

APA-1
07/04

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control _____ Department or Agency Secretary of State

Rule No. 820-2-2-.12

Rule Title: Processing Voter Registration Forms.

_____ New X 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 _____

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 officer Jim Bennett

Date 9-5-14

APA-2
07/04

Office of the Secretary of State
Administrative Division

NOTICE OF INTENDED ACTION

AGENCY NAME: Secretary of State
RULE NO. & TITLE: 820-2-2-.12 Processing Voter
Registration Forms.
INTENDED ACTION: Amend Rule.

SUBSTANCE OF PROPOSED ACTION: Provide procedures for when a voter registration form that is received by the county board of registrars does not contain all of the information needed to complete the voter registration process.

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)

APA-2
07/04

AMENDED

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

820-2-2-.12 Processing Voter Registration Forms.

(1) Voter registration forms submitted at a voter registration agency pursuant to Section 17-4-60, paragraphs (b), (d), (e), and (f), Code of Ala. 1975, not later than the official close of registration shall be processed by the Boards of Registrars in the same manner as voter registration forms received by the Boards of Registrars not later than the official close of registration.

(2) Voter registration forms received through the mail pursuant to Section 17-4-60, paragraph (c), Code of Ala. 1975, and postmarked not later than the official close of registration shall be processed by the Boards of Registrars in the same manner as voter registration forms received by the Boards of Registrars not later than the official close of registration.

(3) Voter registration forms received through the mail pursuant to Section 17-4-60, paragraph (c), Code of Ala. 1975, not later than three (3) days after the official close of registration with no postmark or an unreadable postmark shall be processed in the same manner as voter registration forms received by the Boards of Registrars not later than the official close of registration.

(4) When a voter registration form is received by the county board of registrars, the registrars shall examine the form to determine whether it has been completed in its entirety. If the form does not contain all of the information needed to complete the voter registration process, the registrars shall attempt to contact the applicant to inform such person that his or her voter registration form is incomplete if the application contains a means of contacting the

applicant, such as an address, telephone number, email address, or other contact information.

Authors: Edward Packard, Jean Brown, and William Sutton.

Statutory Authority: Code of Ala. 1975, §17-4-60.

History: New Rule: Filed January 10, 2001; effective February 14, 2001. **Amended:** Filed September 5, 2014.

Ed. Note: Formerly Rule 820-X-8-.12, as per certification filed January 10, 2001; effective February 14, 2001.

AMENDED

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

820-2-2-.12 Processing Voter Registration Forms.

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Authors: Edward Packard, Jean Brown, and William Sutton.

Statutory Authority: Code of Ala. 1975, §17-4-25560.

History: New Rule: Filed January 10, 2001; effective February 14, 2001. **Amended:** Filed September 5, 2014.

Ed. Note: Formerly Rule 820-X-8-.12, as per certification filed January 10, 2001; effective February 14, 2001.