title: Mail-In Voter Registration Form

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:

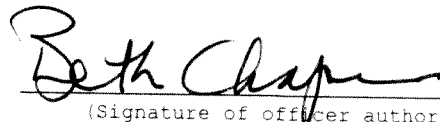
Views may be presented in writing and should be addressed to Jean Brown, Chief Legal Advisor, Office of the Secretary of State, P.O. Box 5616, Montgomery, Alabama 36103.

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", written over a horizontal line.

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

820-2-2-.25 Mail-In Voter Registration Form.



State of Alabama Voter Registration Application Instructions Regarding Proof of Citizenship for the Purpose of Registering to Vote

You must provide satisfactory evidence of U.S. citizenship when registering to vote in the State of Alabama.

You do not need proof of citizenship if you are registered to vote and you are using this form to update your registration record.

- 1) Proof of U.S. citizenship is established by providing an original or legible photocopy of ONE of the following documents:
 - Driver's license or nondriver's ID card issued by division of motor vehicles or equivalent government agency of any state within the U.S. if the agency indicates on the driver's license or nondriver's ID card that the person has provided satisfactory proof of U.S. citizenship. **Alabama driver's license or nondriver's ID card must be a "Star" license or ID.**
 - Birth certificate verifying U.S. citizenship to satisfaction of Board of Registrars.
 - Valid or expired U.S. passport identifying applicant and applicant's passport number, or presentation of U.S. passport to Board of Registrars.
 - U.S. naturalization documents or the number of certificate of naturalization. If only number of certificate of naturalization is provided, applicant shall not be registered until number of certificate of naturalization is verified with U.S. Bureau of Citizenship and Immigration Services by Board of Registrars.
 - Other document or method of proof of U.S. citizenship issued by federal government pursuant to Immigration and Nationality Act of 1952 and amendments thereto.
 - Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.
 - Consular report of birth abroad of U.S. citizen.
 - Certificate of citizenship issued by U.S. Citizenship and Immigration Services.
 - Birth certificate issued by U.S. State Department.
 - American Indian card with KIC classification issued by U.S. Dept. of Homeland Security.
 - Final adoption decree showing applicant's name and U.S. birthplace.
 - Official U.S. military record of service showing place of birth in the U.S.
 - Extract from U.S. hospital birth record created at time of birth showing U.S. place of birth
 - Certificate of Citizenship for Voting Purposes issued by the State Election Board.
 - Federal confirmation of U.S. citizenship under 8 U.S.C. §1373.
- 2) If you were born in Alabama and do not have one of the documents listed in section 1, the Alabama Department of Public Health will send a birth certificate to your county Board of Registrars at no cost to you. Please fill out the attached Form HS-89, "Affidavit and Application for a Certification of an Alabama Birth Record for Alabama Voter Registration Use," and submit it to your county Board of Registrars.
- 3) If you believe you have proof of U.S. citizenship that is not listed in section 1, you may apply to the State Election Board for a "Certificate of Citizenship for Voting Purposes." Please fill out the attached Form C-4 and submit it to the Secretary of State:

Secretary of State
PO Box 5616
Montgomery Alabama 36103

Secretary of State
600 Dexter Avenue, Suite S-105
Montgomery Alabama 36103

You may also submit the form to your county Board of Registrars who will forward it to the Secretary of State.

State of Alabama Mail-In Voter Registration Form

FOR USE BY U.S. CITIZENS ONLY ♦ FILL IN ALL BOXES ON THIS FORM ♦ PLEASE USE INK ♦ PRINT LEGIBLY

NVRA-2
03-04-07

You can use this form to:

- ▶ Register to vote in Alabama
- ▶ Update your voter registration record, if you have changed your name or address

To register to vote in the State of Alabama, you must:

- ▶ Reside in Alabama and be a citizen of the United States
- ▶ Provide satisfactory evidence of U.S. citizenship. You do not need proof of citizenship if you are registered to vote and you are using this form to update your registration record
- ▶ Be at least 18 years of age on or before election day
- ▶ Not have been convicted of a disqualifying felony, or if you have been convicted, you must have had your civil rights restored
- ▶ Not have been declared "mentally incompetent" by a court

Deadline for submitting application:

Voter registration and updating of voter records is closed during the ten days prior to each election in Alabama.

ID requested: You may send with this application a copy of a current and valid photo identification, government check, paycheck, or other government document that shows your name and address. You will be required to present qualifying identification when you vote absentee or at your polling place.

Are you a citizen of the United States of America? Yes No **ATTENTION!** If you answer "No" to either of these questions, do not complete this application.

Will you be 18 years of age on or before election day? Yes No

1) Print Your Name: Last First Middle Driver's License Number: [] [] [] []

2) Print Maiden Name / Former Name (if reporting a change of name) IF YOU HAVE NO DRIVER'S LICENSE NUMBER: Last four digits of Social Security number: [] [] [] []

3) Home Telephone 4) Work Telephone 5) Inside City Limits? Yes No If yes, please name the city: _____ 6) County where you live: _____

Addresses	Current	Address where you live: (Do not use post office box)	Print House Number and Street	City	State	ZIP
	Current	Address where you receive your mail:	Print House Number and Street (or PO Box)	City	State	ZIP
	Old	Address where you were last registered to vote: (Do not use post office box)	Print House Number and Street	City	County	State

7) Date of Birth (month, day, year) 8) Place of Birth: City County State Country

<p>9) Race (check one)</p> <p><input type="checkbox"/> White <input type="checkbox"/> Black</p> <p><input type="checkbox"/> Asian <input type="checkbox"/> American Indian</p> <p><input type="checkbox"/> Hispanic <input type="checkbox"/> Other</p>	<p>10) Map / Diagram</p> <p style="font-size: x-small;">If your house has no street number or name, please draw a map of where your house is located. Please include roads and landmarks.</p>	<p>11) Did you receive assistance?</p> <p style="font-size: x-small;">If you are unable to sign your name, who helped you fill out this application? Give name, address and phone number (phone number is optional).</p>
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REGISTRARS USE ONLY

County Pct _____

City Pct _____

CITIZENSHIP PROOF PER _____

DATE APPROVED _____

Board member _____

Board member _____

Board member _____

Voter Declaration - Read and Sign Under Penalty of Perjury

<ul style="list-style-type: none"> ▶ I am a U.S. citizen ▶ I live in the State of Alabama ▶ I will be at least 18 years of age on or before election day ▶ I am not barred from voting by reason of a disqualifying felony conviction ▶ I have not been judged "mentally incompetent" in a court of law 	<p>I solemnly swear or affirm to support and defend the constitution of the United States and the State of Alabama and further disavow any belief or affiliation with any group which advocates the overthrow of the governments of the United States or the State of Alabama by unlawful means and that the information contained herein is true, so help me God.</p>
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Your Signature: _____ Date: _____

If you falsely sign this statement, you can be convicted and imprisoned for up to five years.

The decision to register to vote is yours. If you decide to register to vote, the office at which you are submitting this application will remain confidential and will be used only for voter registration purposes. If you decline to register to vote, your decision will remain confidential and will be used only for voter registration purposes.

Beth Chapman Secretary of State Questions? Call the Elections Division at 1-800-274-8683 or 334-242-7210

To mail, put the address of your county Board of Registrars on the lines below.

Autauga County P.O. Box 395 P.O. Box 395 134-101-1713	Chocoma County 111 S. Main Ave. Ste. 1 Butler 39004-0132 205-485-2531	Dallas County P.O. Box 987 Dorris 36702-0987 -334-874-2524	Jackson County P.O. Box 548 Spartanburg 36789-0548 736-874-9338 -258-874-9338	Marion County P.O. Box 984 Mantoloking 36870-0984 -226-891-8828	Shelby County P.O. Box 1042 Columbiana 3505-1042 -206-699-3813
Baldwin County P.O. Box 1537 Bay Minette 36507-1537 -251-937-0335	Clarke County P.O. Box 10 Spartanburg 36841-0010 -251-275-0682	DeKalb County 111 Grand Ave. SW Ste. 105 Fort Payne 35967 -258-845-8588	Jefferson County 75 R. Arrington Jr. Blvd. N -784-4-410 Birmingham 35203-6118 -258-275-5585	Marshall County 414 Bloom Ave. Ste. 106A Gadsdenville 36935-1122 -256-871-7740	St. Clair County 1319 Cogswell Ave. Ste. B-25 Pell City 36125 -205-338-1864
Barbour County P.O. Box 402 Clayton 36816 -214-175-8579	City County P.O. Box 446 Ashland 36251-0446 -256-254-7818	Elmore County 100 S. Commerce St. Rm. 205 Milledgeville 30602-0706 -224-567-1150 -224-567-1197	Lamar County P.O. Box 538 Hendon 36852-0538 -205-685-8348 -205-685-8197	Mobile County 317 Government St. Ste. 108 Moyale 36632 -251-571-8586 -261-174-4587	Sumter County P.O. Box 783 Livingston 36470-0783 -256-552-7902
Beech County 101 E. Broad St. Rm. 108 E. Java 36027 -254-181-1888	Chester County 120 Honey St. Rm. 103 Helen 30224-1100 -218-463-8789	Escambia County P.O. Box 587 Alewah 36427-0587 -251-887-0213 -251-887-0312	Lawrence County P.O. Box 189 Florence 36830-1089 -256-760-8441	Montgomery County P.O. Box 970 Montgomery 36181-0970 -251-712-8107 x141	Tallapoosa County 406 N. Benton Ave. Tusculoosa 36720-0406 -256-248-1014
Bobo County 9 Court Square W Lafayette 36342 -204-928-1792	Coffee County 8 Court Sq. Center New Boston 36551-9701 -224-894-5347	Etowah County 801 Turner Ave. Ste. 206 Dorchester 36901-3691 -256-848-6364	Lawrence County 14325 Court St. Ste. 109 Moulton 36950-1139 -256-974-2490 -256-974-2481	Montgomery County P.O. Box 1087 Montgomery 36110-1087 -251-312-1216	Tallapoosa County P.O. Box 658 The Hill 36862-0658 -256-251-8866 -256-251-8863
Blount County 125 Adams Ave. E. Rm. B-5 Greenville 36111 -205-625-4182	Colbert County 125 Adams Ave. E. Rm. B-5 Greenville 36111 -205-625-4182	Fayette County 101 First Ave. NW Ste. 4 Fayetteville 36857-2677 -205-100-5430	Lee County P.O. Box 1330 Opelika 36864-1330 -224-737-6635	Morgan County P.O. Box 658 The Hill 36862-0658 -256-251-8866 -256-251-8863	Tallapoosa County 125 N. Benton St. Rm. 20 Columbiana 36653-1071 -256-825-1091
Buford County 217 Ponce St. N. Rm. 101 Johns Springs 36880-1688 -334-108-6372	Calhoun County 111 N. Main St. Tusculoosa 36674-2695 -256-285-8839	Franklin County P.O. Box 70 Russellville 36853-0070 -256-740-8949	Limestone County 190 Clinton St. S. Ste. E -Hendon 36811-2865 -256-273-8485	Morgan County P.O. Box 658 The Hill 36862-0658 -256-251-8866 -256-251-8863	Tuscaloosa County 2501 7th St. Ste. 200 Tuscaloosa 35401-1201 -205-348-8870 x418
Butler County 100 Court Sq. Rm. B Greenville 36611-2105 -224-282-5685 -224-282-5819	Cherokee County 228 Highway Dr. Hicksville 36440-2870 -334-428-2895	Franklin County P.O. Box 70 Russellville 36853-0070 -256-740-8949	Limestone County 190 Clinton St. S. Ste. E -Hendon 36811-2865 -256-273-8485	Perry County P.O. Box 155 Mantoloking 36756-0155 -204-583-2216	Walker County P.O. Box 1472 Walker 36892-1472 -205-884-7219
Calhoun County 111 N. Main St. Tusculoosa 36674-2695 -256-285-8839	Cherokee County 228 Highway Dr. Hicksville 36440-2870 -334-428-2895	Geneva County P.O. Box 430 Geneva 36441-0430 -334-884-8685	Lowndes County P.O. Box 311 Haydenville 36340-0311 -334-548-2388 -334-548-2086	Pickens County P.O. Box 173 Camden 36847-0173 -205-387-2574	Washington County P.O. Box 124 Double Springs 36518-1274 -251-847-0255
Chambers County 13 Madison Ave. E. Rm. 101 Lafayette 36342 -204-884-4313	Chester County 120 Honey St. Rm. 103 Helen 30224-1100 -218-463-8789	Greene County P.O. Box 324 Butler 36802-0324 -205-372-2197	Macon County 101 Ross Park Ave. Ste. 100 Turkey 36063-1706 -334-224-2017	Randolph County P.O. Box 215 Weedon 36218-0215 -256-257-1738	Wilcox County P.O. Box 661 Camden 36720-0661 -334-882-9793
Chilton County P.O. Box 640 Milledgeville 30601-0640 -205-775-3820	Chester County 120 Honey St. Rm. 103 Helen 30224-1100 -218-463-8789	Hale County 905 D. Commerce St. Gadsdenville 36744-1536 -334-824-4817	Madison County 108 Northside Sq. Rm. 511 Huntsville 36801-4800 -256-532-3110 -256-532-3518	Russell County P.O. Box 700 Pell City 36125-0700 -204-986-1443 -334-418-1506	Winston County P.O. Box 498 Double Springs 36523-0498 -205-489-1996
Chilton County P.O. Box 640 Milledgeville 30601-0640 -205-775-3820	Chester County 120 Honey St. Rm. 103 Helen 30224-1100 -218-463-8789	Henry County 131 Court Ave. Ste. 201 W Abbeville 36310-1115 -334-585-4085	Marion County P.O. Box 480715 Linden 36748-0715 -334-190-2788 -334-295-2088	Secretary of State Electronic Division P.O. Box 4618 Montgomery 36103 -334-242-7210 -300-274-8683	

YOUR ADDRESS:

PUT
FIRST
CLASS
STAMP
HERE

MAIL TO:

BOARD OF REGISTRARS

AFFIDAVIT AND APPLICATION FOR A CERTIFICATION OF AN ALABAMA BIRTH RECORD FOR ALABAMA VOTER REGISTRATION USE

In compliance with Section 31-13-28 of the Alabama Code (Beason-Hammon Alabama Taxpayer and Citizen Protection Act), I swear under oath that I am over the age of 16 years and plan to register to vote in the State of Alabama and that I do NOT possess any of the following documents that constitute evidence of United States citizenship.

1. United States naturalization documents or the number of the certificate of naturalization.
2. Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.
3. Driver's license or non driver's identification card issued by the State of Alabama or a government entity of another state within the United States which indicates on the driver's license or non driver's identification card that the person has provided satisfactory proof of United States citizenship.
4. Valid or expired United States passport.
5. United States naturalization documents or the number of the certificate of naturalization.
6. Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.
7. Consular report of birth abroad.
8. Certificate of citizenship issued by the United States Citizenship and Immigration Services.
9. Certification of report of birth issued by the United States Department of State.
10. American Indian card, with KIC classification, issued by the United States Department of Homeland Security.
11. Other documents issued by the federal government proving United States Citizenship, pursuant to the Immigration and Nationality Act of 1952.
12. Final adoption decree showing name and United States birthplace.
13. Official United States military record of service showing place of birth in the United States.
14. Extract from a United States hospital record of birth created at the time of birth indicating place of birth in the United States.
15. Birth certificate that verifies United States citizenship.

Printed Name of Applicant _____

NOTARY AFFIX SEAL OR STAMP HERE _____

Signature of Applicant _____

Signature of Notary _____

Date _____

Sworn to and subscribed before me on _____

Information to Locate Birth Record: PLEASE CLEARLY PRINT ALL INFORMATION. FAILURE TO PROVIDE ACCURATE INFORMATION COULD DELAY THE PROCESSING OF THIS REQUEST

Full Name as Listed on Birth Record: _____

First

Middle

Last

Date of Birth: _____

County of Birth: _____

Mother's Full MAIDEN Name: _____

First

Middle

Last

Father's Full Name: _____

First

Middle

Last

Voter Registration Office Information

County of Voter Registration Office: _____

Mailing Address: _____

City: _____

State: Alabama

Zip: _____

Signature of Voter Registration Official _____

Date of Request _____

Phone Number: () _____

Fax Number: () _____

ADPH.HS.89.1.20.2012.KB

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.

Authors: Edward Packard, Jean Brown.
Statutory Authority: Code of Alabama, section 17-3-52.
History: New Rule: Filed April 20, 2012; effective May 25, 2012.