

APA-1  
07/04

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control \_\_\_\_\_ Department or Agency Secretary of State

Rule No. 820-2-2-.26

Rule Title: Procedures for Boards of Registrars for Domestic Violence  
Voter Protection.

X New \_\_\_\_\_ Amend \_\_\_\_\_ Repeal \_\_\_\_\_ Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

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

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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.

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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 officer Jim Bennett

Date 9-19-14

Office of the Secretary of State  
Administrative Division

NOTICE OF INTENDED ACTION

AGENCY NAME: Secretary of State

RULE NO. & TITLE: 820-2-2-.26 Procedures for Boards of Registrars for Domestic Violence Voter Protection.

INTENDED ACTION: New Rule.

SUBSTANCE OF PROPOSED ACTION: This proposed rule is necessary to provide procedures to ensure the residential and mailing address of a registered voter who is or has been a victim of domestic violence, or who has legal custody of a minor who is or has been a victim of domestic violence, is omitted on any generally available list of registered voters, except for those lists provided to federal and state agencies.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Views may be presented orally or 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; 334-242-7202.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

November 4, 2014.

CONTACT PERSON AT AGENCY:

Jean Brown, Office of the Secretary of State, State Capitol, 600 Dexter Avenue, Suite S-205, Montgomery, Alabama 36104; 334-242-7202.



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

NEW

STATE OF ALABAMA  
OFFICE OF THE SECRETARY OF STATE  
ELECTIONS DIVISION  
ADMINISTRATIVE CODE

820-2-2-.26

Procedures for Boards of Registrars for  
Domestic Violence Voter Protection.

The county Board of Registrars shall issue a Domestic Violence Voter Affirmation form upon an individual's request. The individual shall return the completed affidavit form to the Board of Registrars in the county where the individual is registered or intends to register to vote. The Board of Registrars, upon receipt of a completed Domestic Violence Voter Affirmation form, shall mark the registrant in the voter registration system as "protected." Information publicly available for voters in protected status shall include only the name and omit the residential and mailing address of a registered voter pursuant to Code of Alabama 1975, §17-4-33(b)(2014). Following all primary, special, general, and municipal elections in the state, a copy of the list of registered voters that is a public record while in the possession of the Board of Registrars shall be available for public inspection after the residential and mailing addresses of voters in protected status have been redacted from the list by the Board of Registrars. The original and copies of the list of registered voters shall be returned to the city clerk in municipal elections and the judge of probate in all other elections. Lists without redaction may be made available to federal and state agencies upon request. The Board of Registrars shall provide in writing the identification of protected voters to the Secretary of State, county judge of probate, county absentee election manager, and municipal clerk, to assist in the redaction or omission of the residential and mailing addresses from voter registration and other lists available from those offices.

**Authors:** Jean Brown; Brandon Walters; Ed Packard.

**Statutory Authority:** Code of Ala. 1975, §17-4-33 (2014); §17-9-15(1)(2014).

**History: New Rule:** Filed September 19, 2014.