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Appendix A: Minimum Qualifications for Public Office

Office ¹	Minimum Age	State Resident	US Citizen	Term of Office	Number of Terms
US Senate ²	30	1 day	9 years	6	no limit
US House of Representatives ³	25	1 day	7 years	2	no limit
Governor ^{4, 6}	30	7 years	10 years	4	2
Lt. Governor ^{4, 6}	30	7 years	10 years	4	2
Secretary of State ^{5, 6}	25	5 years	7 years	4	2
Attorney General ^{5, 6}	25	5 years	7 years	4	2
State Auditor ^{5, 6}	25	5 years	7 years	4	2
State Treasurer ^{5, 6}	25	5 years	7 years	4	2
Commissioner of Agriculture and Industry ^{5, 6}	25	5 years	7 years	4	2
Public Service Commission ^{7, 8}	18	1 day	1 day	4	no limit
Supreme Court Justice ^{7, 9, 25}	18	1 day	1 day	6	no limit
	Must be licensed to practice law in Alabama. No one may be elected or appointed to a judicial office after reaching the age of 70. Must have been licensed by the Alabama State Bar a combined total of 10 years or more, or by any other state bar association for a combined total of 10 years or more, prior to beginning a term of office or appointment to serve a vacant term of office.				
Court of Criminal Appeals ^{7, 9, 26}	18	1 day	1 day	6	no limit
	Must be licensed to practice law in Alabama. No one may be elected or appointed to a judicial office after reaching the age of 70. Must have been licensed by the Alabama State Bar a combined total of 10 years or more, or by any other state bar association for a combined total of 10 years or more, prior to beginning a term of office or appointment to serve a vacant term of office.				

Appendices

Office ¹	Minimum Age	State Resident	US Citizen	Term of Office		Number of Terms
Court of Civil Appeals ^{7, 9, 26}	18	1 day	1 day	6	no limit	
	Must be licensed to practice law in Alabama. No one may be elected or appointed to a judicial office after reaching the age of 70. Must have been licensed by the Alabama State Bar a combined total of 10 years or more, or by any other state bar association for a combined total of 10 years or more, prior to beginning a term of office or appointment to serve a vacant term of office.					
State Board of Education ^{7, 9}	18	1 day	1 day	4	no limit	
State Senate ^{7, 11}	25	3 years	1 day	4	no limit	
	Must be a resident of the district for one year prior to the election.					
State House of Representatives ^{7, 11}	21	3 years	1 day	4	no limit	
	Must be a resident of the district for one year prior to the election.					
Circuit Judge ^{7, 9, 12, 27}	18	1 year	1 day	6	no limit	
	Must be licensed to practice law in Alabama. Must have resided in the circuit which candidate seeks to represent for one year prior to election. No one may be elected or appointed to a judicial office after reaching the age of 70. Must have been licensed by the Alabama State Bar a combined total of seven years or more, or by any other state bar for a combined total of seven years or more, prior to beginning a term of office or appointment to serve a vacant term of office.					
District Judge ^{7, 9, 13, 28}	18	1 year	1 day	6	no limit	
	Must be licensed to practice law in Alabama. Must have resided in the circuit which candidate seeks to represent for one year prior to election. No one may be elected or appointed to a judicial office after reaching the age of 70. Must have been licensed by the Alabama State Bar a combined total of four years or more, or by any other state bar association for a combined total of four years or more, prior to beginning a term of office or appointment to serve a vacant term of office.					
District Attorney ^{7, 14}	18	1 year	1 day	6	no limit	
	Must be licensed to practice law in Alabama. Must have resided in the district which candidate seeks to represent for one year prior to election.					
Judge of Probate ^{7, 9, 15}	18	1 year	1 day	yes	6	no limit
	Must have resided in the district which candidate seeks to represent for one year prior to election. No one may be elected or appointed to a judicial office after reaching the age of 70.					
Circuit Clerk ^{7, 16}	18	1 day	1 day	6	no limit	
Sheriff ^{7, 17}	18	1 day	1 day	4	no limit	

Office ¹	Minimum Age	State Resident	US Citizen	Term of Office	Number of Terms
Coroner ^{7, 18, 24}	25	1 day	1 day	4	no limit
County Superintendent of Education ^{7, 19}	18	1 day	1 day	varies	varies
	See § 16-9-2 for qualifications.				
County Board of Education ^{7, 20}	18	1 day	1 day	4 & 6	no limit
	Must be a resident of the county which the candidate seeks to represent one year prior to election.				
County Commission ^{7, 21}	18	1 year	1 day	4 & 6	no limit
	Must be a resident of the county for at least one year prior to the date of taking office. If representing a specific district, must be a resident of the district for at least one year prior to the date of taking office.				
Mayor ^{7, 22}	18	90 days	1 day	4	no limit
	Must be a resident of the city for 90 days prior to election.				
City Council ^{7, 23}	18	90 days	1 day	4	no limit
	Must be a resident of the city or district for 90 days prior to election.				

Footnotes

1. All candidates participating in party primary elections must be registered voters. § 17-13-6
2. U.S. Constitution, Art. 1, § 3
3. U.S. Constitution, Art. 1, § 2
4. Ala. Const. § 117
5. Ala. Const. § 132
6. Ala. Const. § 116
7. §§ 17-3-30 and 36-2-1
8. § 37-1-3
9. Ala. Const. §§ 146, 154, and 155
10. §§ 16-3-1 and 16-3-3
11. Ala. Const. § 47
12. § 12-17-22
13. §§ 12-17-63 and 12-17-64
14. §§ 12-17-180 and 12-17-183
15. §§ 12-13-30 and 12-13-31
16. Ala. Const. § 160
17. Ala. Const. § 138
18. § 11-5-1
19. §§ 16-9-1 and 16-9-2
20. §§ 16-8-1 and 16-8-2
21. §§ 11-3-1 and 36-3-4
22. §§ 11-43-1, 11-43-2, and 11-46-25
23. §§ 11-43-63 and 11-46-25
24. § 11-5-33
25. § 12-2-1(b)
26. § 12-3-1
27. § 12-11-1
28. § 12-12-1

Appendix B: Important Addresses

POLITICAL PARTIES

Alabama Democratic Party
501 Adams Avenue
Montgomery, AL 36101
(334) 262-2221

Alabama Republican Party
3505 Lorna Road
Birmingham, AL 35216
(205) 212-5900

GOVERNMENT AGENCIES

Office of the Secretary of State
Elections Division
P.O. Box 5616
Montgomery, AL 36103-5616
(334) 242-7210
(800) 274-8683

Federal Election Commission
1050 1st Street, NE
Washington, D.C. 20463
(202) 694-1100
(800) 424-9530

Alabama Ethics Commission
P.O. Box 4840
Montgomery, AL 36103-4840
(334) 242-2997

Appendix C: Candidate Filing Guidelines 2022



BECOMING A CANDIDATE FOR STATE AND COUNTY OFFICE FOR PURPOSES OF THE FCPA

The Fair Campaign Practices Act (FCPA) defines a candidate as a person who has:

1. **Qualified to be listed on an election ballot** by filing qualification forms with a political party or municipal election official or by submitting a petition to run as an independent candidate; or
2. **Received contributions or made expenditures for an election campaign in excess of \$1,000.**

APPOINTING A PRINCIPAL CAMPAIGN COMMITTEE

Within **five (5) days** of becoming a candidate, you must file an **Appointment of Principal Campaign Committee Form** with the Secretary of State, if seeking election to a state or county office. Municipal candidates must file with the probate judge of the county where the city hall is located. Beginning August 1, 2023, all municipal candidates will be required to file their Appointment of Principal Campaign Committee forms with the Secretary of State's office.

This form establishes the candidate's finance committee. A candidate may either serve as their own committee or may appoint a committee of two to five persons. This committee must report until dissolved. If a candidate serves as their own principal campaign committee, they shall designate a person responsible for dissolving that principal campaign committee in the event of death or incapacity. [§ 17-5-4(c)]

FILING ELECTRONICALLY

1. Go to fcpa.alabamavotes.gov and click on "Candidate Committee Registration."
2. The Appointment of Principal Campaign Committee page will open, please enter the date, then complete the Full Name of Candidate, Address of the Committee, Type of Committee, and Add Committee Members. After entering each person, click Add Person. Note: A candidate who is the sole member of their campaign committee must have a Committee Dissolution Designee. The Committee Dissolution Designee must be someone other than the candidate.
3. After adding all of your committee information and members' names, click the Submit button in the bottom right corner of the page.
4. The screen will indicate "Your registration has been successfully submitted." Click on the "***Click here to view and print a copy of this filing***" link. Print the completed form. The candidate and all committee members must sign the form. Make a copy of the signed form for your records. Mail the original signed and completed form to: Elections Division, Alabama Secretary of State, P. O. Box 5616, Montgomery, AL 36103-5616.
5. Once the signed Appointment of Principal Campaign Committee Form is approved, your account will be activated. You and your committee members will each receive login credentials (username and pin) in two (2) separate emails.

ELECTRONIC FILING REQUIREMENT

All state, statewide, and county candidates must file their FCPA disclosure reports online at fcpa.alabamavotes.gov. **Beginning August 1, 2023, all municipal candidates will be required to file reports electronically with the Secretary of State's office.**

Changes in committee members, committee contact information, or updated information must be submitted electronically to the Secretary of State through the online FCPA filing system.

Appendix C: Candidate Filing Guidelines 2022 (continued)

FILING FINANCIAL DISCLOSURE REPORTS

After exceeding the \$1,000 threshold amount in either contributions or expenditures, a candidate is required to file disclosure reports at specific times. The candidate is not required to file disclosure reports if the filing threshold has not been exceeded. Please remember all late filings are subject to civil penalties. Please see Code of Alabama 1975, § 17-5-19.1 for details on administrative penalties that may be levied against a committee.

TYPES OF REPORTS

Pre-Election Reports

Beginning 12 months out from an election, campaign finance disclosure reports are required once a candidate meets the filing threshold of \$1,000. These reports must be filed at the following times:

- **Monthly reports** are due the second business day of the subsequent month, beginning 12 months before any election for which the committee receives contributions or makes expenditures with a view toward influencing the election.
- **Weekly reports** are due on the subsequent Monday for each of the 4 weeks prior to the election.
- **Daily reports** are due on that day, beginning eight (8) days prior to the election if the committee receives or spends funds in excess of \$5,000 for any legislative, state school board, or statewide election (applies to only a legislative, state school board, or statewide election).
- **Major contribution reports** are due when a candidate receives a single contribution of \$20,000 or more. A report is due within two (2) business days of the date of the receipt of the contribution if it is not included in a monthly, weekly, or daily report.

On the summary page, the report should include the amount of cash on hand at the beginning of the reporting period, a total of all contributions and expenditures made during the reporting period, and the ending balance.

Note: Once total contributions from or expenditures to a specific entity exceeds \$100, contributions or expenditures received or expended during the reporting period are to be itemized and will appear on pages 2 through 6 of the report.

Annual Report

An **Annual Report** is required every year that a committee is in existence, unless the candidate is filing monthly reports in the current election cycle. This **Annual Report** may be filed after January 1st, but must be filed no later than January 31st. **All candidates and all state, county, and municipal elected officials who have not dissolved their principal campaign committee must file this report.**

The summary page for the annual report includes two sections:

- **Section I:** The candidate uses this section to report any activity since their last filing. The beginning balance is the ending balance from the last report filed. Forms 2 through 6 are used to itemize any contributions and expenditures that have not previously been reported.
- **Section II:** In this section, the candidate reports the total contributions and expenditures for the calendar year. The beginning balance is the ending balance from the last annual report filed.

DUPLICATE REPORTS

Each report must include all reportable transactions occurring since the most recent prior report; however, duplicate reporting is not required by this section.

- A committee that is required to file a daily report is not required to also file a weekly report for the week preceding the election.
- A committee that is required to file a weekly report is not required to also file a monthly report in the month in which the election is held.
- A committee that is required to file a monthly report is not required to also file an annual report in the year in which the election is held.

Appendix C: Candidate Filing Guidelines 2022 (continued)

ELECTRONIC FILING SYSTEM INSTRUCTIONS

OPTING INTO THE FILING CALENDAR

1. Login to your account at fcpa.alabamavotes.gov, by clicking the red “Registered User Login” icon in the top right corner.
2. Click on “Overview” tab at the top of the page.
3. Find the box outlined in light gray that states “Need to begin filing reports that are not shown in the Reports Due list below?” and click on the “[Click Here](#)” link.
4. Click the link for the reports you need added. (First link is for monthly/weekly filing schedule, second link is for Daily Reports, and third link is for Annual Reports)
5. Click on the drop-down box below “Participating in Election” and select the appropriate election.
6. Next, select the type of election by clicking on the corresponding button below the drop-down box.
 - a. Primary and General (For candidates qualifying with a Major Political Party)
 - b. General Only (For independent and Minor Party Candidates)
 - c. Runoff
7. Finally, enter the date on which you met the required filing threshold (raising or spending in excess of \$1,000 to influence an election) in the “Need to report activity as of this date” section. A calendar will appear on the screen. Use the calendar to input the date. Then click the “Assign Schedule” button.
8. Your filing schedule will appear under the “Reports Due” sections on the “Overview” page and the “File Reports” page.

INPUTTING CONTRIBUTIONS/INKIND, OTHER RECEIPTS, AND EXPENDITURES

1. Click on “Transactions” tab and select “Contributions/InKind” from the drop-down menu.
 - a. Click the red “Add” button.
 - b. Complete the required information for the contribution and then click the “Save” button.
2. Click on the “Transactions” tab and select “Other Receipts” from the drop-down menu.
 - a. Click the red “Add” button.
 - b. Complete the required information for the Other Receipts transaction (Loan, Interest, Refunds, etc.) and then click the “Save” button.
3. Click on the “Transactions” tab and select “Expenditures” from the drop-down menu.
 - a. Click on the red “Add” button.
 - b. Complete the required information for the expenditure, and then click the “Save” button.
 - c. Campaign Credit Card Transactions (campaign credit cards only): Click on the drop-down box below “Expenditure Type” and select “Line of Credit Expenditure” to report the actual date and purpose of the credit card transaction. This will appear on Form 6 of your reports when filed. When making a payment to your credit card for transactions reported on Form 6, click on “Expenditure Type,” and select “Itemized” from the drop-down menu. Then click on “Purpose” and select “Loan Repayment” from the drop-down menu.

MAJOR CONTRIBUTIONS

When a major contribution of \$20,000 or more is entered as a Contribution or Other Receipt, the system will automatically add a Major Contribution Report on the “File Reports” page under the “Reports Due” section, unless the major contribution is included in a monthly, weekly, or daily report. If the report is not automatically added to your reports due list, you can opt into the report. This type of contribution must be disclosed within two (2) business days of receipt.

Appendix C: Candidate Filing Guidelines 2022 (continued)

REVIEWING AND FILING REPORTS

1. Click on the "File Reports" tab at the top of the page.
2. Go to the "Reports Due" section, then click on the red "View/File" link for the report that is due.
3. Check to make sure all Contributions, Other Receipts, and Expenditures are listed on the report. To preview the full report, click on the red "Preview" button on the bottom left of the "Campaign Finance Report" page.
4. Then click the red "File" button on the bottom right of the "Campaign Finance Report" page to file your report.
Note: If there are transactions listed below your report, under "Unfiled Transactions Prior to this Reporting Period", please amend the reports the transactions should have been included on prior to filing the current report.
5. To check to see if your report has been filed, click the "File Reports" tab at the top of the page, and look under the "Filing History" to find the report.

AMENDING REPORTS

1. Correct any errors under the Contributions/In Kind, Other Receipts, and Expenditures tabs by clicking on "Update" on the individual transaction you wish to amend.
2. Then click on the "File Reports" tab. In the Filing History section at the top of the page, find the report that needs to be amended and click on the blue "Amend" link.
3. If the dollar amount changed in the amended report, the system will automatically amend all subsequent reports.

Note: When a transaction is deleted, the system will create an offset to that transaction. You must amend the report on which the transaction was originally reported.

REPORTING DEBT ON ANNUAL REPORT

Campaign debt is typed directly onto the Annual Report Summary Form 1A in box "15" titled "Total campaign debt (total debt owed as of December 31)".

DISSOLVING A PRINCIPAL CAMPAIGN COMMITTEE

If the committee wants to dissolve, the campaign committee must submit a **Statement of Dissolution Form and a Termination Report** electronically to the Secretary of State. The **Statement of Dissolution must be accompanied by a Termination Report** detailing all contributions and expenditures not previously reported and indicating how any excess funds will be distributed. [§ 17-5-5(d)]

FILING THE STATEMENT OF DISSOLUTION AND TERMINATION REPORT

1. Once a person is no longer considered a candidate (lost in the Primary, Primary Runoff, or General Election or after the General Election for candidates who have won the election), they can choose to dissolve their campaign committee.
2. All required reports or a current report that is due must be filed before dissolving.
3. The ending balance of the account must be zero. Make sure that all transactions have been entered under the appropriate tabs before submitting the Statement of Dissolution.
4. Once you have entered all transactions to date, click on the "File Reports" tab. Scroll to the bottom section, "Supplemental Forms". Find "Statement of Dissolution" and then click on the blue "Submit" link on the right side of that line. This will open the "Statement of Dissolution". Please enter the date of dissolution and then click the red button labeled "Continue to Termination Report" on the right lower corner of the screen. Your Termination Report will open.
5. Review the Termination Report. Scroll down and ensure that your final transaction(s) (if any) are listed, and that the account balance is zero. Then click on the red "File" button on the bottom right corner of the Termination Report.

Appendix C: Candidate Filing Guidelines 2022 (continued)

6. After the Termination Report has been filed, click on the “Administration” tab at the top of the screen. Make sure that the committee is listed as dissolved. It should appear in small, black writing near the committee name and other contact information.

Note: If you do not properly dissolve/terminate the committee, you will be required to file Annual Reports by January 31st of each calendar year until you successfully complete the 2-step process.

FCPA GUIDELINES FOR RAISING AND SPENDING CAMPAIGN FUNDS

RAISING MONEY

Candidates may begin fundraising 12 months prior to the election. They may continue fundraising for 120 days after the election to the extent of any campaign debt and the amount of the filing threshold. Only the amount of debts that are directly related to lawful campaign expenditures can be raised. [§ 17-5-7(b)(3)]

The FCPA prohibits candidates from receiving contributions from other principal campaign committees. However, principal campaign committees are allowed to transfer money from one principal campaign committee to another if the two principal campaign committees are for the same person. [§ 17-5-15(b)]

The FCPA limits state and local principal campaign committees from receiving more than \$1,000 from a principal campaign committee of a federal candidate. [§ 17-5-15.1]

Legislative and statewide candidates cannot solicit or receive contributions any time the Alabama Legislature is in session, except within 120 days of an election. However, candidates should note that this prohibition does not apply to self-funded loans to their own campaign committee. Fundraising by candidates for county and municipal offices is not affected by legislative sessions. [§ 17-5-7(b)(2)]

ELECTIONEERING COMMUNICATIONS

Candidates who spend more than \$1,000 on an “electioneering communication” are required to file disclosure reports. The reports must identify the source(s) of the funds used for the electioneering communication and the recipient(s) of expenditure(s) related to the electioneering communication. [§ 17-5-8(h)]

This reporting requirement applies even if the candidate has not yet reached the filing threshold for the office sought by the candidate. However, the candidate is not required to duplicate any reporting. For more information, consult Campaign Advertising Guidelines, available from the Secretary of State’s Elections Division.

USE OF CAMPAIGN FUNDS

Candidates may use their campaign funds only as follows [§ 17-5-7(a)]:

1. For necessary and ordinary expenditures of the campaign.
2. For expenditures that are reasonably related to performing the duties of the office held. Expenditures that are reasonably related to performing the duties of the office held do not include personal and legislative living expenses, as defined in this chapter.
3. For donations to the State General Fund, the Education Trust Fund, or equivalent county or municipal funds.
4. Donations to an organization to which a federal income tax deduction is permitted under subparagraph (A) of paragraph (1) of subsection (b) of Section 170 of the Internal Revenue Code of 1986, as amended, or any other charitable, educational, or eleemosynary cause of Section 501 of Title 26 of the U.S. Code.
5. For inaugural or transitional expenses. [Warning: The Ethics Act prohibits converting to personal use contributions from an inaugural or transitional fund. (§ 36-25-6)]
6. Donations to a legal caucus organization registered under this chapter which does not operate as a political action committee.
7. Legal fees and costs associated with any civil action, criminal prosecution, or investigation related to conduct reasonably related to performing the duties of the office held. (§ 17-5-5.1.)

Appendix C: Candidate Filing Guidelines 2022 (continued)

The FCPA prohibits candidates from giving contributions to [§ 17-5-15(b)]:

- Political action committees
- 527 organizations
- Principal campaign committees for other candidates

Principal campaign committees are allowed to transfer funds from one principal campaign committee to another if the two principal campaign committees are for the same person. [§ 17-5-15(b)]

A principal campaign committee, during a two-year period commencing on the day after each regularly scheduled General Election and ending on the day of the next General Election, may pay qualifying fees to a political party and may expend up to a cumulative total of (\$5,000) of campaign contributions for the following purposes [§ 17-5-7(d)]:

- Tickets for political party dinners or functions.
- State or local political party dues or similar expenses incurred by independent or write-in candidates.

ADDITIONAL REQUIREMENTS FOR CANDIDATES

STATEMENT OF ECONOMIC INTERESTS

All candidates are required by state ethics laws to file a *Statement of Economic Interests* with the Ethics Commission within five (5) days of filing the election qualifying paperwork with the appropriate election official. (§§ 36-25-14, 36-25-15) For more information on this requirement, contact the State Ethics Commission, P. O. Box 4840, Montgomery, AL 36103-4840, (334) 242-2997. The State Ethics Commission website is ethics.alabama.gov.

FEDERAL CANDIDATES

Candidates for federal office must comply with federal laws administered by the Federal Election Commission. The FEC can be reached by phone at 1-800-424-9530. The FEC website is www.fec.gov.

JUDICIAL CANDIDATES

Judicial candidates are required by Canon 6C of the **Canons of Judicial Ethics** to submit additional filings with the clerk of the Alabama Supreme Court.

Appendix D: Appointment of Principal Campaign Committee



FAIR CAMPAIGN PRACTICES ACT
STATE OF ALABAMA

THIS AREA FOR OFFICIAL USE ONLY

Appointment of Principal Campaign Committee

Please print in ink or type.

Full Name of Candidate			
Office Sought (include district or circuit number, if applicable)		Political Party / Ballot Affiliation	
Address of the Committee (street or post office box)			
City	State	ZIP Code	Telephone Number

This form is due within five (5) calendar days of reaching the threshold amount, or within five (5) calendar days of qualifying with a political party, or within five (5) calendar days of filing a petition as an independent candidate.

Type of Committee (check one)

- ☐ I appoint myself as the sole member of my principal campaign committee.
- ☐ I hereby appoint the individuals listed below to act as my principal campaign committee.

If you are appointing others to serve as your committee, you must select at least two members. You may appoint up to five members. One member should be designated as the chairperson of the committee. A second member should be designated as the treasurer. Please clearly print their names and addresses in the spaces below. Each appointee must sign his or her name.

Candidates who choose to be the sole member of their principal campaign committee must choose a designee to dissolve the committee due to the possibility of death or incapacitation of the candidate.

Chairperson			
Full Name		Email Address	
Address (street or post office box)			
City	State	ZIP Code	
Signature of Appointee			

Committee Member			
Full Name		Email Address	
Address (street or post office box)			
City	State	ZIP Code	
Signature of Appointee			

Committee Member			
Full Name		Email Address	
Address (street or post office box)			
City	State	ZIP Code	
Signature of Appointee			

Treasurer			
Full Name		Email Address	
Address (street or post office box)			
City	State	ZIP Code	
Signature of Appointee			

Committee Member			
Full Name		Email Address	
Address (street or post office box)			
City	State	ZIP Code	
Signature of Appointee			

Committee Dissolution Designee			
Full Name		Email Address	
Address (street or post office box)			
City	State	ZIP Code	
Signature of Appointee			

Where to file this form ...

- State candidates file with the Office of the Secretary of State.*
- County candidates must file electronically at fcpa.alabamavotes.gov
- Municipal candidates file with the county judge of probate.

* This form does not establish electronic filing. To file electronically, visit fcpa.alabamavotes.gov and click "Committee Registration."

As required by the Alabama Fair Campaign Practices Act, I hereby swear or affirm to the best of my knowledge and belief that the information contained herein is true and correct.

Signature of elected official or candidate	Date
--	------

FORM REVISED 6.19.2017

Appendix E: Campaign Advertising Guidelines 2022

Campaign Advertising Guidelines Fair Campaign Practices Act ♦ Election 2022

Elections Division ♦ Office of the Secretary of State ♦ State of Alabama

Secretary of State John H. Merrill



ELECTIONEERING COMMUNICATION

The Fair Campaign Practices Act (FCPPA) defines “**electioneering communication**” as any communication disseminated through any federally regulated broadcast media, any mailing, or other distribution, electronic communication, phone bank, or publication which [§ 17-5-2(a)(6)]:

- (i) contains the name or image of a candidate;
- (ii) is made within 120 days of an election in which the candidate will appear on the ballot;
- (iii) the only reasonable conclusion to be drawn from the presentation and content of the communication is that it is intended to influence the outcome of an election; and
- (iv) entails an expenditure in excess of one thousand dollars (\$1,000).

IDENTIFICATION OF RESPONSIBLE PARTY

The Fair Campaign Practices Act (FCPPA) specifies that a political advertisement or electioneering communication appearing in print and broadcast in any electronic media must clearly identify the entity responsible for paying for the advertisement or electioneering communication.

Any printed campaign literature, political advertisement, or electioneering communication must contain a clear and unmistakable identification of the entity responsible for directly paying for the advertisement or electioneering communication. Any political advertisement or electioneering communication appearing in broadcast media must contain a statement that the communication is a paid advertisement and must clearly identify the entity directly responsible for paying for the advertisement. These statements must appear at the beginning, during, or end of a radio or television spot.

EXCEPTIONS TO IDENTIFICATION REQUIREMENTS

The requirement to identify the entity responsible for paying for a campaign advertisement or electioneering communication does not apply to any political advertisement or electioneering communication used by a candidate and the candidate's supporters or by a political committee if the message or advertisement is:

- ▲ Designed to be worn by a person.
- ▲ Placed as a paid link on an Internet website, provided the message or advertisement is no more than 200 characters in length and the link directs the user to another Internet website that complies with the identification requirements.
- ▲ Placed as a graphic or picture link where compliance with the identification requirements are not reasonably practical due to the size of the graphic or picture link and the link directs the user to another Internet website that complies with the identification requirements.
- ▲ Placed at no cost on an Internet website for which there is no cost to post content for public users.
- ▲ Placed or distributed on an unpaid profile account which is available to the public without charge or on a social networking Internet website, as long as the source of the message or advertisement is patently clear from the content or format of the message or advertisement. A candidate or political committee may prominently display a statement indicating that the website or account is an official website or account of the candidate or political committee and is approved by the candidate or political committee. A website or account may not be marked as official without prior approval by the candidate or political committee.
- ▲ Distributed as a text message or other message via Short Message Service, provided the message is no more than 200 characters in length or requires the recipient to sign up or opt in to receive it.
- ▲ Connected with or included in any software application or accompanying function, provided that the user signs up, opts in, downloads, or otherwise accesses the application from or through a website that complies with the identification requirements.
- ▲ Sent by a third-party user from or through a campaign or committee's website, provided the website complies with the identification requirements.
- ▲ Contained in or distributed through any other technology related item, service, or device for which compliance with the identification requirements is not reasonably practical due to the size or nature of such item, service, or device as available, or the means of displaying the message or advertisement makes compliance with the identification requirements impracticable.

Appendix E: Campaign Advertising Guidelines 2022 (continued)

DOES THE FCPA SPECIFY WORDING FOR THE IDENTIFICATION STATEMENT?

No, the law does not give a specific format for wording the disclaimer. However, the FCPA does state that political advertisements must be identified or marked as a paid advertisement. Such words as *paid advertisement by, paid for by, and paid political ad* meet the requirements of the act. However, an advertiser is not limited to just those phrases. Attorney General's Opinion 94-227 states that "words which indicate that the advertisement is a paid political advertisement meet the requirements of the law."

The disclaimer must contain the identification of the person, candidate, principal campaign committee, non-profit corporation, or other entity placing the ad or distributing the electioneering communication. Under the FCPA, the term **identification** means **full name and complete address**. Attorney General's Opinion 94-227 states that a complete address includes the street or post office box, city, and state.

DOES THE U.S. SUPREME COURT RULING IN MCINTYRE V. OHIO ELECTIONS COMMISSION AFFECT FCPA DISCLAIMER REQUIREMENTS?

That case, which involved an individual who distributed anonymous leaflets opposing a proposed school tax levy, has a very limited impact. Attorney General's Opinion 95-218 states the ruling "is limited to individuals who distribute anonymous written material (particularly leaflets) in a non-candidate election." In all other circumstances, the advertising is subject to the identification requirements.

IS THERE A PENALTY FOR FAILING TO COMPLY?

The Attorney General or a district attorney may prosecute any person who violates the FCPA. Upon conviction, the penalty for failing to comply with the advertising requirements is a fine of not more than \$6,000 and/or imprisonment of not more than one year. [§§ 13A-5-7, 13A-5-12, 17-5-19]

DISCLOSURE REQUIREMENTS FOR ELECTIONEERING COMMUNICATIONS

Any person, principal campaign committee, political action committee, non-profit organization, or other entity paying for an electioneering communication must disclose the contributions received for funding the electioneering communication and to whom payments are made related to the electioneering communication.

This disclosure of these contributions and expenditures is to be made on the same forms and at the time as required of political action committees.

EXEMPTIONS FROM DISCLOSURE REQUIREMENTS

The following entities are exempt from the disclosure requirements for electioneering communications:

- ▶ Churches, unless the church's expenditures are used to influence the outcome of an election. A church shall not be required to disclose the identities, donations, or contributions of members of the church. As used in FCPA, the term "church" is defined in accordance with and recognized by Internal Revenue Service guidelines and regulations.
- ▶ Any membership or trade organization, when using an electioneering communication to communicate with or inform its members, its members' families, or its members' employees.


HAVE QUESTIONS? CONTACT US

By email: alavoter@vote.alabama.gov
By telephone: 1-800-274-VOTE (8683)
 (334) 242-7210
By mail: Elections Division
 Office of Secretary of State
 P.O. Box 5616
 Montgomery, Alabama 36103-5616
By website: www.alabamavotes.gov

DISCLAIMER

This document is not a substitute for the Code of Alabama. This document is provided as a guide and is not intended to be an authoritative statement of law. For further legal information, please consult the Code of Alabama or other appropriate legal resources.

Appendix F: PAC Filing Guidelines 2022

	<h3 style="text-align: center;">PAC Filing Guidelines</h3> <h4 style="text-align: center;">Fair Campaign Practices Act ♦ Election 2022</h4> <p style="text-align: center;">Elections Division ♦ Office of the Secretary of State ♦ State of Alabama John H. Merrill, Secretary of State</p>
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POLITICAL ACTION COMMITTEE (PAC)

Alabama's Fair Campaign Practices Act (FCPA) defines a political action committee as:

Any political committee, club, association, political party, or other group of one or more persons, whether in-state or out-of-state, which receives or anticipates receiving contributions and makes or anticipates making expenditures to or on behalf of any Alabama state or local elected official, proposition, candidate, principal campaign committee, or other political action committee ... [Code of Alabama, 1975, § 17-5-2(a)(13)]

STATEMENT OF ORGANIZATION

A political action committee (other than a principal campaign committee formed by a candidate) must file a Statement of Organization within 10 days of receiving contributions or making expenditures in an aggregate that exceeds \$1,000, or within 10 days of anticipating receiving contributions or making expenditures in an aggregate that exceeds \$1,000. All PACs must file the Statement of Organization and subsequent campaign finance reports with the Secretary of State's Office.

FILING ELECTRONICALLY

1. Go to fcpa.alabamavotes.gov and click on the "Political Action Committee Registration" button.
2. The Statement of Organization of Political Action Committee page will open. Please enter the date, then complete the Committee Name, Address of Committee, Email, Duration of PAC, Purpose of PAC, Manner in which residual funds will be disposed, and add Committee Members.
3. After adding all of the PAC information and committee members, click the red "Submit" button at the bottom right corner of the page.
4. The screen will indicate "Your registration has been submitted." Click on the "***Click here to view and print a copy of this filing***" link. Print and sign the completed form. The Chairperson or Treasurer must sign the form. Make a copy of the signed form for your records. Mail the original signed form to the Elections Division. (ELECTIONS DIVISION, ALABAMA SECRETARY OF STATE, P. O. BOX 5616, MONTGOMERY, AL 36103-5616)
5. Once the signed Statement of Organization Form is approved, the account will be activated. The committee members will each receive their login credentials (username and pin) in two (2) separate emails.

NOTIFICATION OF MATERIAL CHANGE

Changes in officers, phone number, address, or a name change for a political action committee must be reported within 10 days of the change. [§ 17-5-5(c)] All PACs must submit the updated information to the Secretary of State through the online FCPA filing system.

PAC POINTS

- The FCPA requires that receipts and canceled checks must be kept for two years from the date of expenditure. [§ 17-5-3(d)]
- The law specifies that the political committee's money shall not be commingled with any personal funds of officers, members or associates of the political committee. [§ 17-5-3(b)]

ADVERTISING

When a PAC sponsors any political advertising for or against a candidate or ballot issue, the advertising must be clearly identified by the PAC. For more information, please see Campaign Advertising Guidelines, available on the Secretary of State's website. www.alabamavotes.gov

FEDERAL ELECTIONS

PACs participating in federal elections are subject to federal campaign finance laws and regulations. These PACs should contact the Federal Election Commission for further information.

1-800-424-9530
Federal Election Commission
999 E. Street, NW
Washington, DC 20463
www.fec.gov

Appendix F: PAC Filing Guidelines 2022 (continued)

FILING FINANCIAL DISCLOSURE REPORTS

PACs are required to file when they participate in an election or have raised or spent more than \$1,000 to influence the election. However, all PACs must file the Annual Report that is due by January 31st of each year. [§ 17-5-8(b)] Please remember all late filings are subject to civil penalties. Please see Code of Alabama 1975, [§ 17-5-19.1] for details on civil penalties that may be levied against a committee.

TYPES OF REPORTS

Pre-Election Reports

Campaign finance reports are filed at specific times (§ 17-5-8):

- **Monthly reports** are due on the second business day of the subsequent month beginning 12 months prior to any Primary, Special, Runoff, or General Election, once the PAC receives contributions or makes expenditures with a view toward influencing the election's result.
- **Weekly reports** are due on the subsequent Monday for each of the 4 weeks prior to the election.
- **Daily reports** are due on that day, beginning eight (8) days prior to the election, if the PAC receives or spends funds in excess of \$5,000 with a view toward influencing the election's results, for any legislative, state school board, or statewide election (applies to only a legislative, state school board, or statewide election).
- **Major contribution reports** are due when the PAC receives any single contribution of \$20,000 or more. A report is due within two (2) business days of receipt of the contribution if it is not included in a monthly, weekly, or daily report.

On the summary page, the report should include the amount of cash on hand at the beginning of the reporting period, a total of all contributions and expenditures made during the reporting period, and the ending balance.

Note: Once total contributions from or expenditures to a specific entity exceeds \$100, contributions or expenditures received or expended during the reporting period are to be itemized and will appear on pages 2 through 6 of the report.

Annual Reports

An **Annual Report** is required every year that a committee is in existence, unless the committee is filing monthly reports in the current election cycle. This **Annual Report** may be filed after January 1st, but must be filed no later than January 31st. **All PACs that are active at the end of the calendar year, and have not dissolved their political action committee must file this report.**

The summary page for the annual report includes two sections:

- **Section I:** The candidate uses this section to report any activity since their last filing. The beginning balance is the ending balance from the last report filed. Forms 2 through 6 are used to itemize any contributions and expenditures that have not previously been reported.
- **Section II:** In this section, the candidate reports the total contributions and expenditures for the calendar year. The beginning balance is the ending balance from the last annual report filed.

DUPLICATE REPORTS

Each report must include all reportable transactions occurring since the most recent prior report; however, duplicate reporting is not required by this section.

- A political action committee that is required to file a daily report is not required to also file a weekly report for the week preceding the election.
- A political action committee required to file a weekly report is not required to also file a monthly report in the month in which the election is held.
- A political action committee required to file a monthly report is not required to also file an annual report in the year in which the election is held.

Appendix F: PAC Filing Guidelines 2022 (continued)

ELECTRONIC FILING SYSTEM INSTRUCTIONS

OPTING INTO A FILING CALENDAR

1. Log into your account at fcpa.alabamavotes.gov, by clicking the red “Registered User Login” button.
2. Find the box outlined in light gray that states “Need to begin filing reports that are not shown in the Reports Due list below?” and click on the “[Click Here](#)” link.
3. Click the link for the reports you need added. (First link is for monthly/weekly filing schedule, second link is for Daily Reports, and third link is for the Annual Reports.)
4. Click on the drop-down box below “Participating in Election” and select the appropriate election.
5. Next, select the type of election by clicking on the corresponding button below the drop-down box.
 - a. Primary and General
 - b. General Only
 - c. Runoff
6. Finally, enter the date on which you met the required filing threshold (raising or spending in excess of \$1,000 to influence an election) in the “Need to report activity as of this date” section. A calendar will appear on the screen. Use the calendar to input the date. Then click the “Assign Schedule” button.
7. Your filing schedule will appear in the “Reports Due” sections on the “Overview” page and the “File Reports” page.

INPUTTING CONTRIBUTIONS/INKIND, OTHER RECEIPTS, AND EXPENDITURES

1. Click on the “Transactions” tab and select “Contributions/InKind” from the drop-down menu.
 - a. Click the red “Add” button.
 - b. Complete the required information for the contribution and then click the “Save” button.
2. Click on the “Transaction” tab and select “Other Receipts” from the drop-down menu.
 - a. Click the red “Add” button.
 - b. Complete the required information for the Other Receipts transaction (Loans, Interest, Refunds, etc.) and then click the “Save” button.
3. Click on the “Transaction” tab and select “Expenditures” from the drop-down menu.
 - a. Click on the red “Add” button.
 - b. Complete the required information for the expenditures and then click the “Save” button.
 - c. Committee Credit Card Transactions (PAC Credit Cards Only): Click on the drop-down box under “Expenditure Type” and select “Line of Credit Expenditure” to report the actual date and purpose of the credit card transaction. This will appear on Form 6 when the report is filed. When making a payment to the committee credit card for transactions reported on Form 6, click on “Expenditure Type” and select “Itemized” from the drop-down menu. Then click on “Purpose” and select “Loan Repayment” from the drop-down menu.

MAJOR CONTRIBUTIONS

When a major contribution of \$20,000 or more is entered in as a Contribution or Other Receipt, the system will automatically add a Major Contribution Report under the “File Reports” tab under the “Reports Due” section, unless the major contribution is included in a monthly, weekly, or daily report. If the report is not automatically added to your reports due list, you can opt into the report. This type of contribution must be disclosed within two (2) business days of receipt.

Appendix F: PAC Filing Guidelines 2022 (continued)

REVIEWING AND FILING REPORTS

1. Click on the "File Reports" tab at the top of the page.
2. Go to "Reports Due" then click on the red "View/File" for the report that is due.
3. Check to make sure all Contributions, Other Receipts, and Expenditures are listed on the report. To preview the full report, click on the red "Preview" button on the bottom left of the "Campaign Finance Report" page.
4. Then click the red "File" button on the bottom right of the "Campaign Finance Report" to file your report.
Note: If there are transactions listed below your report, under "Unfiled Transactions Prior to this Reporting Period", please amend the reports the transactions should have been included on prior to filing the current report.
5. To check to see if your report has been filed, click the "File Reports" tab at the top of the page, and look under the "Filing History" to find the report.

AMENDING REPORTS

1. Correct any errors under the Contributions/InKind, Other Receipts, and Expenditures tabs.
2. Click on the "File Reports" tab and go to Filing History. Then find the report that needs to be amended, and click on the blue "Amend" link.
3. If the dollar amount changed in the amended report, the system will automatically amend all subsequent reports.

NOTE: If you delete a transaction, the system will create an offset to that transaction. You must amend the report on which the transaction was originally reported.

DISSOLVING A POLITICAL ACTION COMMITTEE

Once a PAC becomes inactive, the chairperson should dissolve the committee by filing the **Statement of Dissolution Form and Termination Report** electronically with the Secretary of State. **The Statement of Dissolution form must be accompanied by a Termination Report** detailing all contributions and expenditures not previously reported and indicating how any excess funds will be distributed. (§ 17-5-5(d))

NOTE: The Secretary of State shall have the authority to dissolve or terminate any political action committee that has maintained a zero balance for one (1) calendar year after providing a 90-day notice of intent to do so by certified mail with return receipt. (§ 17-5-5(d))

FILING THE STATEMENT OF DISSOLUTION AND TERMINATION REPORT

1. All past due reports or a current report that is due must be filed before dissolving.
2. The ending balance of the account must be **zero**. Make sure that all transactions have been entered under the appropriate tabs.
3. Once you have entered all transactions to date, click on the "File Reports" tab. Scroll to the bottom of the page, to the "Supplemental Forms" section. Find "Statement of Dissolution" and then click on the blue "Submit" link on the right side of that line. This will open the "Statement of Dissolution". Please enter the date of dissolution and then click the red button labeled "Continue to Termination Report" on the right lower corner of the screen. Your Termination Report will open.
4. Review the Termination Report. Make sure that there is a **zero balance** on the bottom of the report. Then click on the red "File" button on the bottom right of the Termination Report.
5. After the Termination Report has been filed, click on the "Administration" tab at the top of the screen. Make sure that the committee is listed as dissolved. It should appear in small, black writing near the committee name and other contact information.

NOTE: If you do not properly dissolve/terminate the committee, you will be required to file Annual Reports by January 31st of each calendar year.

Appendix F: PAC Filing Guidelines 2022 (continued)

PROHIBITED SOURCES & DISTRIBUTION OF FUNDS

The FCPA prohibits a PAC from making expenditures to or receiving contributions from the following types of entities [§ 17-5-15(b)]:

- Other PACs
- 527 Organizations

NOTE: A PAC that is not a principal campaign committee may make contributions, expenditures, or other transfers of funds to a principal campaign committee (PCC). However, the FCPA prohibits principal campaign committees (PCCs) from making contributions, expenditures, or other transfers of funds to PACs. [§ 17-5-15(b)]

Appendix G: Statement of Organization of Political Action Committee



FAIR CAMPAIGN PRACTICES ACT
STATE OF ALABAMA

THIS AREA FOR OFFICIAL USE ONLY

Statement of Organization of Political Action Committee

This statement establishes the following political action committee:

Please print in ink or type.

This form is due within **ten (10)** days of raising or spending \$1,000.00

Full Name of the Committee		
Address of the Committee (street or post office box)		
City	State	ZIP Code
Telephone Number	Acronym for Political Committee	
Date Political Committee established		

Type of Committee (check one)

- ☐ Statewide political action committee
☐ County political action committee
☐ Municipal political action committee

Duration of Committee (check one)

- ☐ Continuing (not short-term)
☐ Short term - Termination date: _____

Describe, as concisely as possible, the purpose of this committee and, if applicable, the identification of affiliated or connected organizations [pursuant to Code of Alabama 1975, §17-5-5(b)(2)-(3)] (if additional space is necessary, please use back of form or attach pages)

Please describe the manner in which residual funds will be disposed in the event of dissolution of the political committee [pursuant to Code of Alabama 1975, §17-5-5(b)(8)] (if additional space is necessary, please use back of form or attach pages)

Identify this Committee's Chairperson and Treasurer:

To identify other principal officers of the political action committee pursuant to Code of Alabama 1975, §17-5-5(b)(5), including members of any finance committee, please attach additional pages.

Chairperson			
Full Name			
Address (street or post office box)			
City	State	ZIP Code	
Telephone Number			

Treasurer			
Full Name			
Address (street or post office box)			
City	State	ZIP Code	
Telephone Number			

As required by the Alabama Fair Campaign Practices Act, I hereby swear or affirm to the best of my knowledge and belief that the information contained herein is true and correct.

Signature of chairperson or treasurer of political committee Date

Where to file this form ...

Political committees, except principal campaign committees, which seek to influence an election for local office or to influence a proposition regarding a single county, shall file all reports and statements with the judge of probate of the county affected.

All other political committees that are not principal campaign committees shall file reports and statements with the Secretary of State. [Code of Alabama 1975, §17-5-9(b)]

In the event this information changes ...

Any material change in information reported on this Statement of Organization shall be reported to the Secretary of State or the county judge of probate within ten (10) days following the change.

"Material change" includes changes in the identity or address of the chairperson or treasurer, or changes in the name, address, purpose or intended duration of the political committee. [Code of Alabama 1975, §17-5-5(b)-(c)].

FORM REVISED 9/2/2011

Appendix H: Update Form for Political Action Committee



FAIR CAMPAIGN PRACTICES ACT
STATE OF ALABAMA

THIS AREA FOR OFFICIAL USE ONLY

Update Form for Political Action Committee

Please print in Ink or Type.

New (current) Information:

Current Name of the Committee		
Address of the Committee (street or post office box)		
City	State	ZIP Code
Telephone Number		

This form is used by political action committees for the purpose of changing the name of the PAC or for reporting changes in address, chairperson, or treasurer.

Former Information (for reference purposes):

Former Name of the Committee		
Address of the Committee (street or post office box)		
City	State	ZIP Code
Telephone Number		

New Information Only:

Chairperson			
Full Name			
Address (street or post office box)			
City	State	ZIP Code	
Telephone Number			

Treasurer			
Full Name			
Address (street or post office box)			
City	State	ZIP Code	
Telephone Number			

As required by the Alabama Fair Campaign Practices Act, I hereby swear or affirm to the best of my knowledge and belief that the information contained herein is true and correct.

Signature of chairperson or treasurer of political committee	Date
--	------

Where to file this form ...

Political committees, except principal campaign committees, which seek to influence an election for local office or to influence a proposition regarding a single county, shall file all reports and statements with the judge of probate of the county affected.

All other political committees that are not principal campaign committees shall file reports and statements with the Secretary of State. [Code of Alabama 1975, §17-5-9(b)]

In the event this information changes ...


Any material change in information reported on this Statement of Organization shall be reported to the Secretary of State or the county judge of probate within ten (10) days following the change.

"Material change" includes changes in the identity or address of the chairperson or treasurer, or changes in the name, address, purpose or intended duration of the political committee. [Code of Alabama 1975, §17-5-5(b)-(c)].

FORM REVISED 9/2/2011

Appendix I-1: Candidate & Elected Official Campaign Finance Report Monthly & Weekly Summary Form 1

MONTHLY & WEEKLY



**FAIR CAMPAIGN PRACTICES ACT
STATE OF ALABAMA**

THIS AREA FOR OFFICIAL USE ONLY

Candidate & Elected Official Campaign Finance Report SUMMARY FORM 1

Please Print in Ink or Type.

Name of Candidate or Elected Official		Political Party/Ballot Affiliation	
Office Sought or Held (include district or circuit number, if applicable)			
Address <input type="checkbox"/> Check box if reporting new address			
City	State	ZIP Code	Telephone Number

Type of Report (check one)

☐ Monthly
☐ Weekly

☐ Amended Monthly
☐ Amended Weekly

For Monthly Reports
Month for which the report is filed.

For Weekly Reports
Date of Friday in the week for which the report is filed.

Total Number of Pages in Report

Summary of activity since last filed report			
1	Beginning balance (ending balance from previous filing)		1
Cash Contributions			
2a	Itemized cash contributions (total from Form 2)	2a	
2b	Non-itemized cash contributions	2b	
2c	Total cash contributions (add lines 2a and 2b)	2c	0
In-Kind Contributions			
3a	Itemized in-kind contributions (total from Form 3)	3a	
3b	Non-itemized in-kind contributions	3b	
3c	Total in-kind contributions (add lines 3a and 3b)	3c	0
Receipts from Other Sources			
4a	Itemized Receipts from Other Sources (total from Form 4)	4a	
4b	Non-itemized Receipts from Other Sources	4b	
4c	Total receipts from other sources (add lines 4a and 4b)	4c	0
Expenditures			
5a	Itemized expenditures (total from Form 5)	5a	
5b	Non-itemized expenditures	5b	
5c	Total expenditures (add lines 5a and 5b)	5c	0
Expenditures on Line of Credit			
6a	Itemized expenditures (total from Form 6)	6a	
6b	Non-itemized expenditures	6b	
6c	Total expenditures on credit (add lines 6a and 6b)	6c	0
7	Ending balance (add lines 1, 2c, & 4c, then subtract line 5c)	7	N/A

As required by the Alabama Fair Campaign Practices Act, I hereby swear or affirm to the best of my knowledge and belief that the attached report(s) and the information contained herein are true and correct and that this information is a full and complete statement of all contributions, expenditures, and other required information during the applicable period of time.

Signature of Candidate or Elected Official
Date

Sworn to and subscribed before me this _____ day of _____ of the year _____. My commission expires the _____ day of _____ of the year _____.

Signature of Notary Public
Print Notary's Name

FORM REVISED 06/06/2017

Appendix I-2: Candidate & Elected Official Campaign Finance Report Daily Summary Form 1

DAILY	FAIR CAMPAIGN PRACTICES ACT STATE OF ALABAMA		THIS AREA FOR OFFICIAL USE ONLY																																																																																									
	Candidate & Elected Official Campaign Finance Report SUMMARY FORM 1																																																																																											
	Please Print in Ink or Type.																																																																																											
	Name of Candidate or Elected Official _____ Office Sought or Held (include district or circuit number, if applicable) _____ Address <input type="checkbox"/> Check box if reporting new address _____ City _____ State _____ ZIP Code _____ Telephone Number _____		Political Party/Ballot Affiliation _____ Date Covered by Report <input type="checkbox"/> Amended Daily Report Total Number of Pages in Report 																																																																																									
Summary of activity since last filed report																																																																																												
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%; text-align: center;">1</td> <td style="width: 45%;">Beginning balance (ending balance from previous filing)</td> <td style="width: 10%; text-align: center;">1</td> <td style="width: 40%;"></td> </tr> <tr> <td colspan="4" style="background-color: #f2f2f2;">Cash Contributions</td> </tr> <tr> <td style="text-align: center;">2a</td> <td>Itemized cash contributions (total from Form 2)</td> <td style="text-align: center;">2a</td> <td></td> </tr> <tr> <td style="text-align: center;">2b</td> <td>Non-itemized cash contributions</td> <td style="text-align: center;">2b</td> <td></td> </tr> <tr> <td style="text-align: center;">2c</td> <td>Total cash contributions (add lines 2a and 2b)</td> <td style="text-align: center;">2c</td> <td style="text-align: right;">o</td> </tr> <tr> <td colspan="4" style="background-color: #f2f2f2;">In-Kind Contributions</td> </tr> <tr> <td style="text-align: center;">3a</td> <td>Itemized in-kind contributions (total from Form 3)</td> <td style="text-align: center;">3a</td> <td></td> </tr> <tr> <td style="text-align: center;">3b</td> <td>Non-itemized in-kind contributions</td> <td style="text-align: center;">3b</td> <td></td> </tr> <tr> <td style="text-align: center;">3c</td> <td>Total in-kind contributions (add lines 3a and 3b)</td> <td style="text-align: center;">3c</td> <td style="text-align: right;">o</td> </tr> <tr> <td colspan="4" style="background-color: #f2f2f2;">Receipts from Other Sources</td> </tr> <tr> <td style="text-align: center;">4a</td> <td>Itemized Receipts from Other Sources (total from Form 4)</td> <td style="text-align: center;">4a</td> <td></td> </tr> <tr> <td style="text-align: center;">4b</td> <td>Non-itemized Receipts from Other Sources</td> <td style="text-align: center;">4b</td> <td></td> </tr> <tr> <td style="text-align: center;">4c</td> <td>Total receipts from other sources (add lines 4a and 4b)</td> <td style="text-align: center;">4c</td> <td style="text-align: right;">o</td> </tr> <tr> <td colspan="4" style="background-color: #f2f2f2;">Expenditures</td> </tr> <tr> <td style="text-align: center;">5a</td> <td>Itemized expenditures (total from Form 5)</td> <td style="text-align: center;">5a</td> <td></td> </tr> <tr> <td style="text-align: center;">5b</td> <td>Non-itemized expenditures</td> <td style="text-align: center;">5b</td> <td></td> </tr> <tr> <td style="text-align: center;">5c</td> <td>Total expenditures (add lines 5a and 5b)</td> <td style="text-align: center;">5c</td> <td style="text-align: right;">o</td> </tr> <tr> <td colspan="4" style="background-color: #f2f2f2;">Expenditures on Line of Credit</td> </tr> <tr> <td style="text-align: center;">6a</td> <td>Itemized expenditures on line of credit (total from Form 6)</td> <td style="text-align: center;">6a</td> <td></td> </tr> <tr> <td style="text-align: center;">6b</td> <td>Non-itemized expenditures on line of credit</td> <td style="text-align: center;">6b</td> <td></td> </tr> <tr> <td style="text-align: center;">6c</td> <td>Total expenditures on line of credit (add lines 6a and 6b)</td> <td style="text-align: center;">6c</td> <td style="text-align: right;">o</td> </tr> <tr> <td style="text-align: center;">7</td> <td>Ending balance (add lines 1, 2c, & 4c, then subtract line 5c)</td> <td style="text-align: center;">7</td> <td style="text-align: right;">Na</td> </tr> </table>					1	Beginning balance (ending balance from previous filing)	1		Cash Contributions				2a	Itemized cash contributions (total from Form 2)	2a		2b	Non-itemized cash contributions	2b		2c	Total cash contributions (add lines 2a and 2b)	2c	o	In-Kind Contributions				3a	Itemized in-kind contributions (total from Form 3)	3a		3b	Non-itemized in-kind contributions	3b		3c	Total in-kind contributions (add lines 3a and 3b)	3c	o	Receipts from Other Sources				4a	Itemized Receipts from Other Sources (total from Form 4)	4a		4b	Non-itemized Receipts from Other Sources	4b		4c	Total receipts from other sources (add lines 4a and 4b)	4c	o	Expenditures				5a	Itemized expenditures (total from Form 5)	5a		5b	Non-itemized expenditures	5b		5c	Total expenditures (add lines 5a and 5b)	5c	o	Expenditures on Line of Credit				6a	Itemized expenditures on line of credit (total from Form 6)	6a		6b	Non-itemized expenditures on line of credit	6b		6c	Total expenditures on line of credit (add lines 6a and 6b)	6c	o	7	Ending balance (add lines 1, 2c, & 4c, then subtract line 5c)	7	Na
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7	Ending balance (add lines 1, 2c, & 4c, then subtract line 5c)	7	Na																																																																																									
<p>As required by the Alabama Fair Campaign Practices Act, I hereby swear or affirm to the best of my knowledge and belief that the attached report(s) and the information contained herein are true and correct and that this information is a full and complete statement of all contributions, expenditures, and other required information during the applicable period of time.</p> <p>Sworn to and subscribed before me this _____ day of _____ of the year _____. My commission expires the _____ day of _____ of the year _____.</p> <p>_____ Signature of Notary Public</p> <p>_____ Print Notary's Name</p> <p>_____ Signature of Candidate or Elected Official</p> <p>_____ Date</p>																																																																																												

FORM REVISED 5.22.2017

Appendix I-3: Candidate & Elected Official Campaign Finance Report Annual Summary Form 1A

ANNUAL	 FAIR CAMPAIGN PRACTICES ACT STATE OF ALABAMA		THIS AREA FOR OFFICIAL USE ONLY	
	Candidate & Elected Official Campaign Finance Report SUMMARY FORM 1A			
	Please Print in Ink or Type.			
	Name of Candidate or Elected Official _____ Office Sought or Held (include district or circuit number, if applicable) _____ Address <input type="checkbox"/> Check box if reporting new address _____ City _____ State _____ ZIP Code _____ Telephone Number _____		Calendar Year covered by this report. _____ <input type="checkbox"/> Amended Annual Report <input type="checkbox"/> Termination Report Total Pages in Report Include this page in your count. _____	
SECTION I - Summary of activity from last filed report through December 31 of reporting year				
1 Beginning balance (ending balance from previous filing)				1
Cash Contributions				
2a Itemized cash contributions (total from Form 2)		2a		
2b Non-itemized cash contributions		2b		
2c Total cash contributions (add lines 2a and 2b)		2c		0
In-Kind Contributions				
3a Itemized in-kind contributions (total from Form 3)		3a		
3b Non-itemized in-kind contributions		3b		
3c Total in-kind contributions (add lines 3a and 3b)		3c		0
Receipts from Other Sources				
4a Total itemized receipts from other sources (total from Form 4)		4a		
4b Total non-itemized receipts from other sources		4b		
4c Total receipts from other sources (add lines 4a and 4b)		4c		0
Expenditures				
5a Itemized expenditures (total from Form 5)		5a		
5b Non-itemized expenditures		5b		
5c Total expenditures (add lines 5a and 5b)		5c		0
Expenditures on Line of Credit				
6a Itemized expenditures on line of credit (total from Form 6)		6a		
6b Non-itemized expenditures		6b		
6c Total expenditures on line of credit (add lines 6a and 6b)		6c		0
7 Ending balance (add lines 1, 2c, & 4c, then subtract line 5c)		7		NaN
SECTION II - Summary of activity for entire reporting year - January 1st through December 31st				
8 Beginning balance (as of January 1 of reporting year)				8
9 Total cash contributions for year				9
10 Total in-kind contributions for year		10		
11 Total receipts from other sources for year				11
12 Total expenditures for year				12
13 Total expenditures on line of credit for year		13		
14 Ending balance (add lines 8, 9, & 11, then subtract line 12)		14		NaN
15 Total campaign debt (total debt owed as of December 31)		15		
As required by the Alabama Fair Campaign Practices Act, I hereby swear or affirm to the best of my knowledge and belief that the attached report(s) and the information contained herein are true and correct and that this information is a full and complete statement of all contributions, expenditures, and other required information during the applicable period of time.				
Signature of Candidate or Elected Official _____ Date _____		Sworn to and subscribed before me this _____ day of _____ of the year _____. My commission expires the _____ day of _____ of the year _____. Signature of Notary Public _____ Print Notary's Name _____		


FORM REVISED 5/24/2017

Appendix I-4: Candidate & Elected Official Campaign Finance Report Form 2

ALABAMA FAIR CAMPAIGN PRACTICES ACT - CAMPAIGN FINANCE REPORT FOR CANDIDATE & ELECTED OFFICIAL

FORM 2: Contributions received by candidate or elected official

NAME OF CANDIDATE OR ELECTED OFFICIAL: _____



When total contributions from a single source exceed \$100.00, the FCPA requires all contributions from that source to be itemized.
DO NOT LIST in-kind contributions or loans on this form. Use Forms 3 and 4 for those listings.

CONTRIBUTOR (INCLUDE FULL NAME)	ADDRESS (ADDRESS SHOULD INCLUDE STREET OR P.O. BOX, CITY, STATE, AND ZIP)	SOURCE OF CONTRIBUTION (CHECK ONE)				DATE CONTRIBUTION RECEIVED (mo./day/yr.)	AMOUNT OF CONTRIBUTION
		Business or Corporation	Individual	PAC	Other Returned		
TOTAL CASH CONTRIBUTIONS THIS PAGE							0

FORM REVISED 10.27.2011

Appendix I-5: Candidate & Elected Official Campaign Finance Report Form 3



ALABAMA FAIR CAMPAIGN PRACTICES ACT - CAMPAIGN FINANCE REPORT FOR CANDIDATE/ELECTED OFFICIAL

FORM 3: In-Kind Contributions received by candidate or elected official

NAME OF CANDIDATE OR ELECTED OFFICIAL: _____

When total contributions from a single source exceed \$100.00, the FCPA requires all contributions from that source to be itemized.
DO NOT LIST cash or loans on this form. Use Forms 2 and 4 for those listings.

CONTRIBUTOR (INCLUDE FULL NAME)	ADDRESS (ADDRESS SHOULD INCLUDE STREET OR P.O. BOX, CITY, STATE, AND ZIP)	NATURE OF CONTRIBUTION (CHECK ONE)										SOURCE (CHECK ONE)	DATE CONTRIBUTION RECEIVED (mo./day/yr.)	AMOUNT OF CONTRIBUTION	
		Administrative	Advertising	Consultants/ Polling	Equipment	Food	Rent	Transportation	Other	Business/ Corporation	Individual				PAC
TOTAL IN-KIND CONTRIBUTIONS THIS PAGE														\$0.00	


FORM REVISED 10.27.2011

Appendix I-6: Candidate & Elected Official Campaign Finance Report Form 4

ALABAMA FAIR CAMPAIGN PRACTICES ACT - CAMPAIGN FINANCE REPORT FOR CANDIDATE/ELECTED OFFICIAL

FORM 4: Receipts from Other Sources loans, interest, and other sources of income

NAME OF CANDIDATE OR ELECTED OFFICIAL: _____



When total contributions from a single source exceed \$100.00, the FCPA requires all contributions from that source to be itemized.
DO NOT LIST cash or in-kind contributions on this form. Use Forms 2 and 3 for those listings.

SOURCE OF RECEIPT (INCLUDE FULL NAME)	ADDRESS (ADDRESS SHOULD INCLUDE STREET OR P.O. BOX, CITY, STATE, AND ZIP)	FORM OF RECEIPT			COMPLETE THIS BLOCK IF RECEIPT IS A LOAN GUARANTORS <small>(FCPA REQUIRES FULL NAME AND COMPLETE ADDRESS OF INDIVIDUAL(S) ENDORSING OR GUARANTEEING LOAN)</small>	RECEIPT SOURCE (CHECK ONE)				DATE RECEIVED (mo./day/yr.)	AMOUNT OF RECEIPT	
		Interest	Loan	Other		Lending Institution	PAC	Individual	Business			Other
TOTAL RECEIPTS THIS PAGE												\$0.00

FORM REVISED 10/27/2011

ALABAMA FAIR CAMPAIGN PRACTICES ACT - CAMPAIGN FINANCE REPORT FOR CANDIDATE & ELECTED OFFICIAL

FORM 5: Expenditures by candidate or elected official

NAME OF CANDIDATE OR ELECTED OFFICIAL:

When total expenditures to a single recipient exceed \$100.00, the FCPA requires all expenditures to that recipient be itemized.

PERSON/GROUP/BUSINESS RECEIVING EXPENDITURE (INCLUDE FULL NAME)	ADDRESS (ADDRESS SHOULD INCLUDE STREET OR P.O. BOX, CITY, STATE, AND ZIP)	PURPOSE OF EXPENDITURE (CHECK ONE)									DATE OF EXPENDITURE (mo./day/yr.)	AMOUNT OF EXPENDITURE
		Administrative	Advertising	Consultants/ Polling	Charitable Contribution	Food	Fundraising	Loan Repayment	Lodging	Transportation		
FORM REVISED 10.27.2011		TOTAL EXPENDITURES THIS PAGE										\$0.00

Appendix I-8: Candidate & Elected Official Campaign Finance Form 6



ALABAMA FAIR CAMPAIGN PRACTICES ACT - CAMPAIGN FINANCE REPORT FOR CANDIDATE & ELECTED OFFICIAL

FORM 6: Expenditures On Line of Credit by candidate or elected official NAME OF CANDIDATE OR ELECTED OFFICIAL:


When total expenditures to a single recipient exceed \$100.00, the FCPA requires all expenditures to that recipient be itemized.

PERSON/GROUP/BUSINESS RECEIVING EXPENDITURE (INCLUDE FULL NAME)	ADDRESS (ADDRESS SHOULD INCLUDE STREET OR P.O. BOX, CITY, STATE, AND ZIP)	PURPOSE OF EXPENDITURE (CHECK ONE)								DATE OF EXPENDITURE (mo./day/yr.)	AMOUNT OF EXPENDITURE	
		Administrative	Advertising/ Consultants/	Polling	Contribution	Food	Fundraising	Lodging	Transportation			Interest
TOTAL EXPENDITURES THIS PAGE												

FORM REVISED 5.19.2017

Appendix I-9: Candidate & Elected Official Campaign Finance Report Major Contribution Form

MAJOR CONTRIBUTION



**FAIR CAMPAIGN PRACTICES ACT
STATE OF ALABAMA**

THIS AREA FOR OFFICIAL USE ONLY

Candidate & Elected Official Campaign Finance Report SUMMARY FORM 1

Please Print in Ink or Type.

Name of Principal Campaign Committee			
Full Name of Candidate		Political Party	
Office Sought (include district or circuit number, if applicable)			
Address			
City	State	ZIP Code	Telephone Number

☐ Amended Major Contribution Report
 Date of this Report

Summary of Major Contribution Activity

1	Beginning balance (ending balance from previous filing)		1	
2	Total Cash Contributions (total from Form 2)		2	
3	Total In-Kind Contributions (total from Form 3)		3	
4	Total Receipts from Other Sources (total from Form 4)		4	
5	Ending balance (add lines 1, 2, 3 and 4)		5	

As required by the Alabama Fair Campaign Practices Act, I hereby swear or affirm to the best of my knowledge and belief that the attached report(s) and the information contained herein are true and correct and that this information is a full and complete statement of all contributions, expenditures, and other required information during the applicable period of time.

Sworn to and subscribed before me this _____ day of _____ of the year _____. My commission expires the _____ day of _____ of the year _____.

Signature of Candidate, Elected Official or Committee Member _____

Date _____

Signature of Notary Public _____

Print Notary's Name _____

FORM REVISED 01.02.2018

Where to file this form ...

► **State Candidates and Elected Officials:** File this report electronically with the Office of the Secretary of State:
<http://fcpa.alabamavotes.gov>

Do you have questions or need assistance? Contact the Elections Division:

Call us: 334-242-7210	Visit our office:	Write to us:
800-274-8683	Elections Division	Elections Division
Email us: alavoter@vote.alabama.gov	600 Dexter Avenue, Room E-210	P.O. Box 5616
	Montgomery, Alabama 36130	Montgomery, Alabama 36103-5616


Appendix I-9: Candidate & Elected Official Campaign Finance Report Major Contribution Form

ALABAMA FAIR CAMPAIGN PRACTICES ACT - CAMPAIGN FINANCE REPORT FOR CANDIDATE & ELECTED OFFICIAL

FORM 2: Contributions received by candidate or elected official

NAME OF CANDIDATE OR ELECTED OFFICIAL: _____

When total contributions from a single source exceed \$100.00, the FCPA requires all contributions from that source to be itemized.
DO NOT LIST in-kind contributions or loans on this form. Use Forms 3 and 4 for those listings.



CONTRIBUTOR (INCLUDE FULL NAME)	ADDRESS (ADDRESS SHOULD INCLUDE STREET OR P.O. BOX, CITY, STATE, AND ZIP)	SOURCE OF CONTRIBUTION (CHECK ONE)				DATE CONTRIBUTION RECEIVED (mo./day/yr.)	AMOUNT OF CONTRIBUTION
		Business or Corporation	Individual	PAC	Other Returned		
TOTAL CASH CONTRIBUTIONS THIS PAGE							

FORM REVISED 9.2.2011


Appendix I-9: Candidate & Elected Official Campaign Finance Report Major Contribution Form

ALABAMA FAIR CAMPAIGN PRACTICES ACT - CAMPAIGN FINANCE REPORT FOR CANDIDATE/ELECTED OFFICIAL

FORM 3: In-Kind Contributions received by candidate or elected official

NAME OF CANDIDATE OR ELECTED OFFICIAL: _____

When total contributions from a single source exceed \$100.00, the FCPA requires all contributions from that source to be itemized.
DO NOT LIST cash or loans on this form. Use Forms 2 and 4 for those listings.



CONTRIBUTOR (INCLUDE FULL NAME)	ADDRESS (ADDRESS SHOULD INCLUDE STREET OR P.O. BOX, CITY, STATE, AND ZIP)	NATURE OF CONTRIBUTION (CHECK ONE)										SOURCE (CHECK ONE)			DATE CONTRIBUTION RECEIVED (mo./day/yr.)	AMOUNT OF CONTRIBUTION
		Administrative	Advertising	Consultants/ Polling	Equipment	Food	Rent	Transportation	Other	Business/ Corporation	Individual	PAC	Other			
FORM REVISED 9.2.2011		TOTAL IN-KIND CONTRIBUTIONS THIS PAGE														


Appendix I-9: Candidate & Elected Official Campaign Finance Report Major Contribution Form

ALABAMA FAIR CAMPAIGN PRACTICES ACT - CAMPAIGN FINANCE REPORT FOR CANDIDATE/ELECTED OFFICIAL

FORM 4: Receipts from Other Sources loans, interest, and other sources of income

NAME OF CANDIDATE OR ELECTED OFFICIAL: _____

When total contributions from a single source exceed \$100.00, the FCRA requires all contributions from that source to be itemized.
DO NOT LIST cash or in-kind contributions on this form. Use Forms 2 and 3 for those listings.



SOURCE OF RECEIPT (INCLUDE FULL NAME)	ADDRESS (ADDRESS SHOULD INCLUDE STREET OR P.O. BOX, CITY, STATE, AND ZIP)	FORM OF RECEIPT			COMPLETE THIS BLOCK IF RECEIPT IS A LOAN [FCRA REQUIRES FULL NAME AND COMPLETE ADDRESS OF INDIVIDUAL(S) ENDORSING OR GUARANTEEING LOAN]	RECEIPT SOURCE (CHECK ONE)				DATE RECEIVED (mo./day/yr.)	AMOUNT OF RECEIPT	
		Interest	Loan	Other		Lending Institution	PAC	Individual	Business			Other
TOTAL RECEIPTS THIS PAGE												

FORM REVISED 9.2.2011

Appendix J-1: Political Action Committee Campaign Finance Report Monthly & Weekly Summary Form 1

MONTHLY & WEEKLY	FAIR CAMPAIGN PRACTICES ACT STATE OF ALABAMA		THIS AREA FOR OFFICIAL USE ONLY	
	Political Action Committee Campaign Finance Report SUMMARY FORM 1			
	Please Print in Ink or Type.			
	Name of Political Action Committee (as appears on statement of Organization)		Acronym for PAC	
Address (as appears on Statement of Organization)		<input type="checkbox"/> Check box if reporting new address		Type of Report (check one) <input type="checkbox"/> Monthly <input type="checkbox"/> Amended Monthly <input type="checkbox"/> Weekly <input type="checkbox"/> Amended Weekly
City	State	ZIP Code	Telephone Number	For Monthly Reports Month for which the report is filed.
				For Weekly Reports Date of Friday in the week for which the report is filed.
				Total Number of Pages in Report

Summary of activity since last filed report			
1	Beginning balance (ending balance from previous filing)		1
Cash Contributions			
2a	Itemized cash contributions (total from Form 2)	2a	
2b	Non-itemized cash contributions	2b	
2c	Non-itemized employee payroll contributions	2c	
2d	Total cash contributions (add lines 2a, 2b and 2c)	2d	0
In-Kind Contributions			
3a	Itemized in-kind contributions (total from Form 3)	3a	
3b	Non-itemized in-kind contributions	3b	
3c	Total in-kind contributions (add lines 3a and 3b)	3c	0
Receipts from Other Sources			
4a	Itemized Receipts from Other Sources (total from Form 4)	4a	
4b	Non-itemized Receipts from Other Sources	4b	
4c	Total receipts from other sources (add lines 4a and 4b)	4c	0
Expenditures			
5a	Itemized expenditures (total from Form 5)	5a	
5b	Non-itemized expenditures	5b	
5c	Total expenditures (add lines 5a and 5b)	5c	0
Expenditures on Line of Credit			
6a	Itemized expenditures (total from Form 6)	6a	
6b	Non-itemized expenditures	6b	
6c	Total expenditures on credit (add lines 6a and 6b)	6c	0
7	Ending balance (add lines 1, 2d, & 4c, then subtract line 5c)	7	NaN

Sworn to and subscribed before me this _____ day of _____ of the year _____. My commission expires the _____ day of _____ of the year _____. _____ Signature of Notary Public _____ Print Notary's Name	As required by the Alabama Fair Campaign Practices Act, I hereby swear or affirm to the best of my knowledge and belief that the attached report(s) and the information contained herein are true and correct and that this information is a full and complete statement of all contributions, expenditures, and other required information during the applicable period of time. _____ Signature of Chairperson or Treasurer of Political Committee Date
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FORM REVISED 05.23.2017

Appendix J-2: Political Action Committee Campaign Finance Report Daily Summary Form 1


DAILY	FAIR CAMPAIGN PRACTICES ACT STATE OF ALABAMA		THIS AREA FOR OFFICIAL USE ONLY	
	Political Action Committee Campaign Finance Report SUMMARY FORM 1			
	Please Print in Ink or Type.			
	Name of Political Action Committee (as appears on statement of Organization)		Acronym for PAC	Date Covered by Report
Address (as appears on Statement of Organization)		<input type="checkbox"/> Check box if reporting new address		<input type="checkbox"/> Amended Daily Report
City	State	ZIP Code	Telephone Number	Total Number of Pages in Report

Summary of activity since last filed report			
1	Beginning balance (ending balance from previous filing)		1
Cash Contributions			
2a	Itemized cash contributions (total from Form 2)	2a	
2b	Non-itemized cash contributions	2b	
2c	Non-itemized employee payroll contributions	2c	
2d	Total cash contributions (add lines 2a, 2b and 2c)	2d	0
In-Kind Contributions			
3a	Itemized in-kind contributions (total from Form 3)	3a	
3b	Non-itemized in-kind contributions	3b	
3c	Total in-kind contributions (add lines 3a and 3b)	3c	0
Receipts from Other Sources			
4a	Itemized Receipts from Other Sources (total from Form 4)	4a	
4b	Non-itemized Receipts from Other Sources	4b	
4c	Total receipts from other sources (add lines 4a and 4b)	4c	0
Expenditures			
5a	Itemized expenditures (total from Form 5)	5a	
5b	Non-itemized expenditures	5b	
5c	Total expenditures (add lines 5a and 5b)	5c	0
Expenditures on Line of Credit			
6a	Itemized expenditures (total from Form 6)	6a	
6b	Non-itemized expenditures	6b	
6c	Total expenditures on credit (add lines 6a and 6b)	6c	0
7	Ending balance (add lines 1, 2d, & 4c, then subtract line 5c)	7	NaN

<p>Sworn to and subscribed before me this _____ day of _____ of the year _____. My commission expires the _____ day of _____ of the year _____.</p> <p>_____ Signature of Notary Public</p> <p>_____ Print Notary's Name</p>	<p>As required by the Alabama Fair Campaign Practices Act, I hereby swear or affirm to the best of my knowledge and belief that the attached report(s) and the information contained herein are true and correct and that this information is a full and complete statement of all contributions, expenditures, and other required information during the applicable period of time.</p> <p>_____ Signature of Chairperson or Treasurer of Political Committee</p> <p>_____ Date</p>
--	--

FORM REVISED 05/23/2017

Appendix J-3: Political Action Committee Campaign Finance Report Annual Summary Form 1A

ANNUAL		FAIR CAMPAIGN PRACTICES ACT STATE OF ALABAMA	THIS AREA FOR OFFICIAL USE ONLY
	Political Action Committee Campaign Finance Report SUMMARY FORM 1A		
	Please Print in Ink or Type.		Calendar Year covered by this report.
	Name of Political Committee (as appears on Statement of Organization) Acronym for PAC <hr/> Address (as appears on Statement of Organization) <input type="checkbox"/> Check box if reporting new address <hr/> City State ZIP Code Telephone Number		<input type="checkbox"/> Amended Annual Report <input type="checkbox"/> Termination Report Total Pages in Report Include this page in your count.

SECTION I - Summary of activity from last filed report through December 31 of reporting year

1	Beginning balance (ending balance from previous filing)		1	
Cash Contributions				
2a	Itemized cash contributions (total from Form 2)	2a		
2b	Non-itemized cash contributions	2b		
2c	Non-itemized employee payroll contributions	2c		
2d	Total cash contributions (add lines 2a, 2b and 2c)	2d		0
In-Kind Contributions				
3a	Itemized in-kind contributions (total from Form 3)	3a		
3b	Non-itemized in-kind contributions	3b		
3c	Total in-kind contributions (add lines 3a and 3b)	3c		0
Receipts from Other Sources				
4a	Total itemized receipts from other sources (total from	4a		
4b	Total non-itemized receipts from other sources	4b		
4c	Total itemized receipts from other sources (add lines 4a and 4b)	4c		0
Expenditures				
5a	Itemized expenditures (total from Form 5)	5a		
5b	Non-itemized expenditures	5b		
5c	Total expenditures (add lines 5a and 5b)	5c		0
Expenditures on Line of Credit				
6a	Itemized expenditures (total from Form 6)	6a		
6b	Non-itemized expenditures	6b		
6c	Total expenditures (add lines 6a and 6b)	6c		0
7	Ending balance (add lines 1, 2d, & 4c, then subtract line 5c)	7		N/A

SECTION II - Summary of activity for entire reporting year - January 1st through December 31st

8	Beginning balance (as of January 1 of reporting year)		8	
9	Total cash contributions for year	9		
10	Total in-kind contributions for year	10		
11	Total receipts from other sources for year	11		
12	Total expenditures for year	12		
13	Total expenditures on line of credit for year	13		
14	Ending balance (add lines 8, 9, & 11, then subtract line 12)	14		N/A
15	Total campaign debt (total debt owed as of December 31)	15		

As required by the Alabama Fair Campaign Practices Act, I hereby swear or affirm to the best of my knowledge and belief that the attached report(s) and the information contained herein are true and correct and that this information is a full and complete statement of all contributions, expenditures, and other required information during the applicable period of time.

Signature of Chairperson or Treasurer of Political Committee Date	Sworn to and subscribed before me this _____ day of _____ of the year _____. My commission expires the _____ day of _____ of the year _____. _____ Signature of Notary Public _____ Print Notary's Name
--	---

FORM REVISED 5.23.2017


Appendix J-4: Political Action Committee Campaign Finance Report Form 2

ALABAMA FAIR CAMPAIGN PRACTICES ACT - CAMPAIGN FINANCE REPORT FOR POLITICAL ACTION COMMITTEE

FORM 2: Contributions received by political action committee

NAME OF POLITICAL ACTION COMMITTEE: _____

When total contributions from a single source exceed \$100.00, the FCPA requires all contributions from that source to be itemized.
DO NOT LIST in-kind contributions or loans on this form. Use Forms 3 and 4 for those listings.



CONTRIBUTOR (INCLUDE FULL NAME)	ADDRESS (ADDRESS SHOULD INCLUDE STREET OR P.O. BOX, CITY, STATE, AND ZIP)	SOURCE OF CONTRIBUTION (CHECK ONE)				DATE CONTRIBUTION RECEIVED (mo./day/yr.)	AMOUNT OF CONTRIBUTION
		Business (not a corporation)	Corporation	Individual	Other Returned		
TOTAL CASH CONTRIBUTIONS THIS PAGE							\$ 0.00

FORM REVISED 01.08.2017


Appendix J-5: Political Action Committee Campaign Finance Report Form 3

ALABAMA FAIR CAMPAIGN PRACTICES ACT - CAMPAIGN FINANCE REPORT FOR POLITICAL ACTION COMMITTEE

FORM 3: In-Kind Contributions received by political action committee

NAME OF POLITICAL ACTION COMMITTEE: _____

When total contributions from a single source exceed \$100.00, the FCPA requires all contributions from that source to be itemized.
DO NOT LIST cash contributions or loans on this form. Use Forms 2 and 4 for those listings.



CONTRIBUTOR (INCLUDE FULL NAME)	ADDRESS (ADDRESS SHOULD INCLUDE STREET OR P.O. BOX, CITY, STATE, AND ZIP)	NATURE OF CONTRIBUTION (CHECK ONE)								SOURCE (CHECK ONE)	DATE CONTRIBUTION RECEIVED (mo./day/yr.)	AMOUNT OF CONTRIBUTION	
		Administrative	Advertising	Consultants/	Polling	Equipment	Food	Rent	Transportation				Other
TOTAL IN-KIND CONTRIBUTIONS THIS PAGE												\$ 0.00	

FORM REVISED 10.27.2011

Appendix J-6: Political Action Committee Campaign Finance Report Form 4



ALABAMA FAIR CAMPAIGN PRACTICES ACT - CAMPAIGN FINANCE REPORT FOR POLITICAL ACTION COMMITTEE

FORM 4: Receipts from Other Sources loans, interest, and other sources of income

NAME OF POLITICAL ACTION COMMITTEE: _____

When total contributions from a single source exceed \$100.00, the FCRA requires all contributions from that source to be itemized.
DO NOT LIST cash or in-kind contributions on this form. Use Forms 2 and 3 for those listings.

SOURCE OF RECEIPT (INCLUDE FULL NAME)	ADDRESS (ADDRESS SHOULD INCLUDE STREET OR P.O. BOX, CITY, STATE, AND ZIP)	FORM OF RECEIPT			COMPLETE THIS BLOCK IF RECEIPT IS A LOAN	RECEIPT SOURCE (CHECK ONE)				DATE RECEIVED (mo./day/yr.)	AMOUNT OF RECEIPT	
		Interest	Loan	Other		Lending	Individual	Business	Other			
TOTAL RECEIPTS THIS PAGE												\$ 0.00


FORM REVISED 10.27.2011

Appendix J-7: Political Action Committee Campaign Finance Report Form 5

ALABAMA FAIR CAMPAIGN PRACTICES ACT - CAMPAIGN FINANCE REPORT FOR POLITICAL ACTION COMMITTEE

FORM 5: Expenditures by political action committee

NAME OF POLITICAL ACTION COMMITTEE: _____



When total expenditures to a single recipient exceed \$100.00, the FCPA requires all expenditures to that recipient be itemized.

PERSON/GROUP/BUSINESS RECEIVING EXPENDITURE (INCLUDE FULL NAME)	ADDRESS (ADDRESS SHOULD INCLUDE STREET OR P.O. BOX, CITY, STATE, AND ZIP)	PURPOSE OF EXPENDITURE (CHECK ONE)										DATE OF EXPENDITURE (mo./day/yr.)	AMOUNT OF EXPENDITURE
		Advertising	Consultants/ Polling	Contribution	Food	Fundraising	Loan Repayment	Lodging	Transportation	OTHER GIVE BRIEF EXPLANATION			
TOTAL EXPENDITURES THIS PAGE												\$ 0.00	

FORM REVISED 10.27.2011

ALABAMA FAIR CAMPAIGN PRACTICES ACT - CAMPAIGN FINANCE REPORT FOR POLITICAL ACTION COMMITTEE

FORM 6: Expenditures On Line of Credit by political action committee


NAME OF POLITICAL ACTION COMMITTEE:

When total expenditures to a single recipient exceed \$100.00, the FCPA requires all expenditures to that recipient be itemized.

PERSON/GROUP/BUSINESS RECEIVING EXPENDITURE (INCLUDE FULL NAME)	ADDRESS (ADDRESS SHOULD INCLUDE STREET OR P.O. BOX, CITY, STATE, AND ZIP)	PURPOSE OF EXPENDITURE (CHECK ONE)										DATE OF EXPENDITURE (mo./day/yr.)	AMOUNT OF EXPENDITURE
		Administrative	Advertising	Consultants/ Consulting	Polling	Contribution	Food	Fundraising	Lodging	Transportation	Interest		
		TOTAL EXPENDITURES THIS PAGE											

Appendix J-9: Political Action Committee Campaign Finance Report Major Contribution Form

MAJOR CONTRIBUTION



**FAIR CAMPAIGN PRACTICES ACT
STATE OF ALABAMA**

THIS AREA FOR OFFICIAL USE ONLY

Political Action Committee Campaign Finance Report SUMMARY FORM 1

Please Print in Ink or Type.

Name of Political Committee (as appears on Statement of Organization)		Acronym for PAC	
Address (as appears on Statement of Organization) <input type="checkbox"/> Check box if reporting new address			
City	State	ZIP Code	Telephone Number

☐ Amended Major Contribution Report
 Date of this Report

Summary of Major Contribution Activity			
1	Beginning balance (ending balance from previous filing)		1
2	Total Cash Contributions (total from Form 2)		2
3	Total In-Kind Contributions (total from Form 3)		3
4	Total Receipts from Other Sources (total from Form 4)		4
5	Ending balance (add lines 1, 2, 3 and 4)		5

As required by the Alabama Fair Campaign Practices Act, I hereby swear or affirm to the best of my knowledge and belief that the attached report(s) and the information contained herein are true and correct and that this information is a full and complete statement of all contributions, expenditures, and other required information during the applicable period of time.

Sworn to and subscribed before me this _____ day
of _____ of the year _____. My commission
expires the _____ day of _____ of the year
_____.

Signature of Chairperson or Treasurer
of Political Committee

Date

Signature of Notary Public

Print Notary's Name

FORM REVISED 9/28/2017

Where to file this form ...

► **State and County PACS:** File this report electronically with the Office of the Secretary of State:
<http://fcpa.alabamavotes.gov>

Do you have questions or need assistance? Contact the Elections Division:

Call us: 334-242-7210	Visit our office:	Write to us:
800-274-8683	Elections Division	Elections Division
Email us: alavoter@vote.alabama.gov	600 Dexter Avenue, Room E-210	P.O. Box 5616
	Montgomery, Alabama 36130	Montgomery, Alabama 36103-5616

► **Municipal PACs:** File this report with the Judge of Probate of the county in which the office is sought. The address for each county's Judge of Probate is available on the web site of the Secretary of State:
<http://www.alabamavotes.gov>

Appendix K: Statement of Dissolution



FAIR CAMPAIGN PRACTICES ACT
STATE OF ALABAMA

THIS AREA FOR OFFICIAL USE ONLY

Statement of Dissolution FOR ELECTED OFFICIALS, CANDIDATES AND POLITICAL ACTION COMMITTEES

Please Print in Ink or Type.

Name of Candidate or Elected Official, or Political Committee			
Office Sought or Held (include district or circuit number, if applicable)			
Address <input type="checkbox"/> Check box if reporting new address			
City	State	ZIP Code	Telephone Number

Report Status (check one)

- ☐ No report required because I have had no activity since the last reporting period
- ☐ Termination report attached

Note:

If you have had activity since the last report filed, you are responsible for filing the requisite **Annual Report** covering the last year of activity. However, the submission of a **Termination Report** along with the **Statement of Dissolution** will satisfy this requirement.

This statement dissolves the above-named Principal Campaign Committee or Political Action Committee as of the _____ day of _____ in the year _____.

Pursuant to §17-5-7(a) [Code of Alabama, 1975], any excess funds shall be disposed of in the following manner:


As required by the Alabama Fair Campaign Practices Act, I hereby swear, or affirm, to the best of my knowledge and belief that this Statement of Dissolution is true and correct.

Signature of Candidate or Elected Official, or Chairperson or
Treasurer of Political Committee

Date

FORM REVISED 9/2/2011

Appendix L: Online Filing System Guidelines

	<h3>Online Filing System Guidelines</h3> <p>Fair Campaign Practices Act</p> <p>Elections Division • Office of the Secretary of State • State of Alabama</p> <p>John H. Merrill, Secretary of State</p>
---	---

ONLINE FILING SYSTEM REGISTRATION

1. Go to fcpa.alabamavotes.gov.
2. Select the appropriate registration for your committee type:
 - a. Candidates will click on the red "Candidate Committee Registration" button, or
 - b. PACs will click on the red "Political Action Committee Registration" button.
3. The Appointment of Principal Campaign Committee (PCC for candidates) or Statement of Organization (for PACs) will open. Please enter the date, then complete the required committee information.
4. Once the information has been entered, click the red "Submit" button at the bottom right corner of the page.
5. The screen will indicate "Your registration has been submitted." Click on the "**Click here to view and print a copy of this filing**" link.
6. Print and sign the completed form. Every committee member must sign the completed form. Make a copy of the signed form for your records.
7. Mail the original signed form to: ELECTIONS DIVISION, ALABAMA SECRETARY OF STATE, P. O. BOX 5616, MONTGOMERY, AL 36103-5616
8. Once the original signed Appointment of Principal Campaign Committee Form or Statement of Organization is received and approved, the account will be activated. The committee members will each receive login credentials (username and pin) in two (2) separate emails.

Note: If an FCPA report is due within five (5) days, an emergency activation can be granted. In this circumstance, a committee should call the Elections Division at 334-242-7210 and then fax a signed copy of the committee registration document to 334-242-2444. Once received, the account can be activated immediately. However, the signed original committee registration document should be mailed to the Elections Division on the same day.

ONLINE FILING SYSTEM

The FCPA online filing system is operated by the use of a series of tabbed topic sections located at the top of the screen. This guide will give an overview of the contents within each section, as well as a brief description regarding the most frequently used functions in the individual tabbed sections. For special circumstances or specific guidance, please call the Elections Division at 334-242-7210 or 1-800-274-8683. To reach the FCPA filing system HELP DESK, call 1-888-864-8910.

1. **Overview Page**
 - Account Status—gives an overview of account ending balance and pending transaction balances
 - Transaction History Overview—gives an overview of ending balances by transaction
 - Reports Due—lists upcoming reports with the function to view and file sequential reports
 - Document Images—contains function to save report images and add supplemental documents
2. **Transactions Tab**
 - A. Contributions/InKind

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Appendix L: Online Filing System Quick Overview (Continued)

- Contribution History—listing of posted contributions with the function to add new contributions or update existing contributions
- Contribution Maintenance—contains function to search by contributor and perform contributor informational changes
- B. Other Receipts
 - Receipt History—listing of posted receipts with the function to add new receipts or update existing receipts (i.e., loans/interest/other)
 - Receipt Maintenance—contains function to search receipts and perform receipt source informational changes
- C. Expenditures
 - Expenditure History—listing of posted expenditures, only used for money spent out of the campaign account, with the function to add new expenditures or update existing expenditures
 - Payee Maintenance—contains function to search by payee and perform payee informational changes
- D. Transaction Search
 - Transaction Search—contains function to quick-search posted transactions
- 3. **File Reports Page**
 - Filing History—listing of previously filed reports with the function to view and amend filed reports
 - Reports Due—lists upcoming reports with the function to view and file sequential reports
 - Supplemental Forms—contains function to submit the “Statement of Dissolution”
- 4. **Administration Page**
 - Committee—contains function to update or perform committee informational changes
 - Officers—listing of current committee officers with the function to update or perform informational changes
 - Campaign—contains function to add the filing schedule for an election cycle
 - Filing Schedule—listing of all reports for an election cycle (includes all filed reports and reports due)
 - Import Data Files—contains function to import data files

ADDING REPORTS NOT FOUND IN THE REPORTS DUE LIST

The option to add reports not found in the Reports Due list can be accessed in two places. On both the “Overview” page and the “File Reports” page, below the blue header, in the top center portion of the page, there is a note in plain text, which reads, “Need to begin filing reports that are not shown in the Reports Due list below? [Click here](#)”. Click where it reads “[Click here](#)” to begin the process of adding additional reports not listed.

AMENDING REPORTS

To amend a transaction that has been previously reported, go to the corresponding “Transaction” tab and select the corresponding transaction type (contribution, other receipt, or expenditure) from the drop-down menu. Find the transaction that needs amending in the Transaction History section of the correct transaction type administration page. To update or delete a transaction, click on the links to the right of the transaction. Once the transaction entry page opens, correct the record and then click the red “Save” button on the lower right corner of the screen.

To add any previously omitted transactions, click the “Add” button in the corresponding transaction administration pages.

Make the necessary changes (additions, deletions, or updates) to the transactions prior to amending the previously filed reports. Then, click on the “File Reports” tab and locate the report that needs to be amended in the “Filing History” section of the “Filing Administration” page. Click on the “Amend” link for the report that corresponds to your earliest made amendment. The preview of the amended report will open. Please review the report. Once you are satisfied that

Appendix L: Online Filing System Quick Overview (Continued)

all necessary changes are reflected in the report preview, then click the red “File” button on the bottom right to submit the amended report.

Important— The system will automatically amend any other subsequent reports that were affected by an amendment to an individual transaction. For this reason, it is important to amend the reports in the order of the amended transactions.

PASSWORD RESET

If a user is unable to access the account due to an expired or lost PASSWORD/PIN, please call the Elections Division at 334-242-7210 or 1-800-274-8683. To reach the FCPA filing system HELP DESK, call 1-888-864-8910.

Appendix M: Application for Absentee Ballot

If you changed residence since you last voted, you must update your voter registration information at Alabamavotes.gov or with your local Board of Registrars before submitting this application.

APPLICATION FOR ABSENTEE BALLOT

COUNTY, ALABAMA

FORM AV-R1
Date Revised 07/15/2021

Return this application to:

Please note that only one application may be placed in the same envelope.

Please note that a copy of your valid photo identification must be submitted along with this application.

General Voter Information - Please provide complete information so that we may verify your eligibility to vote.

Last Name (Please print)		First Name		Middle or Maiden Name	
Street Address (address where you are registered to vote; do not use PO box)				City	State ZIP
Mail my ballot to the address where I regularly receive mail, if different from the street address provided above					
E-mail Address					
Date of Birth	Month	Day	Year	Driver's License Number	IF NO DRIVER'S LICENSE NUMBER
Home/Cell Telephone Number ()		Work Telephone Number ()		<input type="text"/>	Last 4 digits of Social Security number <input type="text"/>

For all registered voters

I hereby make application for an absentee ballot so that I may vote in the following election:

- ☐ Primary Election
Select one: ☐ Democratic Party ☐ Other ☐ Republican Party ☐ Amendments Only
- ☐ General Election
- ☐ Primary Runoff Election
Select one: ☐ Democratic Party ☐ Other ☐ Republican Party ☐ Amendments Only
- ☐ Special Election (specify) _____
If a primary or runoff, check one: ☐ Democratic Party ☐ Republican Party

- Absentee ballots for elections more than 42 days apart must be requested on separate applications, unless you are a member of the armed forces, or a spouse or dependent of such person, or you are a United States citizen residing overseas, or are permanently disabled.
- An application submitted by a member of the armed forces, or a spouse or dependent of such person, or a United States citizen residing overseas is valid for all county, state and federal elections in the current calendar year. An application submitted by a citizen with a permanent disability is valid for all municipal, county, state, and federal elections in the current calendar year.

I am applying for an absentee ballot because (check at least one box):

- ☐ I expect to be out of the county or the state on election day.
- ☐ I am physically incapacitated and will not be able to vote in person on election day. **[ID Required]**
- ☐ I am physically incapacitated and will not be able to vote in person on election day. I am unable to access my assigned polling place due to a neurological, musculoskeletal, respiratory (including speech organs), cardiovascular, or other life-altering disorder that affects my ability to perform manual tasks, stand for any length of time, walk unassisted, see, hear or speak and:
- a) I am an elderly voter aged 65 or older; or
- b) I am a voter with a disability.
- [ID Not Required]**
- ☐ I expect to work a required workplace shift which has at least 10 hours which coincide with the polling hours at my regular polling place.
- ☐ I am a student at an educational institution located outside the county of my permanent residence and am therefore unable to vote at my usual polling place on election day.
- ☐ I am a member of, or a spouse or dependent of a member of, the Armed Forces of the United States or am otherwise entitled to vote absentee pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. § 20302. **[ID Not Required]**
- This application for an absentee ballot will be valid for all county, state, and federal elections held during this calendar year unless you specify an earlier expiration date here: _____.
- ☐ I have been appointed as an election officer at a polling place which is not my regular polling place.
- ☐ I am a caregiver for a family member to the second degree of kinship by affinity or consanguinity and the family member is confined to his or her home.
- ☐ I am currently incarcerated in prison or jail and I have not been convicted of a felony involving moral turpitude. (See back for felonies involving moral turpitude.)

When I apply for this absentee ballot, I understand that my name will be stricken from the list of qualified electors and, when I cast this absentee ballot, I understand that I will not be entitled to vote at my regular polling place.

Voter's Signature or Mark	Complete this section if voter signs by mark	Witness Signature
		Print Witness Name

Only the voter may hand this application to the Absentee Election Manager. The voter may also forward this application to the Absentee Election Manager by U.S. Mail or commercial carrier [§17-11-3 and §17-11-4, Code of Alabama, 1975]. The use of Power of Attorney or any other third-party to sign and/or deliver this application on behalf of the voter is prohibited. Only medical emergency absentee applications may be submitted by a voter's designee.

READ PENALTIES ON BACK

Appendix M-1: Application for Municipal Absentee Ballot

If you changed residence since you last voted, you must update your voter registration information at Alabamavotes.gov or with your local Board of Registrars before submitting this application.

APPLICATION FOR MUNICIPAL ABSENTEE BALLOT

FORM AV-M1
Date Revised 07/15/2021

Return this
application to:

COUNTY, ALABAMA

Please note that only one application may be placed in the same envelope.

Please note that a copy of your valid photo identification must be submitted along with this application.

General Voter Information - Please provide complete information so that we may verify your eligibility to vote.

Last Name (Please print)		First Name		Middle or Maiden Name	
Street Address (address where you are registered to vote; do not use PO box)			City	State	ZIP
Mail my ballot to the address where I regularly receive mail, if different from the street address provided above					
E-Mail Address					
Date of Birth	Month	Day	Year	Driver's License Number	IF NO DRIVER'S LICENSE NUMBER
Home/Cell Telephone Number ()				STATE	NUMBER
Work Telephone Number ()				Last 4 digits of Social Security number	

For all registered voters

I hereby make application for an absentee ballot so that I may vote in the following election:

- ☐ Municipal Election
 ☐ Special Municipal Election (specify) _____
- ☐ Municipal Runoff Election

■ Absentee ballots for municipal elections more than 42 days apart must be requested on separate applications

I am applying for an absentee ballot because (check at least one box):

- ☐ I expect to be out of the county or the state on election day.
- ☐ I am physically incapacitated and will not be able to vote in person on election day. *[ID Required]*
- ☐ I am physically incapacitated and will not be able to vote in person on election day. I am unable to access my assigned polling place due to a neurological, musculoskeletal, respiratory (including speech organs), cardiovascular, or other life-altering disorder that affects my ability to perform manual tasks, stand for any length of time, walk unassisted, see, hear or speak and:
 - a) I am an elderly voter aged 65 or older; or
 - b) I am a voter with a disability.*[ID Not Required]*
- ☐ I expect to work a required workplace shift which has at least 10 hours which coincide with the polling hours at my regular polling place.
- ☐ I am a student at an educational institution located outside the county of my permanent residence and am therefore unable to vote at my usual polling place on election day.
- ☐ I am a member of, or a spouse or dependent of a member of, the Armed Forces of the United States or am otherwise entitled to vote absentee pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. § 20302. *[ID Not Required]*
- This application for an absentee ballot will be valid for all county, state, and federal elections held during this calendar year unless you specify an earlier expiration date here: _____.
- ☐ I have been appointed as an election officer at a polling place which is not my regular polling place.
- ☐ I am a caregiver for a family member to the second degree of kinship by affinity or consanguinity and the family member is confined to his or her home.
- ☐ I am currently incarcerated in prison or jail and I have not been convicted of a felony involving moral turpitude. (See back for felonies involving moral turpitude.)

When I apply for this absentee ballot, I understand that my name will be stricken from the list of qualified electors and, when I cast this absentee ballot, I understand that I will not be entitled to vote at my regular polling place.

Voter's Signature or Mark	Complete this section if voter signs by mark →	Witness Signature
		Print Witness Name

Only the voter may hand this application to the Absentee Election Manager. The voter may also forward this application to the Absentee Election Manager by U.S. Mail or commercial carrier [§17-11-3 and §17-11-4, Code of Alabama, 1975]. The use of Power of Attorney or any other third-party to sign and/or deliver this application on behalf of the voter is prohibited. Only medical emergency absentee applications may be submitted by a voter's designee.

READ PENALTIES ON BACK

Appendix M-2: Application for Permanent Disability Absentee Ballot

APPLICATION FOR PERMANENT DISABILITY ABSENTEE BALLOT

**FOR USE ONLY BY INDIVIDUALS VOTING ABSENTEE DUE TO A
PERMANENT DISABILITY**

Return this application to:

FORM AV-D1
Date Revised 09/22/2021

_____ COUNTY, ALABAMA

Please note only one application may be placed in the same envelope.

Please note that a copy of your valid photo identification must be submitted along with this application.

General Voter Information - Please provide complete information so that we may verify your eligibility to vote.

Last Name (Please print)	First Name	Middle or Maiden Name	E-mail Address
Street Address (address where you are registered to vote; do not use PO box)			City ZIP
If requesting mail delivery of a ballot, provide a mailing address, if different from the street address provided above			
Precinct where you vote (name and/or location of your polling place)			
Date of Birth	Month	Day	Year
Home Telephone Number ()		Work Telephone Number ()	
Driver's License Number		IF NO DRIVER'S LICENSE NUMBER	
<div style="border: 1px solid black; width: 100px; height: 20px; display: flex; align-items: center;"> <div style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;"></div> <div style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;"></div> <div style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;"></div> <div style="width: 20px; height: 20px; border: 1px solid black;"></div> </div>		<div style="border: 1px solid black; width: 100px; height: 20px; display: flex; align-items: center;"> <div style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;"></div> <div style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;"></div> <div style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;"></div> <div style="width: 20px; height: 20px; border: 1px solid black;"></div> </div>	
STATE		NUMBER	

Type of Ballot (select one)

- ☐ Primary Election or Presidential Preference Primary
 Select one: ☐ Democratic Party
☐ Republican Party
☐ Other _____
☐ Amendments Only
- ☐ Primary Runoff Election
 Select one: ☐ Democratic Party
☐ Republican Party
☐ Other _____
☐ Amendments Only
- ☐ General Election
- ☐ Special Election (specify) _____
 If a primary or runoff, check one: ☐ Democratic Party ☐ Republican Party

Reason for Applying to Vote Absentee

By signing this application, I am attesting that I am permanently disabled and unable to attend the polls. I am eligible to vote absentee pursuant to § 17-11-3.1.

I understand that this application will be valid for all county, state, and federal elections to be held during this calendar year. For election cycles that span multiple calendar years, this application will be valid for the entire election cycle.

I further understand that annual renewal of this application will be required.

Physician's Report (Please note that the physician's signature must be notarized.)

Physician shall describe and certify the circumstances as constituting the voter's condition. Electronic or remote notarization is not permitted.

Sworn to and subscribed before me this _____ day of _____, 20____. I certify that the affiant is known (or made known) to me to be the identical party he or she claims to be.

Signature of Notarizing Official

Title of Notarizing Official

Physician's Signature

Date

When I apply for this absentee ballot, I understand that my name will be stricken from the list of qualified electors and, when I cast this absentee ballot, I understand that I will not be entitled to vote at my regular polling place.

Voter's Signature	→	Witness Signature
	Complete this section if voter signs by mark	Print Witness Name

The voter may hand this application to the Absentee Election Manager. The voter may also forward this application to the Absentee Election Manager by U.S. Mail or commercial carrier. (§ 17-11-3 and § 17-11-4, Code of Alabama, 1975)

READ PENALTIES ON BACK

Appendix M-3: Application for Permanent Disability Municipal Absentee Ballot

APPLICATION FOR MUNICIPAL PERMANENT DISABILITY ABSENTEE BALLOT

FOR USE ONLY BY INDIVIDUALS VOTING ABSENTEE DUE TO
A PERMANENT DISABILITY

Return this application to:

FORM AV-D2
Date Revised 05/22/2021

____ COUNTY, ALABAMA

Please note that only one application may be placed in the same envelope.

Please note that a copy of your valid photo identification must be submitted along with this application.

General Voter Information - Please provide complete information so that we may verify your eligibility to vote.

Last Name (Please print)	First Name	Middle or Maiden Name	E-mail Address
Street Address (address where you are registered to vote; do not use PO box)			City ZIP
If requesting mail delivery of a ballot, provide a mailing address, if different from the street address provided above			
Precinct where you vote (name and/or location of your polling place)			
Date of Birth	Month	Day	Year
Home Telephone Number ()	Work Telephone Number ()		Driver's License Number [][] [][] [][] [][] STATE NUMBER
		IF NO DRIVER'S LICENSE NUMBER Last 4 digits of Social Security number [][][][]	

Type of Ballot (select one)

☐ Municipal Election

☐ Municipal Runoff Election

☐ Special Municipal Election (specify) _____

Duration of Absentee Ballot Application

By signing this application, I am attesting that I am permanently disabled and unable to attend the polls. I am eligible to vote absentee pursuant to § 17-11-3.1.

I understand that this application will be valid for all municipal elections to be held during this calendar year. For election cycles that span multiple calendar years, this application will be valid for the entire election cycle.

I further understand that annual renewal of this application will be required.

Physician's Report (Please note that the physician's signature must be notarized.)

Physician shall describe and certify the circumstances as constituting the voter's condition. Electronic or remote notarization is not permitted.

Sworn to and subscribed before me this _____ day of _____
20____. I certify that the affiant is known (or made known) to me to
be the identical party he or she claims to be.

Signature of Notarizing Official

Physician's Signature

Date

Title of Notarizing Official

When I apply for this absentee ballot, I understand that my name will be stricken from the list of qualified electors and, when I cast this absentee ballot, I understand that I will not be entitled to vote at my regular polling place.

Voter's Signature	Complete this section if voter signs by mark →	Witness Signature
		Print Witness Name

The voter may hand this application to the Absentee Election Manager. The voter may also forward this application to the Absentee Election Manager by U.S. Mail or commercial carrier. (§ 17-11-3 and § 17-11-4, Code of Alabama, 1975)

READ PENALTIES ON BACK

**Appendix M-4: Election Officials' Affidavit for Identifying
Qualified Elector**

Election Officials' Affidavit for Identifying Qualified Elector

County of _____

State of Alabama

I, _____ (print name), and _____ (print name) who are both election officials in the above stated county, do hereby swear or affirm that _____ (print elector's name) does not have a valid Alabama photo identification in his/her possession at the polls. I further swear or affirm that said elector has been positively identified by me as a voter on the poll list who is eligible to vote.

I further swear or affirm under penalty of perjury that all information provided in the affidavit above is true and correct.

(Date of Election)

(Signature of election official)

(Signature of election official)

FORM PVI-03

(Printed name)

(Printed name)

Appendix N: Application for Emergency Absentee Ballot

APPLICATION FOR EMERGENCY ABSENTEE BALLOT <small>COUNTY, ALABAMA</small>				<small>FORM AV-E1 Date Revised 07/29/2019</small>	
Please note that only one application may be placed in the same envelope. Please note that a copy of your valid photo identification must be submitted with this application.				Return this application to: <div style="border: 1px solid black; height: 40px; width: 100%;"></div>	
General Voter Information - Please provide complete information so that we may verify your eligibility to vote.					
Last Name (Please print)		First Name		Middle or Maiden Name	
E-mail Address					
Street Address (address where you are registered to vote; do not use PO box)				City	
ZIP					
Mail my ballot to the address where I regularly receive mail, if different from the street address provided above.					
Precinct where you vote (name and/or location of your polling place)					
Date of Birth		Month		Day	
		Year		Driver's License Number	
Home Telephone Number		Work Telephone Number		IF NO DRIVER'S LICENSE NUMBER	
()		()		Last 4 digits of Social Security number	
				<div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div>	
		STATE		NUMBER	
For all registered voters I hereby make application for an absentee ballot so that I may vote in the following election:					
<input type="checkbox"/> Primary Election or Presidential Preference Primary <input type="checkbox"/> Primary Runoff Election					
Select one: <input type="checkbox"/> Democratic Party <input type="checkbox"/> Other _____ <input type="checkbox"/> Republican Party <input type="checkbox"/> Amendments Only					
<input type="checkbox"/> General Election <input type="checkbox"/> Municipal Election <input type="checkbox"/> Special Election (specify) _____					
<small>If a primary or runoff, check one: <input type="checkbox"/> Democratic Party <input type="checkbox"/> Republican Party</small>					
■ Absentee ballots for elections more than 42 days apart must be requested on separate applications, unless you are a member of the armed forces, or a spouse or dependent of such person, or you are a United States citizen residing overseas, or are permanently disabled.					
■ An application submitted by a member of the armed forces, or a spouse or dependent of such person, or a United States citizen residing overseas is valid for all county, state and federal elections in the current calendar year. An application submitted by a citizen with a permanent disability is valid for all municipal, county, state, and federal elections in the current calendar year.					
I will be unable to vote at my regular polling place on election day because (check one reason):					
<input type="checkbox"/> I have a medical emergency. Complete the Physician's Report below. The physician's report must be signed by a physician. [If the physician's report is on a separate document, attach it to this application. This application may be delivered by a designee. If assigning a designee, complete the designee section at the bottom of this form.]					
<input type="checkbox"/> I am required by my employer under unforeseen circumstances within five days before an election to be unavailable to vote at the polls on election day. [The voter must deliver the application by hand to the Absentee Election Manager no later than the day prior to the election.]					
<input type="checkbox"/> I am a caregiver of a person who requires emergency treatment by a licensed physician within five days before an election. [The voter must deliver the application by hand to the Absentee Election Manager no later than the day prior to the election.]					
<input type="checkbox"/> A family member to the second degree of kinship by affinity or consanguinity died within five days before an election. [The voter must deliver the application by hand to the Absentee Election Manager no later than the day prior to the election.]					
When I apply for this absentee ballot, I understand that my name will be stricken from the list of qualified electors and, when I cast this absentee ballot, I understand that I will not be entitled to vote at my regular polling place.					
Voter's Signature		Complete this section if voter signs by mark <div style="border: 1px solid black; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center;"> → </div>		Witness Signature	
				Print Witness Name	
<small>Only in the case of a medical emergency may a voter forward this application to the Absentee Election Manager by U.S. Mail or commercial carrier [§17-11-3 and §17-11-4, Code of Alabama, 1975]. Also in the case of a medical emergency, the voter's designee may hand this application to the Absentee Election Manager.</small>					
READ PENALTIES ON BACK					
PHYSICIAN'S REPORT FOR MEDICAL EMERGENCY Physician shall describe and certify the circumstances as constituting the emergency.					
Physician's Signature _____ Date _____					
ASSIGNMENT OF DESIGNEE FOR DELIVERY OF APPLICATION					
An application for an emergency medical absentee ballot may be forwarded to the Absentee Election Manager by the applicant or his or her designee. If assigning a designee, complete this section.					
Printed Name of Designee				Signature of Designee	
For Office Use Only					

Appendix O: Application for Uniformed and Overseas Voters

UOCAVA APPLICATION FOR ABSENTEE BALLOT		Return this application to:	
FOR USE ONLY BY INDIVIDUALS VOTING PURSUANT TO THE			
UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT			
FORM AV-U-1 Date Revised: 07/23/2019			
_____ COUNTY, ALABAMA			
Please note that only one application may be placed in the same envelope.			
General Voter Information - Please provide complete information so that we may verify your eligibility to vote.			
Last Name (Please print)		E-mail Address	
First Name		Middle or Maiden Name	
Street Address (address where you are registered to vote; do not use PO box)		City	
ZIP			
If requesting mail delivery of a ballot, provide a mailing address, if different from the street address provided above			
Precinct where you vote (name and/or location of your polling place)			
Date of Birth		Driver's License Number	
Month	Day	Year	IF NO DRIVER'S LICENSE NUMBER
Home Telephone Number		Last 4 digits of Social Security number	
()		() () () ()	
Work Telephone Number		STATE NUMBER	
()		() () () ()	
Type of Ballot (select one)		Duration of Absentee Ballot Application	
<input type="checkbox"/> Primary Election or Presidential Preference Primary Select one: <input type="checkbox"/> Democratic Party <input type="checkbox"/> Republican Party <input type="checkbox"/> Other _____ <input type="checkbox"/> Amendments Only		By signing this application, I am attesting that I am a member of, or spouse or dependent of a member of, the United States Armed Forces or I am a United States citizen residing overseas. I understand that this application will be valid for all county, state and federal elections to be held during this calendar year. For election cycles that span multiple calendar years, this application will be valid for the entire election cycle. If I wish to waive this right and have this application expire earlier, I am providing an expiration date below. <i>For example, I might choose an earlier expiration date if I expect a change of duty station effective after the next election but before the end of the year.</i> This application should expire on _____ <div style="text-align: right;">Month / Day / Year</div>	
<input type="checkbox"/> Primary Runoff Election Select one: <input type="checkbox"/> Democratic Party <input type="checkbox"/> Republican Party <input type="checkbox"/> Other _____ <input type="checkbox"/> Amendments Only			
<input type="checkbox"/> General Election			
<input type="checkbox"/> Special Election (specify) _____ <small>If a primary or runoff, check one: <input type="checkbox"/> Democratic Party <input type="checkbox"/> Republican Party</small>			
Delivery of Ballot (select one)			
<input type="checkbox"/> Deliver an absentee ballot to me by electronic transmission for all federal, state, and county offices and all state and county referenda. I have provided an e-mail address above.		<input type="checkbox"/> Deliver an absentee ballot to me by U.S. mail, or hand-delivery if requested in person, for all federal, state, and county offices and all state and county referenda.	
Reason for Requesting to Vote by Absentee Ballot			
I am applying for an absentee ballot because I am a member of, or a spouse or dependent of a member of, the Armed Forces of the U.S. or am a U.S. citizen residing overseas and am qualified to vote by absentee ballot pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. § 20302.			
When I apply for this absentee ballot, I understand that my name will be stricken from the list of qualified electors and, when I cast this absentee ballot, I understand that I will not be entitled to vote at my regular polling place.			
Voter's Signature		Witness Signature	
Complete this section if voter signs by mark →		Print Witness Name	
The voter may hand this application to the Absentee Election Manager. The voter may also forward this application to the Absentee Election Manager by U.S. Mail or commercial carrier [§17-11-3 and §17-11-4, Code of Alabama, 1975].			
READ PENALTIES ON BACK			

Appendix P :Provisional Voting Affirmation

PROVISIONAL VERIFICATION STATEMENT - PB-3

<div style="background-color: black; color: white; padding: 2px; font-weight: bold;">1 MUST BE COMPLETED BY ELECTION OFFICIAL AT PRECINCT</div> <p>Name of Election: _____</p> <p>Election Date: _____</p> <p>Precinct Number: _____</p> <p>Ballot Style: _____</p> <div style="background-color: black; color: white; padding: 2px; font-weight: bold;">2 LINE NUMBER FROM ROSTER</div> <div style="background-color: black; color: white; padding: 2px; font-weight: bold;">3 REASON FOR PROVISIONAL BALLOT ▶ MUST BE COMPLETED BY POLL WORKER AT PRECINCT ▶ MARK ALL REASONS THAT APPLY</div> <p><input type="checkbox"/> Person's name does not appear on the list of registered voters.</p> <p><input type="checkbox"/> Person's registration status cannot be determined by the provisional ballot officer.</p> <p><input type="checkbox"/> Voter is unable to comply with voter identification requirement.</p> <p><input type="checkbox"/> The voter has requested but claims to have not voted an absentee ballot.</p> <p><input type="checkbox"/> Voter objects to the political party identified on the list of registered voters for the primary runoff election.</p> <p><input type="checkbox"/> Inspector has knowledge that the person is not entitled to vote at the precinct and challenges the person.</p> <p><input type="checkbox"/> Ballot is cast after the legal time for closing the polls due to a federal or state court order extending the hours of the polls.</p>	<div style="background-color: black; color: white; padding: 2px; font-weight: bold;">4 SWORN AFFIRMATION OF PROVISIONAL VOTER ▶ MUST BE COMPLETED BY VOTER</div> <p>State of Alabama, County of _____</p> <p>I do solemnly swear (or affirm) that I am a registered voter in the precinct in which I am seeking to vote and that I am eligible to vote in this election.</p> <p>Printed Name of Voter _____</p> <p>Printed Residence Address of Voter _____</p> <p>City _____ State _____ ZIP Code _____</p> <p>Date of Birth (month/day/year) _____ Signature or Mark _____</p> <p>Phone Number _____ Date (month / day / year) _____</p>
--	--

Procedure for Precinct Official

1. Instruct voter to sign the **Provisional Roster**.
2. In **Box 1**, print the name of election, date of election, the precinct number and ballot style.
3. In **Box 2** and on the **PB-2 envelope**, print the line number as it appears beside the signature of the voter on the **Provisional Roster**.
4. In **Box 3**, check the reason the voter is casting a provisional ballot.
5. Instruct the voter to complete **Box 4**, the "**Sworn Statement of Provisional Voter**".
6. Instruct the voter to complete the "**Voter's Reidentification/ Update Form**" below.
7. In the case of an Inspector's Challenge, attach yellow copy of "**Inspector's Statement of Challenge of Eligibility to Vote**".
8. Issue the voter a **provisional ballot**, **secrecy envelope (PB-1)** and **outer envelope (PB-2)**.
9. Instruct the voter to place the **marked ballot** inside the **PB-1 envelope** and then insert the **PB-1 envelope** into the **PB-2 envelope**.
10. Instruct the voter to place the **PB-2 envelope** into the sealed **provisional ballot box**.
11. Once completed, place this form **PB-3** in the **PB-4 envelope**. In the case of an Inspector's Challenge, include the "**Inspector's Statement of Challenge of Eligibility to Vote**".

VOTER - DO NOT DETACH REIDENTIFICATION FORM FROM PB-3

VOTER'S REIDENTIFICATION/UPDATE FORM

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

NVRA-20PB

ⓐ 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 ⚡

ⓒ Print Your Name: _____

ⓓ Print Maiden Name / Former Name (if reporting a change of name) _____

ⓔ Date of Birth (mm/dd/yyyy) ⓕ Primary Telephone ⓖ Email Address

ⓗ Alabama Driver's License or Non-Driver ID Number: _____

ⓘ IF YOU HAVE NO ALABAMA DRIVER'S LICENSE OR ALABAMA NON-DRIVER ID NUMBER

ⓙ Last four digits of Social Security number: _____

ⓚ I do not have an Alabama driver's license or Alabama non-driver ID or a Social Security number.

ⓐ Addresses

Current

Address where you live: (Do not use post office box) _____ City _____ State _____ ZIP _____

Address where you receive your mail: _____ City _____ State _____ ZIP _____

Old

Address where you were last registered to vote: (Do not use post office box) _____ City _____ County _____ State _____ ZIP _____

ⓑ Race (check one)

☐ White ☐ Black

☐ Asian ☐ American Indian

☐ Hispanic ☐ Other

ⓒ Sex (check one)

☐ Female ☐ Male

ⓓ Place of Birth _____ City _____ County _____ State _____ Country _____

VOTER DECLARATION - READ AND SIGN

▶ 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

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.


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

Your Signature: _____ Date: _____

Appendix P: Provisional Voting Affirmation (continued)

★ FOR BOARD OF REGISTRARS AND CANVASSING BOARD USE ONLY ★	STATE REASON FOR COUNTING OR NOT COUNTING BALLOT	
★ INVESTIGATIVE FINDINGS AND WORKING NOTES	BOARD OF REGISTRARS ACTION <input type="checkbox"/> Count Ballot <input type="checkbox"/> Do Not Count Ballot These findings and determinations were made on the _____ day of _____, 20____ by the _____ County Board of Registrars pursuant to §17-10-2(e), Code of Alabama, 1975. _____ Signature of Chairperson _____ Signature of Board Member _____ Signature of Board Member	

VOTER - DO NOT DETACH REIDENTIFICATION FORM FROM PB-3

<p>VERIFICATION (to be completed by election official)</p> <p>The voter's eligibility and registration were confirmed by _____</p> <p>_____</p> <p>on the _____ day of _____, 20____.</p> <p>_____ Printed Name of Poll Official</p> <p>_____ Signature of Poll Official</p>	<p>Map/diagram: 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> <div><p>North</p></div> <p>REGISTRARS USE ONLY</p> <p>DATE <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED</p> <p>_____ (initials)</p> <p>Board member _____</p> <p>County Pct _____ Board member _____</p> <p>City Pct _____ Board member _____</p>
---	---

Appendix Q-1: Poll Watcher Authorization for Primary Election

Letter of Appointment for Poll Watcher in a Primary Election

I, _____, a candidate in the _____ Party
Primary Election to be held on _____, do hereby appoint _____
to serve as a poll watcher on my behalf at the following polling place in _____ County.

Signature of Candidate

Date

Appendix Q-2: Poll Watcher Authorization for General Election

Letter of Appointment for Poll Watcher in a General Election

I, _____, the Chair or an authorized representative of the
Chair of the _____ Party, do hereby appoint _____
to serve as a poll watcher on the _____ Party's behalf at the General Election to be held
on _____, at the following polling place in _____ County.

Signature of Political Party Chair or Authorized Representative

Date

Appendix R: Election Information Packet 2021

Elections Officials

- The State can only reimburse counties for inspectors and clerks that work at a voting precinct or count absentee ballots. The State cannot reimburse counties for election night help. Election night help would be those county commission or Probate Judge staff that stay late on election night.
- Please provide a list of all poll workers to our office. This list should include their name, check number, amount they were paid, an indication of who is a clerk and who is an inspector, and an indication of any individual who worked part time.
- Total number of Inspectors and Clerks and amounts paid.

An example is:

<u>Inspector</u>	<u>Clerk</u>
2@ \$125 = \$250.00	25@ \$100 = \$2,500.00
<u>1@ \$100 = \$100.00</u>	3@ \$75 = \$ 225.00
\$350.00	<u>1@ \$25 = \$ 25.00</u>
	\$2,750.00

- Base pay for an inspector is \$100 and base pay for a clerk is \$75. They are both paid an additional \$25 for attending election school. If a clerk worked part time, they are paid half of their base pay and the full amount for school pay.

<u>Part Time Clerk</u>
Base Pay (\$75/2) = \$37.50
<u>School Pay = \$25.00</u>
= \$62.50

- We will reimburse school pay even if the person does not work an election.
- We will also reimburse for working an election but not attending school. Please identify those individuals that did not receive school pay.
- We do NOT reimburse mileage for inspectors and clerks.
- We do not require a submission of cancelled checks for payments to inspectors and clerks.

Absentee Election Manager

- The AEM is paid the same amount as an inspector, which is \$125 per day. The AEM is required to fill out and submit an attendance form to our office. Along with this form the AEM must submit a cancelled check, check stub, or if paid by direct deposit, a copy of the payroll register. We do not pay FICA expenses.
- Absentee Election Manager may claim a maximum of 45 days plus the day of election for a total of 46 days. They may count holidays and weekends as days worked if they certify they worked those days. Days worked prior to the beginning of the 55-day period are not reimbursable. They can be reimbursed for working the seven-day period after an election.
- Primaries are 46 days and run-offs are 42 days, generally. If an election was held in the same county less than 45 days before the current election, then they may only claim the number of days since the last election.
- We do not reimburse pay for assistants or staff members that help the AEM. Please see the AG's opinion 2008-053.

Appendix R: Election Information Packet 2021 (Continued)

Preparing Voter List

- Probate Judge may claim \$.05 per name for the voters' lists that are prepared and given to the Absentee Election Manager and election officials.
- We will reimburse for two separate lists, but if one is a duplicate of the other then we can only reimburse for one list.
- The Probate Judge must provide a letter stating the number of voters on the list, total amount of payment sought, and who received the lists (i.e. AEM or inspector). The voters list given to the AEM should be printed 55 days before the election and the list given to the election officials should be printed within 10 days of the election.
- Please provide a copy of the cancelled check paid to the Probate Judge.

Ballots & Supplies

- Please provide invoices from Election Systems and Software for the following reimbursable expenses:
 - o ballot expense
 - o machine rental
 - o provisional supplies
 - o table kits
 - o freight
 - o automark coding
- In addition, please provide an invoice with the paid stamp or a cancelled check.
- We do not reimburse poll worker school, poll book setup, site support, logic and accuracy testing, software or firmware maintenance or licenses.
- Please provide a ballot or ballot copy that indicates what type of election whether federal, state, or local.

Advertising

- Reimbursement for ads required by the Alabama Code to be published in a local newspaper.
- Please provide a copy of the invoice, copy of the ad, and a copy of the cancelled check.
- These types of ads include:
 - Poll Worker list
 - Notice of Election
 - List of qualified electors (Voters List)
 - Supplemental Voters List
 - Change in polling place
 - Notice of testing voting equipment
 - Absentee Voting deadlines
 - Registration and Voting Aids for the Handicapped and Elderly

Appendix R: Election Information Packet 2021 (Continued)

Miscellaneous Expenses

- The following supplies are reimbursable supplies:
 - Pens
 - Pencils
 - Batteries
 - Black ink for printers
 - Ink for voting machines
 - Regular copy paper
 - Plastic storage bins
 - Voting ballot boxes
 - Rubber bands
 - Staples
 - Tape
 - Labels – used for sending out absentee ballots
- Please provide invoices, cancelled checks, and check stubs if the amount of the check is different from the amount on the submitted invoices. Do not submit invoices that are not reimbursable election expenses.
- Non-Reimbursable Expenses
 - Newsletters
 - Postage to mail newsletters
 - Security seals
 - Printing of voter information cards/precinct changes
 - Voting machine custodian
 - Maintenance of voting machines
 - Food
 - Drinks
 - Headphones
 - Election day support
 - Voting machine testing
 - Software maintenance agreements
 - Cardboard dividers
 - Logic and accuracy testing
 - Post office box rentals (unless it is being used for the purge after the Presidential Election)
 - Laminating supplies
 - Labels – if they are not used for absentee ballots
 - Stapler
 - Binders
 - Shredding services
 - Power bills
 - Telephone bills (land or cell)
 - Calculators

Appendix R: Election Information Packet 2021 (Continued)

- Portable toilets
- Tents
- Extension cords/power strips
- Rental of polling places
- Rental of tables and chairs
- Election certificates
- Personalized absentee ballots and supplies
- Signage
- Polling official handbooks
- Gas
- U-Haul Rentals

Postage Expenses

- We will reimburse postage costs associated with the following:
 - Mailing out absentee ballots. (We do not pay for postage on returned ballots)
 - Mailing out poll worker assignments and training notifications. (We do not pay for postage on response cards)
 - Mailing out poll worker checks.
 - Returning unused absentee ballots to the Secretary of State's Office.
- Postage used to mail out voter information cards or precinct changes is not reimbursable.
- Please provide copies of receipts from the post office, metered mail reports, or a signed letter stating amount of postage used and the purpose of the postage.

Appendix R: Election Information Packet 2021 (Continued)

Alabama Code Sections

Election Officials

• 17-8-1(b) - Appointment of Poll Workers

The precinct election officials shall have the following duties:

- (1) The inspector shall be in charge of the voting place and shall serve as returning officer for the voting place.
- (2) The registration list clerk shall check the name of voters against the list of registered voters and mark off the names of those who vote in order to prevent double voting. If any person whose name does not appear on the list of registered voters is permitted to vote by means of a certificate as provided in Section 17-10-3, or by means of a provisional ballot as provided in Sections 17-10-1 and 17-10-2, the registration list clerk shall legibly print the name and address on the list of registered voters, mark through the name to indicate that the person has voted, and record by the name whether the person voted by certificate, with source and date, or by provisional ballot.
- (3) The poll list clerk shall ensure that each voter signs the poll list as provided in Sections 17-9-15 and 17-13-7. A clerk shall print the voter's name on the poll list or a duplicate list so that the signature can be identified. The poll list clerk shall give a ballot to the voter with the stub attached to the ballot pad. Ballots shall be given out in sequence beginning with the lowest numbered ballot.
- (4) The ballot clerk, upon the request of a voter, shall assist the voter as necessary to deposit the ballot in the precinct ballot counter.

• 17-8-12(b) - Compensation of Election Workers

In addition to the compensation provided in subsection (a), each clerk shall be entitled to supplemental compensation paid by the state to ensure that the total compensation paid to each shall be in an amount of at least seventy-five dollars (\$75) per day, and each inspector shall be entitled to supplemental compensation paid by the state in an amount that ensures that the total compensation of an inspector is at least one hundred dollars (\$100) per day. Upon completion of a local election school or being certified as a qualified poll worker by the probate judge, or both, each clerk and inspector shall be entitled to receive an additional twenty-five dollars (\$25) per day in compensation from the state. The increase provided for in this subsection shall not increase or decrease any salary supplement paid under a local law which is in effect on October 1, 2005. The provisions of this subsection shall only apply to those statewide elections for which county expenses are reimbursed by the state as defined in Chapter 16. The provisions of this subsection shall not apply to special county or other elections held at any time other than at the time of holding statewide elections.

Note: No mileage is paid to inspectors. This was removed from the Code in 1993.

Appendix R: Election Information Packet 2021 (Continued)

• 17-11-II(a) - Officials for counting Absentee Ballots

For every primary, general, special, or municipal election, there shall be appointed one inspector and at least three clerks, named and notified as are other election officials under the general laws of the state, who shall meet, at the regular time of closing of the election on that day, in the court house, or municipal building for municipal elections, as designated by the absentee election manager for the purpose of counting and returning the ballots cast by absentee voters. The returns from the absentee precinct shall be made as required by law for all other boxes. It shall be unlawful for any election official or other person to publish or make known to anyone the results of the count of absentee votes before the polls close.

Absentee Election Manager

• 17-11-2-Absentee Election Manager

In each county there shall be an "absentee election manager," who shall fulfill the duties assigned by this chapter. The circuit clerk of the county shall, at his or her option, be the absentee election manager. If the circuit clerk of the county declines the duties of absentee election manager, the appointing board shall thereupon appoint an absentee election manager, who shall be a person qualified by training and experience, who is a qualified elector of the county and who is not a candidate in the election to perform the duties assigned by this chapter. The county commission shall designate the place or office where such duties shall be performed. Such place or office shall be open on the days and during the hours as that of the circuit clerk prior to each election. Any person so appointed shall have all the powers, duties, and responsibilities of the circuit clerk for the purposes of this chapter, including the power to administer oaths. Such powers, duties, and responsibilities shall terminate when the election results are certified. The absentee election manager or circuit clerk shall be entitled to the same compensation for the performance of his or her duties as is provided in Section 17-11-14.

• 17-11-14-Compensation of Absentee Election Manager

The county commission shall determine the amount of compensation to be paid to the absentee election manager or other absentee election manager for the performance of his or her duties with respect to absentee ballots for which his or her services are required during the 55-day period prior to the election, the day of the election, and the seven-day period following the election during which ballots under the Uniformed and Overseas Citizens Absentee Voting Act may be returned, but such compensation shall be at least fifty dollars (\$50) per day or the same pay as an inspector as authorized under Section 17-8-12, and the total number of days worked may not exceed 46 days. In all counties in which the compensation of absentee election managers is prescribed by local law or general law of local application at an amount in excess of the amount prescribed, the compensation of the absentee election manager shall not be increased or decreased. The amount shall be the total compensation allowed the absentee election manager for duties relating to absentee ballots in all elections held on the same day and shall be paid from the county treasury. Any reimbursement shall be as provided in Chapter 16.

• Attorney General's Opinion 2008-053*

*Please see attachment for full opinion.

Appendix R: Election Information Packet 2021 (Continued)

Judge of Probate's Voter Lists

• 17-3-60 - Clerical Assistance for Judge of Probate

The judge of probate may employ such assistants and clerical help as may be necessary to complete and properly prepare reports from the state voter registration list of the list of qualified electors which the judge of probate is required to furnish a certified copy to the election inspectors. The judge of probate shall receive or such assistants shall be paid out of the county treasury by warrants, drawn by the county commission on certificate of the judge of probate, accompanied by the certificates of the person being paid, showing the amount due under the provisions of this chapter, but the entire amount spent for the preparation of such lists shall not exceed a sum equal to the amount obtained by multiplying the number of names on the list by five cents (\$.05) for the preparation of such list. The judge of probate in all counties having a population of not less than 100,000 nor more than 350,000, according to the last or any subsequent federal census, shall employ a clerk to assist the board of registrars of the county. The duties of the clerk shall be to submit to the board of registrars revised election lists of the county by placing all persons in their proper ward or precincts and eliminating therefrom all deceased, nonresident, and fictitious persons named upon the voting roll and those convicted of crime. The clerk shall further attend to all clerical work of the board of registrars. The clerk shall be paid a compensation out of the county treasury, of not more than two hundred fifty dollars (\$250) per month, to be fixed by the judge of probate.

The board of registrars shall be furnished with office space by the county governing body. The chair of the board of registrars is hereby authorized to purchase all necessary office equipment and hire all necessary part time or full time clerical help to perform its prescribed duties.

Note: We will pay for 2 lists. One to the AEM and one to the election officials.

• 17-11-5(b) -Maintenance of the Voter List -This is the list given to the AEM.

The official list of qualified voters shall be furnished to the absentee election manager by the judge of probate using a printout from the state voter registration list of registered voters for that county containing voter registration information useful in the identification of absentee voters. The information provided in this report shall be established by rules adopted by the Secretary of State with the advice of the Alabama Circuit Court Clerks Association or its members and shall indicate whether the individual is obligated to produce identification in accordance with Sections 17-9-30 and 17-10-1. The Secretary of State may further provide by administrative rule for electronic access to this list for optional use by the absentee election manager. This list shall be made available beginning at least 55 days before the election. In municipal elections, the official list of qualified voters shall be furnished to the absentee election manager at least 35 days before the election. Any supplemental list of qualified electors shall also be provided to the absentee election manager as soon as the list becomes available. The absentee election manager shall underscore on the list the name of each voter who has applied for an absentee ballot and shall write immediately beside his or her name the word "absentee." The Secretary of State by rule may provide for electronic access to the absentee election manager's county list of registered voters and for the method of identifying applicants for absentee ballots in conjunction with the state voter registration list.

Appendix R: Election Information Packet 2021 (Continued)

• 17-4-2-State Voter Registration Lists-This is the list given to the inspectors of each precinct.

The board of registrars, when registration is closed before a primary, general, or special election, shall certify to the Secretary of State any additions, deletions, corrections, or changes to the state voter registration list. Except as provided in Section 17-4-2.1, after registration has closed and within the 10-day period before an election, the judge of probate and municipal election officials shall prepare and print a report from the state voter registration list of the correct alphabetical lists of the qualified electors registered by precincts, districts, or subdivisions of a precinct where the precinct has been divided or subdivided, if not within a city or incorporated town, and by wards and other subdivisions, if within a city or incorporated town, and no others. An electronic archive in the database for the state voter registration list shall be recorded simultaneously with the printing of each county's list of qualified voters. Each printed list of qualified voters shall contain a printed certification generated by the state voter registration system establishing that the contents of the list are true and correct as of the specified time and date when it was printed. The judge of probate shall deliver or cause to be delivered to the inspectors in each precinct, each district, each ward, or each other subdivision one copy of the list of qualified electors printed for such box or voting place immediately preceding every general, primary, or special election, and the delivered list shall contain only the names of persons qualified to vote at such box or voting place; except, that for purposes of information only, there may be delivered to the inspectors lists prepared for other boxes or voting places. The list published in the newspaper before each primary election shall not be used as the poll list.

Notwithstanding the foregoing, electronic access to the state voter registration list may be utilized in lieu of a printed list in accordance with administrative rules promulgated and implemented by the Secretary of State. The Secretary of State shall send any proposed new rule or amendment to an existing rule by certified mail to each county canvassing board at least 30 days prior to certification of the proposed rule or amendment pursuant to the Administrative Procedure Act.

Both the board of registrars and the judge of probate shall keep a current copy of the qualified elector list for the county open and subject to public inspection.

Advertising

• 17-8-2 - Notice of Appointment

The judge of probate shall notify such inspector and clerk of their appointment by mail and publish a list of them in a newspaper of general circulation published in the county.

Note: The election officials must be notified by mail and publication in a newspaper.

• 17-8-9(a)-Instruction of Election Officials.

Not less than five days before an election or primary election, the authority charged with holding the same shall cause to be held a school of instruction for those who will actually conduct the election or primary election at the polling places. The judge of probate shall notify such election officials of the time and place of the holding of such school of instruction, and shall also publish notice at least 48 hours before the same is to be held.

Note: We will pay for postage to mail the notification of appointment and of their training.

Appendix R: Election Information Packet 2021 (Continued)

• 17-4-1-Lists of registered voters to be published.

The judge of probate shall publish from the state voter registration list a correct alphabetical list of qualified electors either by county, precinct, district, or subdivision wherein each elector is registered to vote, in some newspaper with general circulation in the county, on or before the twentieth day preceding the regularly scheduled primary election. The list shall be accompanied by a printed certification generated by the state voter registration system verifying that the list contains the names of all qualified electors registered as of the specified time and date when it was printed. The list shall further state that any elector whose name was inadvertently omitted from the list shall have 10 days in which to have his or her name entered upon the list of qualified voters. If within 10 days any voter shall reasonably satisfy the board of registrars by proper proof that any name should be added to the list, the board shall add such name to the list. The supplemental list of registered voters inadvertently omitted from the original list shall be published once in a newspaper of general circulation in the county on or before the seventh day preceding the date of the primary election. The lists required to be published pursuant to this section may be published, at the discretion of the county commission, as a preprinted or inserted advertising supplement at a cost no greater than the selected newspaper's lowest applicable national insertion rates. If the list is published as a preprinted supplement in the selected newspaper, the supplement size shall conform to the size requirements set by the selected newspaper and shall be printed on standard newsprint paper. The type size shall be no smaller than nine point standard type. The list shall also be delivered to the newspaper for insertion in a manner required for other advertising supplements. The supplement may not contain any other advertising. Any newspaper accepting a preprinted insertion that is not prepared by the newspaper shall not be responsible for the content of such insertion. Nothing in this section shall prohibit a county commission from publishing the list of voters in more than one newspaper within the county at the county commission's discretion.

Note: This should only be published for regularly scheduled primaries.

• 17-9-5 Notice of Election

The judge of probate must give notice at least 30 days before each election by publication in a newspaper of general circulation in the county, if any is published therein and, if not, by writings posted at the courthouse door and at three other public places in the county, of the time of holding and the offices to be filled by such election. Such notice shall consist only of the date of the election and the officers to be voted for or subjects to be voted on.

• 21-4-23(b) - Registration and voting aids

The appropriate election officials of each county shall issue public notice in each voting precinct of the requirement for and the availability of these registration and voting aids, which notice shall be notification for all handicapped and elderly individuals. This notice shall be issued as early as practicable, but in any case not later than 60 days before any state election or the registration deadline for such election.

Appendix R: Election Information Packet 2021 (Continued)

Reimbursement of Election Expenses

• 17-16-2 Reimbursing counties for election expenses – “Expenses” defined.

As used in this chapter, the term "expenses" shall include the following items and any other items approved as reimbursable expenses by the Election Expense Reimbursement Committee pursuant to Section 17-16-2.1:

- 1) The compensation and mileage provided by law for election officials.
- 2) The compensation provided by law for the clerk or other official acting as absentee election manager.
- 3) The costs of ballots, supplies, and other materials or equipment necessary for election officials to conduct elections as required by law and as certified by the judge of probate as chief election official of the county.
- 4) The costs of absentee ballots, supplies, postage, and other materials required by law to be furnished to the absentee election manager.
- 5) The cost of preparing and furnishing the lists of qualified electors to the election officials as required by law.
- 6) The cost of publishing any notice or other item related to any election and required by law, including, but not limited to, the publication of notice of any election and any voter lists.

Appendix S – Administrative Rules

The Secretary of State and the Electronic Voting Committee have promulgated rules under the Alabama Administrative Act on the following areas of law:

Procedures for Electronic Vote Counting Systems –

Chapter 307-X-1 (See S-1 following)

General Implementation of the Help America Vote Act –

Chapter 820-2-1 (See S-2 following)

Voter Registration – Chapter 820-2-2 (See S-3 following)

Absentee Voting – Chapter 820-2-3 (See S-4 following)

Ballot Access for Political Parties and Independent Candidates – Chapter 820-2-4 (See S-5 following)

Procedure to Complain about Violations of the Title III of the Federal Help America Vote Act of 2002 – Chapter 820-2-5 (See S-6 following)

Provisional Voting – Chapter 820-2-6 (See S-7 following)

Cross-Over Voting – Chapter 820-2-6.1 (See S-8 following)

Fair Campaign Practices Act Filing Regulations – Chapter 820-2-8 (See S-9 following)

Implementation of Alabama Photo Voter Identification Law – Chapter 820-2-9 (See S-10 following)

Procedures for Implementing the Uniformed and Overseas Citizens Voting Act (UOCAVA) – Chapter 820-2-10 (See S-11 following)

For information, contact the Secretary of State's office by telephone at (334) 242-7210 or visit the Secretary of State's website at: <http://www.sos.alabama.gov/>. Then, follow the "Administrative Code" link under the "Records" tab.

**Appendix S-1: Chapter 307-X-1 Procedures for Electronic
Counting Systems**

**STATE OF ALABAMA
OFFICE OF THE SECRETARY OF STATE
ELECTIONS DIVISION**

**ADMINISTRATIVE CODE
CHAPTER 307-X-1 PROCEDURES FOR ELECTRONIC
COUNTING SYSTEMS**

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307-X-1-.23	Direct Recording Electronic Voting Devices

307-X-1-.01 Definitions. Unless otherwise clearly indicated the following terms shall be given the following interpretations.

(1) **BALLOT CONFIGURATION:** The particular combination and arrangement of offices, candidates and questions for a precinct or subdivision thereof.

(2) **BALLOT LABEL:** A card, paper, booklet, or other material that contains the names of the offices and candidates and statements or questions to be voted on.

(3) **CENTRAL BALLOT COUNTER:** A marksense ballot counter that reads and tabulates marksense ballots at a central location to which ballots are transported after the polls close. There may be more than one central counter in a county.

(4) **COMMITTEE:** The Alabama Electronic Voting Committee, established by Act 83-200.

(5) **DIRECT RECORDING ELECTRONIC VOTING DEVICE:** An electronic device that records and tabulates electronic ballots.

(6) **ELECTRONIC BALLOT:** A ballot that utilizes electronic media or computerized systems for presenting the names of the offices and candidates and statements of questions to be voted on and for recording votes.

(7) **HEADER CARD:** A card or ballot which is coded to indicate to a central counter the precinct identity of the marksense ballots that follow immediately.

(8) **MARKSENSE BALLOT:** A machine-readable ballot which utilizes paper for presenting the names of the offices and candidates and statements of questions to be voted and on which the voter marks his or her choices in designated voting response locations.

(9) **MARKSENSE BALLOT COUNTER:** An electronic vote counting device that reads and tabulates marksense ballots.

(10) **MEMORY PACK:** A device capable of storing electronically the totals of a precinct ballot counter.

(11) **MEMORY PACK TABULATOR:** A device capable of reading precinct returns from memory packs and totaling these returns for the county and other electoral districts.

(12) **OVER-VOTE:** An attempt to vote for more than the allowed number of candidates for one office.

(13) **PRECINCT:** The smallest unit of the electoral system. As used in these rules the term refers to a single ballot counter or ballot box where voters cast their ballots. For example, if three ballot counters and their attendant officials are housed in the same building and the list of registered voters is divided geographically or alphabetically so that each voter is assigned to a single counter, then there are three separate precincts

voting in the same building. However, where voting centers have been adopted, more than one precinct counter can be used in the same precinct.

(14) **PRECINCT BALLOT COUNTER:** A marksense ballot counter that reads and tabulates marksense ballots at the precinct where they are cast.

(15) **PRIVACY BOOTH:** A stand used to provide privacy for voters in completing their ballots.

(16) **VOTING CENTER:** An arrangement authorized by local legislation whereby multiple voting machines may be used in a single precinct.

(17) **VOTE RECORDER:** A device into which a ballot card is inserted and which is used by the voter to punch holes in the card for the purpose of recording votes.

(18) **VOTING STATION:** A table, booth, or device that permits a voter to complete a ballot in privacy. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b). **History:** **New Rule:** Filed February 10, 1998; effective March 17, 1998. **Amended:** Filed February 7, 2002; effective March 14, 2002.

307-X-1-.02 Application Of Law. Except as provided in these rules, the use of marksense ballots in all elections shall be governed by the law governing the use of paper ballots and the use of direct recording electronic voting devices shall be governed by the law governing voting machines including, where local legislation permits, the use of voting centers. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b). **History:** **New Rule:** Filed February 10, 1998; effective March 17, 1998. **Amended:** Filed February 7, 2002; effective March 14, 2002.

307-X-1-.03 Application To Municipal Elections. To the extent practicable, these rules shall apply in all municipal elections that are conducted using direct recording electronic voting devices or marksense ballot counting systems. The duties assigned in these rules to a state or county election official shall be performed by the corresponding municipal official. Where there is no corresponding municipal official, these duties shall be performed by the municipal clerk or other election official where the clerk is ineligible to perform these duties. Where these rules refer to a statutory provision or Act that conflicts with a statutory provision or Act specifically applicable in municipal elections, the provision governing municipal elections shall prevail. For purposes of municipal elections, references in these rules to the county governing body shall mean the municipal governing body. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b). **History:** **New Rule:** Filed February 10, 1998; effective March 17, 1998. **Amended:** Filed February

7, 2002; effective March 14, 2002.

307-X-1-.04 Testing Of Precinct Ballot Counters.

(1) The probate judge shall have each precinct ballot counter tested to ascertain that it will accurately count the votes cast for all official and all measures. Each counter shall be publicly tested before each election in which it is to be used. The date of the public test shall be as close as is practical to the date of the election and not more than fourteen

(14) days [required by §17-24-9] before the election. Public notice of the time and place of the test shall be given.

(2) Test ballots are to be marked as such and shall be marked so that each candidate and each position on each amendment or other proposition shall receive at least two (2) votes. There shall be at least one over-vote in each race. In general elections, some of the ballots shall be voted straight ticket and others split ticket; and there shall be at least one write-in vote for each contested office. To facilitate the testing of precinct counters, duplicate sets of test ballots may be prepared. These duplicate test ballots may be validated either by hand counting or by counting on a piece of equipment that has correctly tabulated the original test ballots. The test ballots shall be hand counted and the results recorded and retained.

(3) At the time appointed for the public test, the probate judge and the county chairman of each party having candidates in the election, or their authorized representatives, shall meet and shall collectively prepare a sufficient number of test ballots. Party chairman may choose to waive their right to mark ballots and accept in lieu thereof ballots marked by the Probate Judge or his or her designee. Each piece of equipment shall be tested using the test ballots, and the results shall be compared with the record of the hand count. The manufacturer's prescribed test procedure may be substituted for the procedure outlined in this paragraph upon written approval by the Electronic Voting Committee.

(4) As an alternative to the public testing of all precinct counters, the following procedure may be used. The probate judge or his designee shall test each counter prior to the public test and shall see that the cause of any discrepancies are corrected. Representatives of candidates and parties participating in the election may attend this test. The test materials and printed output of this test shall be attached to the counters, which shall subsequently be assembled for the public test. At the public test a sample of counters shall be selected for retesting by drawing lots. At least one counter shall be selected and tested for each ballot configuration. Each candidate in a primary and each party in a general election may select an additional machine representing each ballot type for public testing. If any

precinct counter fails to produce a completely accurate count, all counters using the same ballot configuration shall be tested.

(5) The causes of any discrepancies shall be corrected before the equipment is sealed and certified ready for the election. Immediately after each piece of equipment has correctly tabulated the test ballots, the operator shall clear the machine, setting all counters to zero and making the machine ready for use on election day. Then the equipment shall be sealed by the probate judge or his representative and certified ready for use.

(6) Where memory packs and memory pack tabulators are used, these devices shall be tested along with the precinct counters. The data from each memory pack shall be read into the tabulator, and the total shall be compared with a total that is hand tabulated from the printed output of the precinct counters for at least one countywide office, which is to be selected at the time of the test by a random procedure. Candidates for other offices, or their representatives, shall be permitted to audit the test totals for their offices if they so desire. The causes of any discrepancies shall be corrected before the equipment is sealed and certified ready for use. After the test, all test materials (including the results of the hand count, the test ballots, and the printed output from each counter) shall be sealed in a box or envelope and given to the sheriff to be maintained unopened for use in the event of contests.

(7) All proceedings of the public test, from the beginning of the test to the conclusion of the same, shall be open to the public. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b).

History: New Rule: Filed February 10, 1998; effective March 17, 1998.

Amended: Filed February 7, 2002; effective March 14, 2002.

307-X-1-.05 Testing Of Central Ballot Counters. Each central ballot counter shall be tested in the same manner as required for precinct counters except that there shall be a set of test ballots, together with any necessary header cards for each ballot configuration to be voted on in the county or section of the county to which the central counter is assigned. In addition to the pre-election test prescribed for precinct counters, all central ballot counters will be tested on election day before and after the ballots from the precincts are counted. The tests on election day shall be conducted by the poll officials assigned to the central counter using the same test ballots that were used by the probate judge in the pre-election test. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b). **History: New Rule:** Filed February 10, 1998; effective March 17 1998.

307-X-1-.06 Ballots.

(1) Marksense ballots shall, so far as practicable, be in the same order of arrangement as provided by Sections 17-8-4 and 17-8-5 for paper ballots, except that they shall be of the size and design required by the marksense ballot counters and may be printed upon one or more separate pages or cards. Marksense ballots shall not contain the square for the voters' numbers as provided in Sections 17-8-13 and 17-8-35, and seals shall not be provided for each ballot. Marksense ballots shall be manufactured with one detachable stub and numbered sequentially within each county with the sequence number printed on the stub but not on the ballot itself. There shall be printed on each marksense absentee and precinct ballot (both for precinct count and central count ballots) the ballot style number. This ballot style number shall represent the political race makeup of the ballot.

(2) In primary elections, constitutional amendments may be printed on party ballots, provided that sufficient ballots containing only the constitutional amendments are available for these voters who do not wish to sign the pledge for a party ballot.

(3) Secrecy envelopes or folders shall be provided in sufficient quantity for use by voters in transporting their completed ballots from the voting stations to the precinct counter or ballot box. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala., 1975, §17-24-7(b). **History: New Rule:** Filed February 10, 1998; Effective March 17, 1998. **Amended:** Filed February 7, 2002; effective March 14, 2002.

307-X-1-.07 Custody And Transportation Of Equipment. Sections 17-9-36 and 17-9-37, which provide for the custody and transportation of voting machines, shall apply to marksense ballot counters as well. In addition to the custodian now authorized by law, a county may employ electronic voting specialists to serve as troubleshooters during elections. These persons are to be trained in the operation of electronic voting equipment and in these procedures. They may be sent to assist in any precinct, but they shall not assume the title or authority of the regular poll workers assigned to a precinct. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b). **History: New Rule:** Filed February 10, 1998; effective March 17, 1998. **Amended:** Filed February 7, 2002; effective March 14, 2002.

307-X-1-.08 Voters Per Precinct. In assigning voters to voting equipment as provided by Sections 17-5A-3 through 17-5A-6, the county commission shall not be bound by the limits of 300 voters per ballot box or 600 voters per voting machine. The county commission shall provide sufficient precinct counters, or ballot boxes where central counters are used, to

ensure that all qualified voters shall be given an opportunity to vote without undue delay. There shall be at least one precinct counter, or ballot box where central counters are used, for each 2400 expected voters or fraction thereof. The number of expected voters shall be the largest number of votes cast in that precinct during the last four years. If the manufacturer's recommended maximum number of ballots is less than 2400, then that recommended number shall be used to determine the number of counters. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b). **History:** **New Rule:** Filed February 10, 1998; effective March 17, 1998.

307-X-1-.09 Provision Of Voting Stations. The county commission shall provide sufficient voting stations so that each voter shall be given the opportunity to vote in privacy without undue delay. At no time shall the number of voters permitted in the voting area exceed the number of private voting stations available, unless the voter chooses to vote without utilizing a private voting station. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b). **History:** **New Rule:** Filed February 10, 1998; effective March 17, 1998. **Amended:** Filed February 7, 2002; effective March 14, 2002.

307-X-1-.10 Appointment And Duties Of Poll Officials.

(1) The poll officials to be appointed in accordance with Section 17-6-1 shall be at least one inspector and three clerks. The inspector shall be in charge of the precinct, shall serve as official challenger in accordance with Section 17-12-2, and shall serve as precinct returning officer in accordance with Section 17-6-1.

(2) The registration list clerk shall check the name of voters against the list of registered voters and mark off the names of those who vote in order to prevent double voting. If any persons whose names does not appear on the list of registered voters are permitted to vote only by means of a certificate as provided in Sections 17-4-127 and 17-16-23, or by means of a challenged ballot as provided in Chapter 17-12 and Sections 17-16-23 and 17-16-24, the registration list clerk shall legibly print their names and addresses on the list of registered voters, mark through the names that these persons have voted, and record by the names the means by which they voted, i.e. certificate (with source and date) or challenged ballots.

(3) The poll list clerk shall ensure that each voter signs the poll list as provided in Sections 17-7-15 and 17-16-14. The second poll list provided for by Sections 17-8-34 and 17-9-23 is not mandatory. However, if the voter's signature is illegible, a clerk shall print the voter's name on the same or a duplicate list so that the signature can be identified. The poll list

clerk shall give a marksense ballot to the voter, being sure that the stub remains attached to the ballot pad. The ballots shall be given out in sequence beginning with the lowest numbered ballot.

(4) Upon the request of a voter, the ballot clerk shall assist the voter as necessary to deposit the ballot in the precinct ballot counter or, where central counters are used, in the ballot box, taking care to preserve the secrecy of the ballot box.

(5) A county may employ additional poll officials, as necessary to serve at any precincts and at a central ballot counter or memory pack tabulator where these are used. These additional poll officials shall be appointed in the same manner and serve under the same conditions as the poll officials named in this section. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b). **History:** **New Rule:** Filed February 10, 1998; effective March 17, 1998. **Amended:** Filed February 7, 2002; effective March 14, 2002.

307-X-1-.11 Opening The Polls.

(1) All poll officials shall report to the voting place at least 30 minutes before the polls open. Where precinct ballot counters are used, each counter must be tested in accordance with the manufacturer's instructions to ensure that all vote counters are set at zero and to prepare the equipment for voting. The test shall be performed in the presence of two watchers of opposite interests, if they are present. Any error must be reported to the custodian and no vote shall be tabulated on the equipment until it is repaired or a substitute is provided. A malfunction of a precinct counter shall not prevent the opening of the polls, and the receipt of ballots shall proceed using the procedure described under "equipment failure" below. When the test has been satisfactorily completed, the inspector, the ballot clerk, and the watchers, if any are present, shall sign a certificate to that effect.

(2) Where vote recorders are used, the poll officials shall compare the ballot pages of each recorder with a sample ballot for that precinct to determine that they agree and shall also vote every position of a specially marked demonstration ballot and compare the punches with the pages of the recorder to determine that they agree. No recorder may be used in a precinct until it has been so verified.

(3) Where central ballot counters are used, the Judge of Probate, Sheriff, and Circuit Clerk are to inspect the ballot boxes to be used in the election to determine that they are empty. They then shall lock and seal the ballot boxes prior to the boxes being issued to the Inspectors of the respective precincts. The locks used shall be the type that utilizes a key or combination, and the seals used may be plastic, metal, or other material;

however they shall be numbered. The design of the ballot box should enable the lock to be placed on the portion of the ballot box which would cause no contents to be removed without removing the lock. The numbered seal is placed on the insertion door of the ballot box whereby the numbered seal would have to be removed prior to any ballot being placed into the ballot box. The locking and sealing of the ballot boxes shall be done in public and the sheriff shall give proper notification. Also present at the locking and sealing of the ballot boxes may be a representative of any political party who has a candidate whose name is contained on the ballot of the election which is to be held, and any other witnesses that may be present. The Judge of Probate, Sheriff, and Circuit Clerk shall prepare a statement which certifies that the ballot boxes were empty, locked, and sealed prior to the election, and prior to the ballot box being delivered to the Inspector of the respective precincts. This statement shall also list the date, time, and place of the locking and sealing, and shall have included the seal numbers imprinted on the seals which are placed on the ballot boxes. The original copy of this statement shall be made part of the permanent record of election file and kept on file with the Judge of Probate. The duplicate copy of this statement shall be filed with the Sheriff.

(4) Prior to opening the polls, the Inspector of the precinct along with one other election official, shall remove the numbered seal from the insertion portion of the ballot box and verify that the ballot box was empty. If for any reason the ballot box seal has been broken or the ballot box contains any material, the Inspector shall immediately call the Sheriff, prior to the opening of the polls. The numbered seal that has been removed from the insertion portion of the ballot box shall be placed in an envelope and the "Ballot Box Inspection Report" shall be completed. (This form shall state that the ballot box was empty prior to the polls being opened and be signed by the Inspector and the other polling officials of the respective precinct.) Under no circumstances shall the ballot box be opened at the precinct. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b). **History:** **New Rule:** Filed February 10, 1998; Effective March 17 1998. **Amended:** Filed February 7, 2002; effective March 14, 2002.

307-X-1-.12 Ballot Accounting Certificates.

(1) As soon as the marksense ballots are issued to a precinct, the issuing authority, or his representative, and the inspector shall complete and sign the following statement:

"Marksense ballots numbered sequentially from _____ (lowest numbered ballot) through _____ (highest numbered ballot) were issued to

_____ (name of precinct) at _____ (time) on _____ (date).”

(2) Immediately after the last vote has been cast, the poll officials shall complete the following statement:

“Total number of unused ballots _____

Number of spoiled ballots _____

Number of votes from public counter of machine (precinct counter only) _____

Number of marksense ballots voted _____ (central counters only)” **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b). **History: New Rule:** Filed February 10, 1998; effective March 17, 1998. **Amended:** Filed February 7, 2002; effective March 14, 2002.

307-X-1-13 Number Of Voters In Polling Place. The limit of ten electors per polling place prescribed by Section 17-8-29 shall not apply where either marksense ballot counters or direct recording electronic voting equipment are used. In precincts utilizing marksense ballot counting systems, at no time shall the number of voters permitted in the voting area exceed the number of private voting stations available unless the voter chooses to vote without utilizing the private voting stations. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b). **History: New Rule:** Filed February 10, 1998; effective March 17, 1998. **Amended:** Filed February 7, 2002; effective March 14, 2002.

307-X-1-14 Spoiled Ballots. Spoiled ballots shall be retained in a separate container. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b). **History: New Rule:** Filed February 10, 1998; effective March 17, 1998.

307-X-1-15 Challenged Ballots.

(1) The procedure for challenging voters shall be the same as prescribed in Chapter 17-12 and Sections 17-16-23 and 17-16-24. After the challenged voter has signed the poll list, the poll list clerk shall: take a regular marksense ballot, write on it the number adjacent to the voter’s name on the poll list, disable the ballot so that it cannot be counted electronically, and give it to the challenged voter. A challenged ballot may also be cast on a paper ballot as now prescribed by law. When the challenged voter has completed the ballot, it shall be deposited in a separate box or envelope maintained for that purpose by the ballot clerk. In central count systems, challenged ballots shall be counted by hand after the central count poll officials at the central count location have been closed the polls. In

precinct count systems, challenged ballots shall be counted by hand by the precinct poll officials at the precincts and the results shall be handwritten on the tape printed by the precinct ballot counter which contains the totals.

(2) Where multiple poll lists are used in a voting center, a separate challenged voters' poll list shall be used so that each number can be associated with only one name. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b). **History:** **New Rule:** Filed February 10, 1998; effective March 17, 1998. **Amended:** Filed February 7, 2002; effective March 14, 2002.

307-X-1-.16 Write-In Votes. Write-in votes shall be permitted only in non-municipal general elections. The ballot must be constructed so that the voter can mark or punch a write-in vote for each office in the same manner that votes are registered for regular candidates. In order to cast a valid write-in vote, the voter must: (1) write the name on the ballot or secrecy envelope and (2) register the vote by a mark or punch in the space designated for that office. A write-in shall not be counted if the vote is not registered as provided above. Over-votes caused by write-ins shall be treated in the following manner. If a voter registers a vote for a name on the ballot and then writes in another name for the same office but fails to register the write-in vote, the ballot shall be treated as if no write-in had occurred and the regular vote shall be counted. If a properly registered write-in causes an over-vote, it shall be treated as any other over-vote; and none of the votes for the over-voted office shall be counted. However, the remainder of the ballot shall be counted. When counting write-in votes, poll officials must check for over-votes if the marksense ballot counter does not perform the function. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b). **History:** **New Rule:** Filed February 10, 1998; effective March 17, 1998. **Amended:** Filed February 7, 2002; effective March 14, 2002.

307-X-1-.17 Counting Of Votes.

(1) An elector's ballot shall be counted for each office to be filled except for each office where it is impossible to determine the elector's choice for that office. The inability to determine the voter's choice for any particular office to be filled shall not cause the rejection of votes for other offices where the elector's choice may be determined. No ballot shall be rejected for any technical error which does not make it impossible to determine the elector's choice.

(2) (a) In precincts utilizing precinct ballot counters, the counters shall be programmed to return the ballot to the elector if the elector has marked more names than there are persons to be elected to a particular office. The

elector shall be provided the opportunity to review his or her ballot and to correct the ballot.

(b) If the elector chooses to correct the ballot, the original ballot shall be spoiled by a poll worker and the elector shall be issued a new, blank ballot.

(c) If the elector chooses not to correct the ballot, the elector shall deposit the ballot into a ballot box or other suitable container. After the close of the polls, polling officials shall count said ballot by hand as described in Sections 17-13-1 and 17-13-2. The determination of the elector's choice shall be governed by paragraph (4) of this rule. Poll watchers of opposing interests and members of the media, if any are present, shall be permitted to witness this process.

(3)(a) In counties utilizing central ballot counters, the counters shall be programmed to return a ballot to poll officials if the elector has marked more names than there are persons to be elected to a particular office. Each returned ballot shall be counted by hand pursuant to this section.

(b) Each ballot shall be reviewed by polling officials to determine the elector's choice for each office to be filled. This determination shall be made pursuant to the standards set forth in paragraph (4) of this rule.

(c) Upon determining the elector's choice for each office, the polling officials shall manually add the elector's votes to the total votes for each candidate for the offices to be filled.

(4) In determining the elector's choice, polling officials shall consider the ballot as a whole and determine the manner in which the elector marked his or her choices on the ballot. Only those choices marked consistently in this manner shall be counted for each office to be filled. As used herein, "marked consistently" pertains to the manner in which the voter expresses his or her choice and not the pattern of candidates selected as between political parties on the ballot. If the polling officials are unable to determine the manner in which an elector marked his or her choices, the ballot shall be rejected in its entirety.

(5) (a) If a precinct ballot counter should malfunction, the poll shall remain open and voters shall deposit their ballots in a ballot box or other suitable container. The inspector shall notify the custodian, who shall attempt to repair or replace the equipment, and the probate judge, who shall maintain a public list of all precincts in which equipment failure has occurred.

(b) If the precinct ballot counter cannot be repaired, after the polls close the ballot box shall be opened and the ballots counted either by hand as described in Sections 17-13-1 and 17-13-2 or by feeding the ballots into an operable precinct ballot counter. If counted by hand, the determination

of the elector's choice shall be governed by paragraph (4) of this rule. Poll watchers of opposing interests and members of the media, if any are present, shall be permitted to witness this process.

(c) In counties utilizing precinct ballot counters, any ballot returned by the machine in a post-election recount must be counted by hand following the rules for central ballot counters as provided in paragraph (3) of this rule. The results of this hand count shall be added to the certificate of results, and the ballots shall be bound separately and returned with the other ballots.

(6) If a central ballot counter should malfunction, the count shall be suspended until the equipment is repaired or replaced or the ballots are counted by hand as described in Sections 17-13-1 and 17-13-2. If counted by hand, the determination of the elector's choice shall be governed by paragraph (4) of this rule. Poll watchers of opposing interests and members of the media, if any are present, shall be permitted to witness this process.

(7) (a) In counties utilizing precinct ballot counters, if a ballot is defective and the counter is unable to accept or read the ballot, the ballot shall be spoiled and the elector shall be issued a new ballot.

(b) In counties utilizing central ballot counters, if a ballot is defective and the counter is unable to accept or read the ballot, the ballot shall be counted by hand as described in Sections 17-13-1 and 17-13-2. If counted by hand, the determination of the elector's choice shall be governed by paragraph (4) of this rule. Poll watchers of opposing interests and members of the media, if any are present, shall be permitted to witness this process. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b). **History:** **New Rule:** Filed February 10, 1998; effective March 17, 1998. **Amended:** Filed February 7, 2002; effective March 14, 2002.

307-X-1-.18 Certificate Of Results.

(1) Where precinct counters are used. After closing the polls and sealing the required records, the poll officials shall follow the manufacturer's instructions to lock the equipment against further voting and to obtain printouts of the votes on each office and question. The first printout shall be torn from the equipment so that all printing during the day, from the initial test before the polls opened through the first printout of results shall be on one continuous sheet or roll of paper. Then, other printouts of the results shall be produced and torn out. To each certificate shall be added, if it is not automatically printed, the following information:

(a) The name of the precinct.

(b) The date.

(c) The identifying number (serial number) of tabulating equipment.

(d) The value of the public counter (indicating the number of votes cast).

(e) The name of each candidate next to the total number of votes cast for that candidate.

(f) The number and short title of each proposition next to the number of votes for or against the proposition.

The challenged ballots and, in general elections only, any write-in votes shall be counted and the totals added to the certificates of result. All poll officials shall sign each certificate of result.

(2) Where central ballot counters are used.

(a) The poll officials shall record on the Ballot Accounting Certificate the following information:

1. The total number of each ballot style issued to the precinct.
2. The total number of voted ballots.
3. The total number of signatures in voters poll list book.
4. The total number of spoiled ballots.
5. The total number of challenged ballots.
6. The total number of unused ballots of each style.

(b) The Ballot Accounting Certificate shall be in a form that provides for proper accountability of all voted and not voted ballots. All challenged ballots from the precinct shall not be counted at the precinct and shall be placed in a Challenged Ballot Envelope, along with one copy of the Challenged Ballot Oath and returned to the central count location. The central count location poll workers shall hand count all challenged ballots and record those results on a Challenged Ballot Certificate of Result form. The Challenged Ballot Certificate of Result form shall be verified and signed by the central count poll workers. The original copy of the Challenged Ballot Certificate of Result form is to be forwarded to the Canvassing Board, and the duplicate copy is to remain with the record of election container. In General Elections only, the write-in votes for each office shall be tabulated by the central count poll workers. These write-in votes shall be recorded on a write-in certificate of result to be provided for that purpose. The write-in certificate of result shall be verified and signed

by the central count poll workers.

(c) After the polls close, the Inspector of the precinct shall immediately close and seal the ballot box that contains the voted ballots with a numbered seal provided for in the election supplies. This sealing of the ballot box shall be verified by all other polling officials. The sealed and unopened ballot box containing the voted ballots and the election supplies shall be returned to the central count location by the Inspector and at least one other polling official. These officials shall remain at the central count location and assist in the processing of their precinct's ballots until the certificate of result for their precinct is produced. These officials along with at least one central count poll official shall verify and sign this certificate of result. (The results should correspond with the total number of persons voting previously recorded on the Ballot Accounting Certificate). The signed certificate of result shall be distributed as follows: The original to the Judge of Probate who shall keep it for public inspection and/or an election contest, one copy for each party participating in the primary, and one copy shall be sealed with counted ballots and all other pertinent election supplies in the record of election container and given to the authority holding for storage the record of election container. The posting of a certificate of result at the polling place/precinct shall not be required where central ballot counters are used. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b). **History: New Rule:** Filed February 10, 1998; effective March 17, 1998. **Amended:** Filed February 7, 2002; effective March 14, 2002.

307-X-1-19 Disposition Of Forms. After completing and signing the certificate of result, the election officials shall seal the ballots, certificates, and other records as follows:

(1) Where precinct ballot counters are used:

(a) The list of registered voters, the record of assisted voters, the ballot accounting certificate(s) and the first copy of the certificates of result shall be placed in an envelope addressed to the judge of probate who shall keep them for public inspection and/or election contest, and the list of registered voters or a copy thereof may be used by the board of registrars in updating their records.

(b) All used marksense ballots (both voted and spoiled), all challenged ballots, one copy of the certificate of result, the poll list (already sealed in a separate envelope), one copy of each challenged voter's affidavit and each witness' affidavit, and all requests for assistance in voting shall be placed in a large envelope or box, which will be sealed and signed across the seal by all inspectors. The inspector shall retain possession of the memory pack until it is read into the tabulator.

1. Each envelope or box shall be sealed and signed across the seal by the inspectors. On the outside of each envelope the inspectors shall record the precinct or district and date of the election. The envelopes or boxes shall remain unopened and be returned by the inspector or returning officer immediately in the manner provided for by law.
 2. The State Records Commission is requested to develop and keep current a schedule for the retention and disposition of election records for the guidance of the officials to whom these records are sent.
- (2) Where central counters are used, the procedure for precinct ballot counters shall be followed except that the certificate of result will not be produced at the precinct, and a copy of the certificate of result will not be posted at the polling place. After the polls close, the ballot box insertion door will be resealed with a numbered seal provided for in the election supplies. The Inspector and at least one other poll official shall deliver the sealed and unopened ballot box to the central count location for processing and counting. A copy of the ballot accounting certificate shall be delivered with the ballot box to the central count location. After the count, the ballots of each precinct shall be sealed in a separate envelope or box which shall be labeled with the name of the precinct, the date of the election, the type of ballots and the total number contained therein. One copy of the Ballot Accounting Certificate and one copy of the certificate of result shall also be sealed in this envelope or box by the central count polling officials, and it shall be delivered to the authority holding the records of election container.
- (3) In primary elections, the marksense ballots, certificates and other records shall be distributed as required in general elections except there shall be one canvassing envelope for each party participating in the primary, and the poll list of each party shall be delivered to the county executive committee of that party to be obtained unopened for use in the event of a contest as provided by Section 17-16-25. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b). **History: New Rule:** Filed February 10, 1998; effective March 17, 1998. **Amended:** Filed February 7, 2002; effective March 14, 2002.

307-X-1-.20 Retest. The probate judge may order, pursuant to Section 17-24-9, a post-election retest of any precinct ballot counter, central ballot counter, direct recording electronic voting device or memory pack tabulator using the same procedures prescribed for the pre-election test. If the retest shows a malfunction or error in the equipment or its program, the probate judge shall order a recount as described below at county expense. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b). **History: New Rule:** Filed February 10, 1998;

effective March 17, 1998. **Amended:** Filed February 7, 2002; effective March 14, 2002.

307-X-1-.21 Recount.

(1) Any person may petition a county canvassing authority for a recount of any or all precinct returns for offices in the election that the person was a qualified elector. The time period for requesting a recount begins with the production of the certificate of result and ends forty-eight (48) hours after the official canvass of county returns. This county canvassing authority is the county canvassing board in general elections and the county executive committee in a party primary. The petitioner must be prepared to pay the cost of the recount and should be required to give security to cover these costs. The county canvassing authority is to set the amount of the security based upon an estimate of actual costs. There being a public interest in fair and accurate elections, these costs shall be kept to a minimum by using county personnel or volunteer workers whenever possible. However, the recount must be conducted under the supervision of a trained and certified poll official and/or Probate Judge of the County where the recount is conducted so long as the recount is not for the election of a Probate Judge. Representatives of opposing interests shall be given at least twenty-four (24) hours notice and shall be invited to participate in the recount.

(2) The recount should be conducted as simply as the type of equipment and local conditions permit provided that the following minimum safeguards are observed. The box or envelope holding the ballots shall be delivered unopened to the supervising official in charge of the re-count. A representative of the county canvassing authority having custody of the ballots shall be present during the recount. The marksense ballot counter shall be re-tested before the recount. The recount shall consist of reading the ballots through the counter. Any ballot that was counted in the original election but is rejected by the counter in the recount shall be counted by hand. Representatives of opposing interests have the right to participate in the hand count, and any unresolved disputes over the interpretation of the voter's choice may be appealed to the canvassing authority.

(3) When the recount has been completed, the ballots shall be returned to their container along with a printout of the recount results. The ballot container shall be sealed and signed by the inspector conducting the recount and the representative of the county canvassing authority having custody of the ballots.

(4) If the recount produces a change in precinct totals of sufficient magnitude to alter the result of the election, the outcome shall constitute grounds for an election contest as now prescribed by law. If the recount of the resulting contest alters the result of the election, the cost of the recount

shall be borne by the county. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b). **History:** **New Rule:** Filed February 10, 1998; effective March 17, 1998. **Amended:** Filed February 7, 2002; effective March 14, 2002.

307-X-1-.22 Absentee Voting. Marksense ballot counters may be used to count absentee ballots. Absentee poll officials are to be appointed and trained in the same manner as prescribed for regular precinct poll officials in these rules. The statute requiring one set of poll workers for each 200 absentee ballots (Section 17-10-11) does not apply where marksense ballot counters are used. The number of poll officials shall be determined by the number of marksense ballot counters provided. The county commission may provide more than one counter based upon the recommendation of the absentee election manager. Beginning not earlier than noon on election day, the absentee poll officials shall perform the duties prescribed in Section 17-10-11. Where more than 200 absentee ballots are to be counted on one marksense ballot counter, the absentee election manager may authorize poll officials to open the ballot box and begin processing ballots through the counter before the polls close provided that:

(1) Sealed affidavit envelopes are to remain sealed, not counted, and otherwise handled in accordance with state law if one or more of the following conditions are established:

- (a) Duplicate votes from the same registered voter;
- (b) Failure to have the affidavit notarized or witnessed by two witnesses;
- (c) Failure to identify the voter's place of residence;
- (d) Failure to identify the voter's reason for voting absentee;
- (e) Failure to contain the voter's signature or mark.

(2) All other sealed affidavit envelopes have been opened and checked in accordance with law and all inner envelopes containing the ballots have been placed in a sealed ballot box before the ballot box is opened and any ballots are processed, and

(3) The absentee election manager takes security measures to prevent the vote totals from being printed before the polls close. The prohibition on counting before the polls close contained in §17-10-11 applies to any attempt to tally votes as the ballots are read into the marksense ballot counter. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b). **History:** **New Rule:** Filed February 10, 1998; effective March 17, 1998. **Amended:** Filed February 7, 2002; effective March 14, 2002.

307-X-1-.23 Direct Recording Electronic Voting Devices.

(1) Except for the following listed rules, the use of electronic voting devices shall be not be governed by Rules 307-X-1-.03 through 307-X-1-.22 but shall be governed by this rule:

(a) Rule 307-X-1-.03, Application to Municipal Elections.

(b) Rule 307-X-1-.07, Custody and Transportation of Equipment.

(c) Rule 307-X-1-.18, Certificates of Result for Precinct Ballot Counters.

(d) Paragraph (1) of Rule 307-X-1-.19, Disposition of Forms, except as applied to marksense ballots and that there shall be no ballot accounting certificate.

(e) Rule 307-X-1-.21, Recount, except as provided for in Paragraph (6) of this Rule.

(f) Rule 307-X-1-.22, Absentee Voting.

(2) Keys. Unless the direct recording electronic voting device is designed to be locked with a key, the requirements in Chapter 17-9 relating to a key and key envelope shall not apply. However, each device shall be sealed before delivery to the polling place and after the polls close as required by Sections 17-9-17 and 17-9-33.

(3) Testing. The probate judge shall have each direct recording electronic voting device tested to ascertain that it will accurately count the votes cast for all offices and all measures. Each direct recording electronic voting device shall be publicly tested before each election in which it is to be used. The date of the public test shall be as close as is practical to the date of the election and not more than fourteen (14) days [required by §17-24-9] before the election. Public notice of the time and place of the test shall be given. The device shall be tested by casting votes so that each candidate and each position on each amendment or other proposition shall receive at least two (2) votes. There shall be at least one over-vote in each race. In general elections, the device shall be tested for straight ticket and split ticket voting; and there shall be at least one write-in vote for each contested office. For auditing purposes, the Probate Judges shall have produced a paper record of each individual test vote cast which shall be retained with the records of the election associated with that voting device.

(4) Opening the polls. The poll officials shall follow the manufacturer's instructions to open the equipment and prepare it for voting. They shall produce a printout showing the initial values of the vote registers. The poll officials and at least two poll watchers of opposing interests (if such there be) shall check the printout to verify that the registers are set at zero and shall sign the same. The printout shall remain attached to the paper roll so that all events of the day shall be recorded on one continuous roll of paper. If any vote registers are not set on zero or if the ballot face is incorrect, the

inspector shall immediately notify the probate judge or his designee. Voting shall not be permitted on such device until it has been repaired. Voters may be permitted to vote on a substitute device or use paper ballots.

(5) Challenged ballots. The procedure for challenging voters shall be the same as prescribed in Rule 307-X-1-.15 except that the votes placed on the challenged ballots are to be counted by hand by the precinct polling officials after the polls are closed. The results shall be handwritten on the tape containing the totals from the direct recording electronic vote counters. The challenged ballots shall then be placed inside an envelope and otherwise handled in accordance with state law.

(6) Recount.

(a) Where a direct recording electronic voting device system is not capable of producing a recount of individual votes cast in an election, the county canvassing authority shall provide for a retest of the direct recording electronic voting devices using the procedure provided for in Paragraph (3) of this Rule. If any of the direct recording electronic voting devices fail the retest, and if the machines failing the retest recorded a sufficient number of votes on election day to effect the result of the election, such failure shall constitute grounds for an election contest as now prescribed by law and the cost of the retest shall be borne by the county.

(b) Where a direct recording electronic voting device system is capable of producing receipts of individual votes cast, such receipts shall be deposited by the voter into a sealed container preserved for the performance of a recount or use in an election contest. Such receipts may be recounted either manually or electronically as the technology of the system provides. At the conclusion of the recount, the receipts shall be re-deposited into the container, resealed and preserved with the records of the election. **Author:** Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-24-7(b). **History:** **New Rule:** Filed February 10, 1998; effective March 17, 1998. **Amended:** Filed February 7, 2002; effective March 14, 2002.

Appendix S-2: Chapter 820-2-1 General Implementation of the Help America Vote Act

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

CHAPTER 820-2-1 GENERAL IMPLEMENTATION OF THE HELP AMERICA VOTE ACT

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820-2-1-.01 Help America Vote Act Administrative Rules. This chapter consists of various administrative rules designed to implement the Help America Vote Act and is promulgated under Code of Ala. 1975, §17-1-8, unless otherwise noted. This chapter shall apply to all elections except municipal elections. The rules in this chapter are severable from one another. **Author:** Adam L. Bourne **Statutory Authority:** Code of Ala. 1975, §§17-1-8. **History:** **New Rule:** Filed May 5, 2006; effective June 9, 2006.

820-2-1-.02 Definition Of A Vote.

(1) This rule serves to fulfill the requirement of defining what constitutes a vote under the Help America Vote Act (“HAVA”), Public Law 107-252; and Code of Ala. 1975, §17-25-4.

- (a) This rule shall not supersede any other law.
- (b) This rule shall not apply to a vote cast in a municipal election.
- (c) This rule shall be construed in favor of counting a cast vote.

(2) For the purpose of this rule:

(a) “Electronic voting system” means any Direct Recording Electronic Voting System or optical scan voting system, as defined in this rule.

(b) “Direct Recording Electronic Voting System/DRE Voting System” means a voting system certified by the Electronic Voting Committee that allows a voter to cast his or her vote using a touch-screen, a keypad, Voter With Disability device, or other input device.

(c) “Question” means any item on a ballot or paper ballot, as

defined in this rule, other than a candidate.

(d) “Touch-screen” means a video screen that is part of a voting system certified by the Electronic Voting Committee that a voter can manipulate by touching or otherwise applying pressure.

(e) “Identifiable write-in selection” means a real and reasonably distinctive name of a person entered into a ballot line or touch-screen field designated for a write-in candidate.

(f) “Voter With Disability Device/VWD” means a device that is part of a voting system certified by the Electronic Voting Committee, which, when plugged into a normal DRE unit, enables a voter with a disability to vote without assistance.

(g) “Optical scan voting system” means a voting system certified by the Electronic Voting Committee that electronically accepts and reads a specially printed ballot.

(h) “Approved marking device” means a writing utensil or a marking machine used to mark a ballot designed for an optical scan voting system, that is provided by, manufactured by, recommended by, or approved by the manufacturer or provider of the optical scan voting system. This may include, but is not limited to, a Direct Recording Electronic Voting System designed to mark a ballot for an optical scan voting system.

(i) “Tabulating machine” means any central or precinct-based electronic system that is part of a voting system certified by the Electronic Voting Committee that is capable of accepting, reading, and counting a vote.

(j) “Ballot” means an official ballot provided for by Code of Ala. 1975, §17-8-1-45.

(k) “Spoiled ballot” means a ballot that is disregarded in accordance with Code of Ala. 1975, §17-8-33.

(l) “Stray mark” means an unidentifiable design on a ballot or paper ballot, as defined in this rule, that is not clearly associated with any candidate or question on the ballot or paper ballot.

(m) “Paper ballot” means a ballot which is designed to be marked and read manually.

(n) “Erasure” means any mark on a ballot or paper ballot that appears to a reasonable person to have been erased by a voter in favor of a new vote or a non-vote.

(3) A voter shall cast a countable vote on a Direct Recording Electronic (“DRE”) voting system by either:

(a) Pressing the appropriate place on the DRE voting system’s touch-screen to cause an “X” or similar designation to display adjacent to the name of the candidate or answer to a question for which the voter

desires to vote;

(b) Typing on the DRE voting system's touch-screen the name of an identifiable write-in selection whose name is not otherwise printed on the ballot in accordance with the instructions for voting on the DRE unit;

(c) In the case of a voter using a Voter With Disability ("VWD") device attached to the DRE unit, pressing the appropriate buttons on the DRE voting system's keypad; or

(d) Using a VWD or other device designed for the DRE voting system to perform the aforementioned functions.

(4) A voter shall cast a countable vote on an optical scan voting system by either:

(a) Using an approved marking device to fill in the oval or complete the arrow adjacent to the name of the candidate or answer to a question on the ballot for which the voter desires to vote; or

(b) Using an approved marking device to fill in the oval or complete the arrow adjacent to the write-in space and writing the name of an identifiable write-in selection whose name is not otherwise printed on the ballot in the space on the ballot that is specified in the instructions for voting the ballot; and

(c) Placing the completed ballot into the optical scan voting system's receptacle in accordance with the instructions posted at the polling place or relayed by a poll worker.

(5) The following special rules govern the manual review of a vote cast on an optical scan voting system where the ballot upon which the vote is cast is rejected or otherwise not read by the tabulating machine and not spoiled:

(a) If the voter fills in the oval or completes the arrow adjacent to the name of a candidate printed on the ballot and fills in the oval or completes the arrow adjacent to the write-in space for the same office, the properly cast vote for the candidate on the ballot shall be counted and the write-in vote shall be ignored.

(b) If it appears that there is a properly cast vote and that a stray mark has caused the tabulating machine to reject the vote for the office, the properly cast vote shall be counted and the stray mark shall be ignored.

(c) If a voter marks his or her ballot in a manner other than that specified by law and this rule, the vote shall be counted if the voter clearly and without question indicates the candidate or answer to a question for which the voter desires to vote. The following are specific but non-exclusive situations where a vote should not be or should be counted:

1. If a voter marks in the same manner more names than there are persons to be elected to an office, then no vote shall be counted for that office. If a voter marks in the same manner more answers than a particular question calls for, then no vote shall be counted for that question.

2. If a voter marks with a cross, "X," checkmark, or other similar mark within the oval or arrow adjacent to the name of the candidate or answer to a question for which the voter desires to vote, the vote shall be counted. Underlining or circling the candidate or answer to a question for which the voter desires to vote also constitutes a countable vote. An apparent erasure of an aforementioned mark shall not be counted if the voter makes another mark in accordance with this rule or other applicable law.

(6) In any event where a voter casts a vote using a paper ballot under Code of Ala. 1975, §17-9-28; the vote shall be counted in accordance with Code of Ala. 1975, §§17-8-15-21.**Author:** Adam L. Bourne **Statutory Authority:** Code of Ala. 1975, §§17-1-8(a);17-25-4(f).**History: New Rule:** Filed May 5, 2006; effective June 9, 2006.

820-2-1-.03 Help America Vote Act Reimbursement.

(1) This rule is promulgated under Code of Ala. 1975, §§17-1-8 and 17-25-4. This rule is intended to provide the Secretary of State with the information necessary to make a decision as to whether a county is eligible for reimbursement under Code of Ala. 1975, §17-25-4 and other applicable law. Any county that seeks reimbursement under Code of Ala. 1975, §17-25-4 must strictly comply with this rule.

(2) To be eligible for reimbursement under Code of Ala. 1975, §17-25-4, a county must respond within ten (10) days to any request for information from the Secretary of State or his/her designee(s).**Author:** Adam L. Bourne **Statutory Authority:** Code of Ala. 1975, §§17-1-8, 17-25-4.**History: New Rule:** Filed May 5, 2006; effective June 9, 2006.

Appendix S-3: Chapter 820-2-2 Voter Registration

STATE OF ALABAMA OFFICE OF THE SECRETARY OF STATE ELECTIONS DIVISION

ADMINISTRATIVE CODE CHAPTER 820-2-2 VOTER REGISTRATION

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820-2-2-.01 Applicability Of The National Voter Registration Act.

The provisions of the National Voter Registration Act of 1993 [Public Law 103-31, 42 U.S. Code 1973gg et seq.] shall apply to all elections for state and local government offices in the State of Alabama. Copies of the National Voter Registration Act of 1993 may be obtained without charge from the Secretary of State's office, Elections Division, State Capitol, Room E-201, Montgomery, Alabama 36130. **Authors:** Edward Packard, Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-4-255. **History:** **New Rule:** Filed January 10, 2001; effective February 14, 2001.

Ed. Note: Formerly Rule 820-X-8-.01, as per certification filed January 10, 2001; effective February 14, 2001.

820-2-2-.02 Voter Registration Agency Defined. For the purposes of this chapter, a voter registration agency shall be any state or local governmental entity designated to provide voter registration services pursuant to Section 17-4-250, paragraphs (b), (d), and (f), Code of Ala. 1975, and 820-2-2-.03. **Authors:** Edward Packard, Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-4-255. **History:** **New Rule:** Filed January 10, 2001; effective February 14, 2001.

Ed. Note: Formerly Rule 820-X-8-.02, as per certification filed January 10, 2001; effective February 14, 2001.

820-2-2-.03 State-Designated Voter Registration Agencies.

The following offices shall be state-designated voter registration agencies for the purposes of the National Voter Registration Act of 1993 [42 U.S. Code 1973gg-5(a)(3)] and shall provide voter registration services pursuant to Section 17-4-250, paragraph (f), Code of Ala. 1975, and the National Voter Registration Act of 1993 [42 U.S. Code 1973gg-5]:

- (1) The probate office in each county, except in those counties in which driver's licensing is conducted by a License Commissioner;
- (2) The license commissioner's office in those counties in which driver's licensing is conducted by a License Commissioner; and
- (3) All public libraries, including branch libraries, in each municipality with a population exceeding ten thousand (10,000) and all public libraries in each county, including branch libraries. **Authors:** Edward Packard, Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-4-255. **History: New Rule:** Filed January 10, 2001; effective February 14, 2001.

Ed. Note: Formerly Rule 820-X-8-.03, as per certification filed January 10, 2001; effective February 14, 2001.

820-2-2-.04 Provision Of Voter Registration Services By Agencies.

(1) Each voter registration agency shall offer voter registration services to its clients when said clients apply for services or recertify for services provided by the registration agency, or file a change of address with the voter registration agency.

(2) Voter registration agencies shall provide the same level of assistance to clients with respect to completing voter registration forms that they provide to clients with respect to other services rendered by the voter registration agency. **Authors:** Edward Packard, Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-4-255. **History: New Rule:** Filed January 10, 2001; effective February 14, 2001.

Ed. Note: Formerly Rule 820-X-8-.04, as per certification filed January 10, 2001; effective February 14, 2001.

820-2-2-.05 Design Of Voter Registration Forms.

(1) The Secretary of State shall prescribe all voter registration forms to be used in voter registration activities provided for in Code of Ala. 1975, Section 17-4-60.

(2) Any content related to voter registration that is incorporated into a form prescribed by a voter registration agency so that said form may serve

as a voter registration application or voter registration update form shall be subject to review by, and the approval of, the Secretary of State.

(3) Voter registration agencies may develop computer-assisted voter registration forms in conjunction with the Secretary of State. All computer-assisted voter registration forms developed under this paragraph are subject to review by, and the approval of, the Secretary of State.

(4) The following forms prescribed by the Alabama Law Enforcement Agency, in consultation with the Secretary of State, shall be valid for applying for voter registration or for submitting a change of address for voter registration purposes:

(a) "Application for Renewal or Duplicate License for Alabama Drivers Temporarily Out of State"

(b) "Driver License or Identification Card Change of Address"

Authors: Edward Packard, R. Joel Laird, Jr., Charles E. Grainger, Jr.

Statutory Authority: Code of Ala. 1975, §17-4-63. **History:** **New Rule:** Filed January 10, 2001; effective February 14, 2001. **Amended:** Filed February 5, 2016; effective March 21, 2016.

Ed. Note: Formerly Rule 820-X-8-.05, as per certification filed January 10, 2001; effective February 14, 2001.

820-2-2-.06 Acceptance/Declination Forms.

(1) Voter registration forms used in voter registration agencies other than those agencies designated pursuant to 820-2-2-.03 shall include a detachable section in which individuals shall indicate their acceptance or declination of voter registration services. This acceptance/declination section shall include, verbatim, statements required by the National Voter Registration Act of 1993 [42 U.S. Code 1973gg-3(c)(2)(D)(ii), 1973gg-3(c)(2)(D)(iii), 1973gg-5(a)(6)(B)].

(2) In the event that a client does not indicate an acceptance or declination of voter registration services, the agency representative shall write "REFUSED" in block letters across the acceptance/declination section and print the client's name and the date on the form.

(3) Each voter registration agency shall maintain for a period of two (2) years all acceptance/declination sections of the voter registration forms.

(a) Procedures for maintaining the acceptance/ declination sections shall be determined by each voter registration agency and filed with the Secretary of State. Each voter registration agency shall, in a timely manner, file with the Secretary of State any changes or amendments to said procedures.

(b) Procedures developed pursuant to 820-2-2-.06(3)(a) shall not be implemented until said procedures are reviewed and pre-cleared by the U.S. Department of Justice pursuant to Section 5 of the Voting Rights Act

of 1965 [42 U.S. Code 1973aa et seq.].

(c) The Secretary of State shall have access to all acceptance/declination sections for program evaluation purposes and to investigate voter registration complaints filed with the Secretary of State.

Authors: Edward Packard, Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-4-255. **History:** **New Rule:** Filed January 10, 2001; effective February 14, 2001. **Ed. Note:** Formerly Rule 820-X-8-.06, as per certification filed January 10, 2001; effective February 14, 2001.

820-2-2-.07 Training Materials. The Secretary of State shall prepare and disseminate training materials to inform voter registration agencies of their responsibilities pertaining to voter registration services. Voter registration agencies may prepare and disseminate their own materials, for internal use only, provided that any such materials are submitted to the Secretary of State for review and approval before being disseminated. **Authors:** Edward Packard, Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-4-255. **History:** **New Rule:** Filed January 10, 2001; effective February 14, 2001.

Ed. Note: Formerly Rule 820-X-8-.07, as per certification filed January 10, 2001; effective February 14, 2001.

820-2-2-.08 Filing Of Voter Registration Procedures.

(1) Each voter registration agency shall file with the Secretary of State procedures for conducting voter registration in its offices. Each voter registration agency shall, in a timely manner, file with the Secretary of State any changes or amendments to said procedures.

(2) Procedures developed pursuant to 820-2-2-.08(1) shall not be implemented until said procedures are reviewed and pre-cleared by the U.S. Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965 [42 U.S. Code 1973aa et seq.]. **Authors:** Edward Packard, Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-4-255. **History:** **New Rule:** Filed January 10, 2001; effective February 14, 2001.

Ed. Note: Formerly Rule 820-X-8-.08, as per certification filed January 10, 2001; effective February 14, 2001.

820-2-2-.09 Transmittal Of Voter Registration Forms.

(1) Each voter registration agency shall sort by each applicant's county of residence all completed voter registration forms submitted to the voter registration agency and transmit the forms by mail or courier to each county's Board of Registrars within five (5) days of submission, except that all voter registration forms received by the voter registration agency

by the official close of registration shall be transmitted no later than the day of the official close of registration.

(2) Each package of voter registration forms being transmitted to a Board of Registrars shall include a packing slip specifying 1) the name and address of the agency transmitting the voter registration forms, 2) the name and phone number of the agency representative who prepared the package for transmittal, and 3) the number of voter registration forms being transmitted.

(3) Each voter registration agency shall develop procedures for transmitting voter registration forms to the various Boards of Registrars and file those procedures with the Secretary of State. Each agency shall, in a timely manner, file with the Secretary of State any changes or amendments to said procedures.

(4) Procedures developed pursuant to paragraph 820-2-2-.09(3) shall not be implemented until said procedures are reviewed and pre-cleared by the U.S. Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965 [42 U.S. Code 1973aa et seq.].

(5) The Secretary of State shall provide each voter registration agency with envelopes and packing slips for transmitting the voter registration forms to the Boards of Registrars. **Authors:** Edward Packard, Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-4-255. **History: New Rule:** Filed January 10, 2001; effective February 14, 2001. **Ed. Note:** Formerly Rule 820-X-8-.09, as per certification filed January 10, 2001; effective February 14, 2001.

820-2-2-.10 Delivery Of Voter Registration Materials. All voter registration forms, transmittal envelopes, and packing slips required for voter registration agencies to fulfill their voter registration duties shall be provided by the Secretary of State and delivered to 1) each agency's headquarters in Montgomery, Alabama, in the cases of agencies designated under Section 17-4-250, paragraphs (b) and (d), Code of Ala. 1975; 2) the probate office of each county; and 3) each public library. **Authors:** Edward Packard, Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-4-255. **History: New Rule:** Filed January 10, 2001; effective February 14, 2001.

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

820-2-2-.11 Mail Registration Form Distribution Sites.

(1) The following public organizations shall serve as distribution sites for the mail voter registration form: 1) public schools and 2) four-year institutions of higher learning, and 3) public libraries, including branch

libraries, in each municipality with a population equal to or less than ten thousand (10,000).

(2) Through cooperative agreements, the Secretary of State may distribute the mail voter registration form through additional public and private sector organizations.

(3) The Secretary of State and the Boards of Registrars shall make the mail voter registration form available for use in organized voter registration drives. **Authors:** Edward Packard, Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-4-255. **History:** **New Rule:** Filed January 10, 2001; effective February 14, 2001. **Ed. Note:** Formerly Rule 820-X-8-.11, as per certification filed January 10, 2001; effective February 14, 2001.

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) (a) 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.

(b)1. The minimum age at which a citizen may submit a voter registration form to the board of registrars ("board") is seventeen and one-half (17½) years. Any applications that are received

before the applicant has reached the age of eighteen years shall be placed in the suspense file of the statewide voter registration system by the applicable board until the applicant has reached the age of eighteen years, at which time the applicant shall be placed in the active voter file if he or she meets all other eligibility requirements for voter registration.

2. If a board of registrars ("board") receives a voter registration form from an applicant who is not seventeen and one-half (17½) years old at the time the application is received, the board shall reject the application, but the board shall keep the application as a permanent record. The board shall not enter the applicant in the suspense file of the statewide voter registration system. The board shall notify the applicant in writing that he or she has not attained the minimum age for processing the application and further notify the applicant that once the applicant has reached the minimum age of seventeen and one-half (17½) years, he or she may file a new voter registration application with the board. The applicant shall also be notified that after the submission of a new application upon attaining the age of at least 17 ½ years, his or her voter registration will become active once he or she has reached the age of eighteen years if he or she meets all other eligibility requirements for voter registration.

(5) In order to receive applications for registration and to expedite and administer the same:

(a) the county board of registrars office shall be open on their working days the same hours as the courthouse in their county,

(b) the county board of registrars office shall maintain at least one registrar in the office at all times during open hours,

(c) each registrar shall complete any additional training on cybersecurity as required by the Secretary of State.

Authors: Edward Packard, Jean Brown, Brent Beal, David Brewer, John Bennett, Clay Helms **Statutory Authority:** Code of Ala. 1975, §§17-4-63; 17-3-1. **History:** **New Rule:** Filed January 10, 2001; effective February 14, 2001. **Amended:** Filed November 6, 2014, effective December 11, 2014. **Amended:** Filed June 3, 2016; effective July 18, 2016. **Amended:** Filed September 18, 2017, effective November 2, 2017. **Amended:** Filed January 5, 2018, effective February 19, 2018. **Ed. Note:** Formerly Rule 820-X-8-.12, as per certification filed January 10, 2001; effective February 14, 2001.

820-2-2-.13 Procedures For Voters Who Have Moved From Address In Area Covered By One Precinct Or Polling Place To Address Covered By Second Precinct Or Polling Place Within Same Board Of Registrars' Jurisdiction And Have Not Updated Voter Registration

Record Prior To An Election.

(1) A voter who has changed his or her domicile from an address in the area covered by one precinct or polling place to an address covered by a second precinct or polling place within the same Board of Registrars' jurisdiction and who has failed to notify the Board of Registrars of the change of address prior to the date of an election shall not be allowed to cast a ballot at the former polling place. In such cases the poll workers shall obtain the voter's new precinct or polling place information from either the Board of Registrars or the Judge of Probate and instruct the voter to go to the new precinct or polling place to vote.

(a) Because in such instances the voter's name will not appear on the poll list at the new precinct or polling place, an inspector at the new polling place shall notify the voter that he or she may cast a provisional ballot in the election.

(b) If the inspector has knowledge and belief that a voter has changed his or her domicile but the voter refutes the inspector's allegation and asserts that he or she is eligible to vote at the polling place where he or she has presented himself or herself to vote, the inspector shall require the voter to cast a provisional ballot based on the inspector's knowledge that the voter is not qualified to vote in the precinct in which he or she is seeking to vote. The inspector shall complete a challenge statement setting forth the facts which the inspector believes to support his or her contention that the voter is not qualified to vote in the precinct in which he or she is seeking to vote.

(c) Any provisional ballot issued pursuant to this rule shall be governed by the procedures set forth in Section 17-10-2, Code of Ala. 1975, and Chapter 820-2-6, Alabama Administrative Code.

(d) The voter shall cast the provisional ballot and place it into a sealed ballot box separately identified and utilized for containing provisional ballots.

(2) For absentee ballot applicants required to reidentify because they do not appear in the new voting place for which they seek to vote but do appear within the state voter registration list in another voting place at a former address covered by a second precinct or polling place within the same Board of Registrars' jurisdiction, the absentee election manager shall provide to the voter a provisional ballot along with a voter reidentification form in accordance with Code of Ala. 1975, Sections 17-11-9 and 17-10-2.

(a) The term "Provisional" shall be marked on the second or affidavit envelope prior to transmitting the ballot to the voter.

(b) The absentee election manager shall provide as a provisional ballot the ballot style for the new voting place in which the applicant is

seeking to vote. In such cases the absentee election manager shall obtain the applicant's ballot style for the new voting place from either the Board of Registrars or the Judge of Probate.

(c) Any provisional ballot issued pursuant to this rule shall be governed by the procedures set forth in Section 17-10-2, Code of Ala. 1975, and Chapter 820-2-6, Alabama Administrative Code. **Authors:** Edward Packard, Jean Brown, William Sutton **Statutory Authority:** Code of Ala. 1975, §§7-4-63 (2007); 17-6-5 (2007); 17-9-10 (2007); 17-10-3 (2007). **History:** **New Rule:** Filed January 10, 2001; effective February 14, 2001. **Repealed:** Filed July 1, 2014; effective August 5, 2014. **New Rule:** Filed September 5, 2014; effective October 10, 2014.

Ed. Note: Formerly Rule 820-X-8-.13, as per certification filed January 10, 2001; effective February 14, 2001.

820-2-2-.14 Filing Changes Of Address With Agencies By Phone.

If a voter registration agency designated under Section 17-4-250, paragraphs (b), (d), or (f), Code of Ala. 1975, accepts change of address information by telephone, said voter registration agency shall mail the client filing the change of address a mail voter registration form. **Authors:** Edward Packard, Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-4-255. **History:** **New Rule:** Filed January 10, 2001; effective February 14, 2001.

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

820-2-2-.15 Voter Registration Statistics.

(1) Beginning February 1995, the Board of Registrars shall submit to the Secretary of State on a monthly basis the following information:

(a) The total number of new valid voter registration forms accepted for the respective month, excluding all applications that are duplicates, rejected, or that report only a change of name or address.

(b) The total number of voter registration forms received from the following sources: 1) all driver's license offices, 2) mail, 3) all public assistance agencies, 4) Rehabilitation Services offices, 5) all armed forces recruitment offices, 6) state-designated voter registration agencies (public libraries and probate offices), and 7) all other means (in person at the office of the Board of Registrars, by deputy registrars, by voter registration drives delivering the forms directly to the Board of Registrars).

(c) The total number of duplicate registration applications that were received from each of the following sources: 1) all driver's license offices, 2) mail, 3) all public assistance agencies, 4) Rehabilitation

Services offices, 5) all armed forces recruitment offices, 6) state-designated voter registration agencies (public libraries and probate offices), and 7) all other means (in person at the office of the Board of Registrars, by deputy registrars, by voter registration drives delivering the forms directly to the Board of Registrars).

(2) Beginning in 1996, in December of each even-numbered year, the Board of Registrars shall submit to the Secretary of State the following information:

(a) The total number of registered voters, whether designated "active" or "inactive", in the last Federal general election.

(b) The total number of registrants that were designated "inactive" at the close of the last Federal general election.

(c) The total number of registrations that were deleted from the registration list between the last two (2) Federal general elections.

(d) The total number of address confirmation notices mailed out between the past two Federal general elections and the total number of responses received to these notices during that same period.

(3) The Secretary of State shall prescribe and provide forms for use by the Board of Registrars to file with the Secretary of State the information required in 820-2-2-.15(1) and 820-2-2-.15(2). **Authors:** Edward Packard, Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-4-255. **History:** **New Rule:** Filed January 10, 2001; effective February 14, 2001.

Ed. Note: Formerly Rule 820-X-8-.15, as per certification filed January 10, 2001; effective February 14, 2001.

820-2-2-.16 Cooperation With Federal Voting Assistance Program.

The Secretary of State shall work in cooperation with the Federal Voting Assistance Program to provide voter registration in armed forces recruitment offices pursuant to Section 17-4-250, paragraph (e), Code of Ala. 1975, and the National Voter Registration Act of 1993 [42 U.S. Code 1973gg-5(c)]. **Authors:** Edward Packard, Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-4-255. **History:** **New Rule:** Filed January 10, 2001; effective February 14, 2001.

Ed. Note: Formerly Rule 820-X-8-.16, as per certification filed January 10, 2001; effective February 14, 2001.

820-2-2-.17 Voter Registration Instructions For Voter Registrars To Assess Eligibility Of Voter Registration Applicant.

(a) The following instructions and checklist form ("Form C-1") shall be the instructions and checklist used by the county boards of

registrars to assess the eligibility of voter registration applicants in this state. Form C-1 shall be used by county boards of registrars to list which document an applicant for voter registration has provided to the board of registrars to allow the registrars to assess the eligibility of the applicant to register to vote, including the applicant's United States citizenship.

(b) Instructions for Registrars:

INSTRUCTIONS TO REGISTRARS

ALL COMPLETED VOTER REGISTRATION APPLICATIONS MUST BE ACCEPTED AND FILED BY THE BOARD OF REGISTRARS; HOWEVER, NO APPLICANT SHALL BE REGISTERED UNTIL HE/SHE HAS PROVIDED SATISFACTORY EVIDENCE OF UNITED STATES CITIZENSHIP AS SET OUT BELOW.

AN ALABAMA REGISTERED VOTER WHO CHANGES HIS/HER PLACE OF RESIDENCE OR WHO MODIFIES HIS/HER VOTER REGISTRATION RECORDS FOR ANY OTHER REASON, SUCH AS LEGAL CHANGE OF NAME, SHALL NOT BE REQUIRED TO SUBMIT EVIDENCE OF U.S. CITIZENSHIP.

PROOF OF VOTER REGISTRATION FROM ANOTHER STATE CANNOT BE USED AS PROOF OF U.S. CITIZENSHIP.

ONLY DOCUMENTS LISTED IN PARAGRAPH 3 CAN BE USED TO SHOW PROOF OF U.S. CITIZENSHIP.

VOTER REGISTRATION REQUIREMENTS:

1 The applicant must either be 18 years old, or if he /she is 17, they must be 18 years old on or before the date of the next election.

2 The applicant must have satisfactory evidence of U.S. citizenship. If the voter registration application is filed in person, satisfactory evidence of U.S. citizenship SHALL be provided in person at the time of filing the application by providing ONE of the documents listed below. If the applicant is trying to register in person and lacks satisfactory citizenship documentation, the application shall be accepted and filed. A record shall be created in the statewide voter registration database with the applicant's records placed in a status of "suspense" with a reason of "insufficient citizenship documentation." The applicant shall be given Form C-3 notifying the applicant that the submitted documentation is insufficient and to bring or mail satisfactory documentation to the Board of Registrars.

For voter registration applications that are mailed to the office of the Board of Registrars, the mailed application MUST include ONE of the documents listed below. If the mailed application lacks satisfactory citizenship documentation, the application shall be accepted and filed. A

record shall be created in the statewide voter registration database with the applicant's records placed in a status of "suspense" with a reason of "insufficient citizenship documentation." The applicant shall be mailed Form C-3 notifying the applicant that the submitted documentation is insufficient and to bring or mail satisfactory documentation to the Board of Registrars.

3. Proof of U.S. citizenship is established by providing an original or legible photocopy or a copy in digital or other electronic format of ONE of the following documents:

a. Driver's license or nondriver's ID card issued by division of motor vehicles or equivalent governmental agency of any state within the U.S. provided that the governmental agency of another state within the U.S. requires proof of lawful presence (i.e., U.S. citizenship) in the U.S. as a condition of issuance of the driver's license or nondriver's ID card and that the driver's license or nondriver's ID card contains appropriate indicia showing proof of U.S. citizenship. **Alabama driver's license or nondriver's ID card must be a "Star" license or ID.**

b. Birth certificate indicating birth in the U.S. or one of its territories.

c. Pertinent pages of applicant's valid or expired U.S. passport identifying applicant and applicant's passport number, or presentation of U.S. passport to Board of Registrars.

d. 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 pursuant to 8 U.S.C. §1373(c).

e. Other documents or methods of proof of U.S. citizenship issued by federal government pursuant to Immigration and Nationality Act of 1952 and amendments thereto.

f. Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.

g. Consular report of birth abroad of U.S. citizen.

h. Certificate of citizenship issued by U.S. Citizenship and Immigration Services.

i. Birth certificate issued by U.S. State Department.

j. American Indian card with KIC classification issued by U.S. Dept. of Homeland Security.

k. Final adoption decree showing applicant's name and U.S. birthplace.

l. Official U.S. military record of service showing applicant's place of birth in the U.S.

- m. Extract from U.S. hospital birth record created at time of birth showing applicant's U.S. place of birth
- n. Federal confirmation of U.S. citizenship under 8 U.S.C. §1373.

IF YOU HAVE QUESTIONS CONCERNING WHETHER AN APPLICANT HAS PROVIDED SUFFICIENT PROOF OF CITIZENSHIP, PLEASE CONTACT THE SECRETARY OF STATE'S OFFICE AT 800-274-8683.

IF EVIDENCE OF U.S. CITIZENSHIP IS DEEMED BY THE REGISTRARS TO BE UNSATISFACTORY DUE TO AN INCONSISTENCY BETWEEN THE DOCUMENT SUBMITTED AS EVIDENCE AND THE NAME OR SEX PROVIDED ON THE REGISTRATION APPLICATION, THE APPLICANT MAY SIGN AN AFFIDAVIT CONTAINING BOTH OF THE FOLLOWING:

- 1 Stating the inconsistency or inconsistencies related to the name or sex, and the reason therefor and
- 2 Swearing under oath that despite the inconsistency, the applicant is the same individual reflected in the document provided as proof of citizenship.

There shall be no inconsistency between the date of birth on the document provided as evidence of citizenship and the date of birth provided on the registration application. If the applicant submits an affidavit, the Board of Registrars shall assess the eligibility of the applicant without regard to any inconsistency stated in the affidavit.

A Sample Inconsistency Affidavit is attached as Form C-2.

(c) Form C-1

REGISTRAR'S CHECKLIST (Form C-1)

Applicant has supplied the following documents showing proof of citizenship: (Check applicable document)

a. ___ Driver's license or nondriver's ID card issued by division of motor vehicles or equivalent governmental agency of any state within the U.S. provided that the governmental agency of another state within the U.S. requires proof of lawful presence (i.e., U.S. citizenship) in the U.S. as a condition of issuance of the driver's license or nondriver's ID. **Alabama driver's license or nondriver's ID card must be a "Star" license or ID.**

b. ___ Birth certificate indicating birth in the U.S. or one of its territories.

c. ___ Pertinent pages of applicant's valid or expired U.S. passport identifying applicant and applicant's passport number, or presentation of U.S. passport to Board of Registrars.

d. ____ 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 pursuant to 8 U.S.C. §1373(c).

e. ____ Other documents or methods of proof of U.S. citizenship issued by federal government pursuant to Immigration and Nationality Act of 1952 and amendments thereto.

f. ____ Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.

g. ____ Consular report of birth abroad of U.S. citizen.

h. ____ Certificate of citizenship issued by U.S. Citizenship and Immigration Services.

i. ____ Birth certificate issued by U.S. State Department.

j. ____ American Indian card with KIC classification issued by U.S. Dept. of Homeland Security.

k. ____ Final adoption decree showing applicant's name and U.S. birthplace.

l. ____ Official U.S. military record of service showing applicant's place of birth in the U.S.

m. ____ Extract from U.S. hospital birth record created at time of birth showing applicant's U.S. place of birth.

n. ____ Federal confirmation of U.S. citizenship under 8 U.S.C. §1373.

PHOTOCOPY ANY SUPPLIED ORIGINAL DOCUMENTATION AND RETURN ORIGINAL DOCUMENTATION TO VOTER (except for Inconsistency Affidavit; in those cases retain original and return copy to applicant).

ATTACH THIS FORM, COPY OF PROOF OF CITIZENSHIP DOCUMENTATION, INCONSISTENCY AFFIDAVIT (IF APPLICABLE) TO VOTER REGISTRATION APPLICATION AND PLACE IN PERMANENT VOTER FILE.

IF AN APPLICANT HAS BEEN DENIED REGISTRATION, PLACE APPLICATION AND COPY OF FORM C-3 IN PERMANENT VOTER FILE.

Authors: Jean Brown; Edward Packard; Julie Sinclair **Statutory Authority:** Code of Ala. 1975, §§31-13-28 (2012), 17-3-1 (2006).

History: New Rule: Filed September 31, 2013; effective March 7, 2013.

820-2-2-.18 Electronic Voter Registration.

(1) Pursuant to the Uniform Electronic Transactions Act, codified at Code

of Ala. 1975, Sections 8-1A-1 et seq., the Secretary of State and voter registration agencies may develop and implement electronic voter registration. All electronic voter registration forms developed and implemented under this paragraph are subject to review by, and the approval of, the Secretary of State.

(2) As required by Rule 820-2-2-.05, the Secretary of State shall prescribe all voter registration forms to be used in voter registration activities provided for in Code of Ala. 1975, Section 17-4-60, paragraphs (b), (c), (d), and (f).

(3) The county boards of registrars shall accept and process electronic voter registration forms through the electronic system developed pursuant to paragraph (2), supra.

(4) The data collected through the electronic voter registration process shall be subject to all of the same protections as paper-based voter registration applications as provided for in Code of Ala. 1975, Section 17-3-52 and any applicable regulations.

(5) If the electronic voter registration form originates from an electronic voter registration process developed by a voter registration agency, said agency shall maintain the electronic signature of the voter registration applicant. Said signature shall be made available for law enforcement and/or forensic purposes. **Authors:** Edward Packard; Jean Brown; R. Joel Laird, Jr. **Statutory Authority:** Code of Ala. 1975, §§17-4-63, 8-1A-1 et seq., Attorney General's Opinion No. 2009-084. **History: New Rule:** Filed March 4, 2016; effective April 18, 2016.

Ed. Note: New Rule 820-2-2-.18 was adopted and original rules .18 through .30 was renumbered as per certification filed March 4, 2016; effective April 18, 2016.

820-2-2-.19 Affidavit And Application For Certification Of Free Alabama Birth Record For Voter Registration Use.

The board of registrars shall provide the following form ("Form HS-89") for use by an Alabama citizen who wishes to register to vote but does not have a certified copy of his or her birth certificate and does not possess any of the documents listed on said form. If the applicant qualifies for a birth certificate under Code of Alabama, section 31-13-28 (2011), said birth certificate shall be provided electronically to the county board of registrars at no cost to the applicant.

Upon the applicant's completion of this form, the board of registrars shall expeditiously forward the form (by fax, mail, or email) to the Alabama Center for Health Statistics ("CHS") whereupon the CHS will search for the birth record. If located, the CHS will expeditiously provide the requested information to the county board of registrars via the method

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used to transmit the form to the CHS. If the record is not located, the CHS will provide information stating that the record was not found.

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 and I 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 U.S. citizenship:

1. Driver's license or nondriver's ID card issued by division or motor vehicles or equivalent governmental agency of any state within the U.S. provided that the governmental agency of another state within the U.S. requires proof of lawful presence in the U.S. (i.e., U.S. citizenship) as a condition of issuance of the driver's license or nondriver's ID card. **Alabama driver's license or nondriver's ID must be a "Star" license or ID.**
2. Birth certificate indicating birth in the U.S. or one of its territories.
3. Pertinent pages of a valid or expired U.S. passport, or original passport.
4. U.S. naturalization documents or the number of the certificate of naturalization
5. Other documents issued by the Federal Government proving U.S. citizenship, pursuant to the immigration and Nationality Act of 1952.
6. Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.
7. Consular report of birth abroad of U.S. citizen.
8. Certificate of citizenship issued by the U.S. Citizenship and Immigration Services.
9. Certification of report of birth issued by the U.S. State Department.
10. American Indian card, with KIC classification, issued by the U.S. Department of Homeland Security.
11. Final adoption decree showing name and U.S. birthplace
12. Official U.S. military record of service showing place of birth in the U.S.
13. Extract from a U.S. hospital record of birth created at the time of birth indicating place of birth in the U.S.
14. Copy of declaratory judgment by a U.S. court confirming citizenship under 8 U.S.C. §1373.

Printed Name of Applicant

Notary Seal or Stamp

Signature of Applicant

Signature of Notary

Sworn to and subscribed before me on

Date

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: _____ E-mail Address: _____

Signature of Voter Registration Official

Date of Request

Phone number with area code: () - - Fax number with area code: () - -

ADPH-HS-89.1.20.2012

Authors: Jean Brown; Edward Packard; Julie Sinclair **Statutory Authority:** Code of Ala. 1975, §§31-13-28 (2012), 17-3-1 (2006). **History: New Rule:** Filed September 31, 2013; effective March 7, 2013. **Ed. Note:** Original Rule .18 was renumbered .19 as per certification filed March 4, 2016; effective April 18, 2016.

820-2-2-.20 Citizenship Document Inconsistency Affidavit Form. The following form (“Form C-2”) shall be used in instances where evidence of U.S. citizenship is deemed to be unsatisfactory due to an inconsistency between the document submitted as evidence of U.S. citizenship and the name or sex provided on the voter registration application.

CITIZENSHIP DOCUMENT INCONSISTENCY AFFIDAVIT

(Form C-2)

THIS AFFIDAVIT IS TO BE USED IN INSTANCES WHERE EVIDENCE OF U.S. CITIZENSHIP IS DEEMED TO BE UNSATISFACTORY DUE TO AN INCONSISTENCY BETWEEN THE DOCUMENT SUBMITTED AS EVIDENCE OF U.S. CITIZENSHIP AND THE NAME OR SEX PROVIDED ON THE VOTER REGISTRATION APPLICATION.

THERE SHALL BE NO INCONSISTENCY BETWEEN THE DATE OF BIRTH ON THE DOCUMENT PROVIDED AS EVIDENCE OF CITIZENSHIP AND THE DATE OF BIRTH PROVIDED ON THE APPLICATION FOR REGISTRATION. IF SUCH AN AFFIDAVIT IS SUBMITTED BY THE APPLICANT, THE REGISTRARS SHALL ASSESS THE ELIGIBILITY OF THE APPLICANT WITHOUT REGARD TO ANY INCONSISTENCY REGARDING DATE OF BIRTH STATED IN THE AFFIDAVIT.

STATE OF ALABAMA

____ COUNTY

Before me, a notary public, personally appeared
____ (print name) who, being duly

sworn, says as follows:

There is an inconsistency between the document I have submitted as evidence of U.S. citizenship and the (check one) ____name or ____sex provided on my voter registration application. The inconsistency is as follows:

(Attach additional sheets if necessary)

I swear and affirm under oath and under penalty of perjury that despite the inconsistency, I am the individual reflected in the document I have provided as evidence of U.S. citizenship.

(Signature of Voter Registration Applicant)

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Sworn to and subscribed before me this _____ day of _____, 2_____

I certify that the affiant is known (or made known) to me to be the identical party he or she claims to be.

(Signature of Notary Public)

(Printed name of Notary Public)

Authors: Jean Brown; Edward Packard; Julie Sinclair **Statutory Authority:** Code of Ala. 1975, §§31-13-28 (2012), 17-3-1 (2006).

History: New Rule: Filed September 31, 2013; effective March 7, 2013.

Ed. Note: Rule .19 was renumbered .20 as per certification filed March 4, 2016; effective April 18, 2016.

820-2-2-.21 Form For Notification Of Insufficiency Of Proof Of Citizenship.

(a) The following form (“Form C-3”) shall be used by boards of registrars to notify an applicant that he/she has provided insufficient proof of citizenship of U.S. citizenship as required by Code of Alabama, section 31-13-28 (2011).

**NOTIFICATION OF INSUFFICIENCY OF PROOF OF
CITIZENSHIP (Form C-3)**

TO:

FROM: _____ COUNTY BOARD OF REGISTRARS

Thank you for applying to register to vote in Alabama. We cannot register you at this time because you have not provided sufficient proof of United States citizenship as required by Alabama law. We have filed your application and will register you when you supply us by mail or in person one of the following documents:

(a) Driver’s license or nondriver’s ID card issued by division of motor vehicles or equivalent governmental agency of any state within the U.S. provided that the governmental agency of another state within the U.S. requires proof of lawful presence (i.e., U.S. citizenship) in the U.S. as a condition of issuance of the driver’s license or nondriver’s ID card. **Alabama driver’s license or nondriver’s ID card must be a “Star” license or ID.**

(b) Birth certificate indicating birth in the U.S. or one of its territories.

(c) Pertinent pages of your valid or expired U.S. passport identifying applicant and applicant’s passport number, or presentation of U.S. passport to Board of Registrars.

- (d) 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 pursuant to 8 U.S.C. §1373(c)
- (e) Other documents or methods of proof of U.S. citizenship issued by federal government pursuant to Immigration and Nationality Act of 1952 and amendments thereto.
- (f) Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.
- (g) Consular report of birth abroad of U.S. citizen.
- (h) Certificate of citizenship issued by U.S. Citizenship and Immigration Services.
- (i) Birth certificate issued by U.S. State Department.
- (j) American Indian card with KIC classification issued by U.S. Dept. of Homeland Security.
- (k) Final adoption decree showing your name and U.S. birthplace.
- (l) Official U.S. military record of service showing your place of birth in the U.S.
- (m) Extract from U.S. hospital birth record created at time of birth showing your U.S. place of birth
- (n) Federal confirmation of U.S. citizenship under 8 U.S.C. §1373.

If you do not have one of the above documents, you may submit any evidence that you believe demonstrates your U.S. citizenship directly to the county board of registrars. You may request a hearing at which you may present any additional evidence and be represented by an attorney (application form attached).

(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; Julie Sinclair **Statutory Authority:** Code of Ala. 1975, §§31-13-28 (2012), 17-3-1 (2006). **History:** **New Rule:** Filed September 31, 2013; effective March 7, 2013. **Ed. Note:** Rule .20 was renumbered .21 as per certification filed March 4, 2016; effective April 18, 2016.

820-2-2-.22 Procedure For County Boards Of Registrars For Hearing To Determine Applicant's Citizenship For Voting Purposes.

(1) If an applicant is a U.S. citizen but does not have any of the documentation listed in Code of Alabama, section 31-13-28 (k), the applicant may submit any evidence that the applicant believes demonstrates his or her U.S. citizenship. Among the documents that may be submitted when the applicant does not have any of the documents listed in Code of Alabama, section 31-13-28(k), are:

(a) Religious record, such as family Bible, certificate of baptism or confirmation, or other similar record showing either the date of birth or the person's age when the record was made;

(b) Marriage certificate showing a U.S. place of birth;

(c) Life, health, or other insurance record showing a U.S. place of birth;

(d) Early school record showing a U.S. place of birth;

(e) Newspaper birth announcement showing a U.S. place of birth;

(f) Affidavits signed under penalty of perjury by three (3) people;

(g) Military dependent's identification card showing U.S. citizenship;

(h) If none of the aforementioned evidence of U.S. citizenship is available, three or more corroborating documents may be accepted if said documents establish U.S. citizenship by a preponderance of the evidence.

(2) Any applicant seeking an assessment of evidence under this section may directly contact the county board of registrars by submitting a state voter registration application or the national voter registration application and any supporting evidence of U.S. citizenship. The county board of registrars shall give the applicant an opportunity for a hearing, upon the applicant's request in writing, and an opportunity to present any additional evidence to the county board of registrars. Notice of such hearing shall be given to the applicant at least five days prior to the hearing date. An applicant shall have the opportunity to be represented by counsel at such hearing. The county board of registrars shall assess the evidence provided by the applicant to determine whether the applicant has provided satisfactory evidence of U.S. citizenship. If the county board of registrars finds proof of U.S. citizenship by a preponderance of the evidence for an applicant whose voter registration application was received before the close of registration for the next scheduled election, said applicant shall be able to vote in that election.

(4) Standard of Proof and Majority Vote. The standard of proof for establishing U.S. citizenship before the county board of registrars shall be proof by a preponderance of the evidence. A decision of the

county board of registrars shall be determined by majority vote.

(5) If the county board of registrars finds that the evidence presented by an applicant does not constitute satisfactory evidence of U.S. citizenship, the applicant shall have the right to appeal such determination by instituting an action under 8 U.S.C. §1503. Any negative assessment of an applicant's eligibility by a county board of registrars shall be reversed if the applicant obtains a declaratory judgment pursuant to 8 U.S.C. § 1503, demonstrating that the applicant is a citizen of the United States. **Authors:** Jean Brown; Edward Packard; Julie Sinclair **Statutory Authority:** Code of Ala. 1975, §§31-13-28 (2012), 17-3-1 (2006). **History: New Rule:** Filed September 31, 2013; effective March 7, 2013. **Ed. Note:** Rule .21 was renumbered .22 as per certification filed March 4, 2016; effective April 18, 2016.

820-2-2-.23 Application Form To The Board Of Registrars For Hearing To Determine Applicant's Citizenship For Voting Purposes.

The Following Application Form ("Form C-4") To The county board of registrars shall be completed and submitted by applicants who desire to have a hearing or to submit additional evidence after a board of registrars determines that an applicant has not submitted satisfactory documentary proof of citizenship as required under Code of Ala. 1975, Section 31-13-28 (2012).

**APPLICATION TO THE COUNTY BOARD OF REGISTRARS
FOR HEARING TO DETERMINE APPLICANT'S
CITIZENSHIP FOR VOTING PURPOSES (Form C-4)**

Complete and submit only if applicant has not submitted satisfactory documentary proof of citizenship.

I, _____, hereby request a hearing with the county Board of Registrars. 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 governmental agency of any state within the United States provided that the governmental agency of another state within the U.S. requires proof of lawful presence (i.e., U.S. citizenship) in the U.S. as a condition of issuance of the driver's license or nondriver's identification card. **Alabama driver's license or nondriver's ID card must be a "Star" license or ID.**

(2) A birth certificate indicating birth in the U.S. or one of its territories.

(3) Pertinent pages of a valid or expired passport identifying me and my passport number, or presentation of my U.S. passport.

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- (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 my 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 COUNTY BOARD
OF REGISTRARS

I understand that I am entitled to a hearing before the Board of Registrars and an opportunity to testify and to present witnesses and additional evidence of citizenship if the Board does not determine that I have provided satisfactory evidence of citizenship 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 understand that notice of the hearing will be mailed to the address that I have provided at least five days prior to the hearing date.

_____. Signature of applicant
Mail completed form and attached documents to your local Board of Registrars.

Authors: Jean Brown; Edward Packard; Julie Sinclair **Statutory Authority:** Code of Ala. 1975, §§31-13-28 (2012), 17-3-1 (2006).

History: New Rule: Filed September 31, 2013; effective March 7, 2013.

Ed. Note: Rule .22 was renumbered .23 as per certification filed March 4, 2016; effective April 18, 2016.

820-2-2-.24 Agency-Based Voter Registration Form.

(a) Pursuant to 52 U.S.C. 20504, the following form shall be used in all offices in the State that issue driver's licenses and nondriver's identification cards and all state-designated voter registration agencies designated in Rule 820-2-2-.03.



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 or a copy in digital or other electronic format of ONE of the following documents:
 - Driver's license or nondriver's ID card issued by division of motor vehicles or equivalent governmental agency of any state within the U.S. provided that the governmental agency of another state within the U.S. requires proof of lawful presence (i.e., U.S. citizenship) as a condition of issuance of the driver's license or nondriver's ID card and that the driver's license or nondriver's ID card contains appropriate indicia showing proof of U.S. citizenship. **Alabama driver's license or nondriver's ID card must be a "Star" license or ID.**
 - Birth certificate indicating birth in the U.S. or one of its territories.
 - Pertinent pages of a 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 pursuant to 8 U.S.C. §1373(c).
 - Other documents or methods 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 applicant's place of birth in the U.S.
 - Extract from U.S. hospital birth record created at time of birth showing applicant's U.S. place of birth.
 - 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 your county Board of Registrars for a hearing to determine your U.S. citizenship for voting purposes. Please fill out the attached Form C-4 and submit it to your county Board of Registrars.

State of Alabama Agency-Based Voter Registration Form

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

NVRA-18
(FORM REVISION DATE)

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.

FOR USE BY AGENCY OFFICIAL ONLY

Check one (1) box:

☐ Registrars
☐ Motor Voter
☐ State Designated Agency
☐ Agency-Based
☐ Disabilities Services Office

Signature of Agency Representative _____
Business Phone of Agency Representative _____

PROOF OF CITIZENSHIP REQUIRED: You must send with this application a legible photocopy or a copy in digital or other electronic format one of the documents listed on the Instruction Sheet. **IDENTIFICATION REQUIREMENT:** You will be required to present a valid form of ID when you vote absentee or at your polling place.

① 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.

② Will you be 18 years of age on or before election day? ☐ Yes ☐ No

③ Print Your Name: First Middle Last Suffix

④ Print Maiden Name / Former Name (if reporting a change of name) First Middle Last Suffix

⑤ Date of Birth (mm/dd/yyyy) ⑥ Primary Telephone () ⑦ Email Address

Alabama Driver's License or Non-Driver ID Number: STATE NUMBER

IF YOU HAVE NO ALABAMA DRIVER'S LICENSE OR ALABAMA NON-DRIVER ID NUMBER

Last four digits of Social Security number:

☐ I do not have an Alabama driver's license or Alabama non-driver ID or a social security number.

Addresses

Current

Address where you live: (Do not use post office box) Home Address (include apartment or other unit number if applicable) City State ZIP

Address where you receive your mail: Mailing Address, if different from Home Address City State ZIP

Old

Address where you were last registered to vote: (Do not use post office box) Former Address City County State ZIP

⑧ Sex (check one)
☐ Female ☐ Male

⑨ Race (check one)
☐ White ☐ Black
☐ Asian ☐ American Indian
☐ Hispanic ☐ Other

⑩ Place of Birth City County State Country

⑪ Map / Diagram
If your home has no street number or name, please draw a map of where your house is located. Please include roads and landmarks.

⑫ Did you receive assistance?
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).

REGISTRARS USE ONLY

County Pot _____
City Pot _____

CITIZENSHIP PROOF PER _____
DATE ☐ APPROVED ☐ DENIED
(mm/dd/yyyy)

Board member _____
Board member _____
Board member _____

Voter Declaration - Read and Sign Under Penalty of Perjury

► 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

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.

YOUR SIGNATURE _____ **DATE** (mm/dd/yyyy) _____

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.

(THIS SPACE FOR NAME OF CURRENT SECRETARY OF STATE)

Questions? Call the Elections Division at 1-800-274-8683 or 334-242-7210

Appendices

AFFIDAVIT AND APPLICATION FOR A CERTIFICATION OF AN ALABAMA **BIRTH RECORD** FOR ALABAMA VOTER REGISTRAR'S USE ONLY

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: _____ Email Address: _____

Mailing Address: _____

City: _____ State: Alabama Zip: _____

Signature of Voter Registration Official _____

Date of Request _____

**APPLICATION TO THE COUNTY BOARD OF REGISTRARS
FOR HEARING TO DETERMINE APPLICANT'S CITIZENSHIP
FOR VOTING PURPOSES (Form C-4)**

Complete and submit only if applicant has not submitted satisfactory documentary proof of citizenship.

I, _____, hereby request a hearing with the county Board of Registrars. 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 governmental agency of any state within the United States provided that the governmental agency of another state within the U.S. requires proof of lawful presence (i.e., U.S. citizenship) in the U.S. as a condition of issuance of the driver's license or nondriver's identification card. **Alabama driver's license or nondriver's ID card must be a "Star" license or ID.**
- (2) A birth certificate indicating birth in the U.S. or one of its territories.
- (3) Pertinent pages of a valid or expired passport identifying me and my passport number, or presentation of my U.S. passport.
- (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.

Appendices

(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 my 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 COUNTY
BOARD OF REGISTRARS

I understand that I am entitled to a hearing before the Board of Registrars and an opportunity to testify and to present witnesses and additional evidence of citizenship if the Board does not determine that I have provided satisfactory evidence of citizenship 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 understand that notice of the hearing will be mailed to the address that I have provided at least five days prior to the hearing date.

Signature of applicant

Mail completed form and attached documents to your local Board of Registrars.

Appendices

(b) Pursuant to 52.U.S.C. 20506, the following form shall be used in all offices in the State that provide public assistance and all offices in the State that provide State-funded programs primarily engaged in providing services to persons with disabilities.



STATE OF ALABAMA
AGENCY-BASED VOTER REGISTRATION APPLICATION
NVRA-1A

IF YOU ARE NOT REGISTERED TO VOTE WHERE YOU LIVE NOW, WOULD YOU LIKE TO APPLY TO REGISTER TO VOTE HERE TODAY?

- ☐ I want to apply to register to vote today.
- ☐ I want to change my address for voting purposes by use of this form.
- ☐ I do not want to apply to register to vote today.

IF YOU DO NOT CHECK ANY BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.

Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.

If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application in private.

Name _____ Date _____ Signature _____

Please detach lower portion and give to applicant

IF YOU DECIDE TO APPLY TO REGISTER TO VOTE, THE OFFICE WHERE YOU ARE SUBMITTING YOUR APPLICATION WILL REMAIN CONFIDENTIAL AND WILL BE USED FOR VOTER REGISTRATION PURPOSES ONLY.

IF YOU DECLINE TO REGISTER TO VOTE, YOUR DECISION WILL REMAIN CONFIDENTIAL AND WILL BE USED FOR VOTER REGISTRATION PURPOSES ONLY.

IF YOU BELIEVE THAT SOMEONE HAS INTERFERED WITH YOUR RIGHT TO REGISTER OR TO DECLINE TO REGISTER TO VOTE OR YOUR RIGHT TO PRIVACY IN DECIDING WHETHER TO REGISTER OR IN APPLYING TO REGISTER TO VOTE, YOU MAY FILE A COMPLAINT WITH THE SECRETARY OF STATE AT STATE CAPITOL, 600 DEXTER AVENUE, SUITE E-208, MONTGOMERY, ALABAMA, 36130 OR BY CALLING 334-242-7210 OR 1-800-274-VOTE (1-800-274-8683).

State of Alabama Agency-Based Voter Registration Form

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

NVRA-1B
(FORM REVISION DATE)

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.

FOR USE BY AGENCY OFFICIAL ONLY

Check one (1) box:

☐ Registrars
☐ Motor Voter
☐ State Designated Agency
☐ Agency-Based
☐ Disabilities Services Office

Signature of Agency Representative _____
Business Phone of Agency Representative _____

PROOF OF CITIZENSHIP REQUIRED: You must send with this application a legible photocopy or a copy in digital or other electronic format one of the documents listed on the Instruction Sheet. **IDENTIFICATION REQUIREMENT:** You will be required to present a valid form of ID when you vote absentee or at your polling place.

ATTENTION! If you answer "No" to either of these questions, do not complete this application.

① Are you a citizen of the United States of America? ☐ Yes ☐ No
② Will you be 18 years of age on or before election day? ☐ Yes ☐ No

③ Print Your Name: First Middle Last Suffix
Alabama Driver's License or Non-Driver ID Number: STATE NUMBER
IF YOU HAVE NO ALABAMA DRIVER'S LICENSE OR ALABAMA NON-DRIVER ID NUMBER
Last four digits of Social Security number:
☐ I do not have an Alabama driver's license or Alabama non-driver ID or a social security number.

④ Print Maiden Name / Former Name (if reporting a change of name) First Middle Last Suffix
⑤ Date of Birth (mm/dd/yyyy) ⑥ Primary Telephone () ⑦ Email Address

Addresses

Current
Address where you live: (Do not use post office box) Home Address (include apartment or other unit number if applicable) City State ZIP
Address where you receive your mail: Mailing Address, if different from Home Address City State ZIP

Old
Address where you were last registered to vote: (Do not use post office box) Former Address City County State ZIP

⑧ Sex (check one)
☐ Female ☐ Male

⑨ Place of Birth City County State Country

⑩ Race (check one)
☐ White ☐ Black
☐ Asian ☐ American Indian
☐ Hispanic ☐ Other

⑪ Map / Diagram
If your home has no street number or name, please draw a map of where your house is located. Please include roads and landmarks.

⑫ Did you receive assistance?
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).

REGISTRARS USE ONLY

County Pot _____
City Pot _____
CITIZENSHIP PROOF PER _____
DATE ☐ APPROVED ☐ DENIED (mm/dd/yyyy)
Board member _____
Board member _____
Board member _____

Voter Declaration - Read and Sign Under Penalty of Perjury

► 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

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.

YOUR SIGNATURE _____ DATE (mm/dd/yyyy) _____

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.

[THIS SPACE FOR NAME OF CURRENT SECRETARY OF STATE]

Questions? Call the Elections Division at 1-800-274-8683 or 334-242-7210

**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 and I 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 U.S. citizenship:

1. Driver's license or nondriver's ID card issued by division or motor vehicles or equivalent governmental agency of any state within the U.S. provided that the governmental agency of another state within the U.S. requires proof of lawful presence in the U.S. (i.e., U.S. citizenship) as a condition of issuance of the driver's license or nondriver's ID card. **Alabama driver's license or nondriver's ID must be a "Star" license or ID.**
2. Birth certificate indicating birth in the U.S. or one of its territories.
3. Pertinent pages of a valid or expired U.S. passport, or original passport.
4. U.S. naturalization documents or the number of the certificate of naturalization
5. Other documents issued by the Federal Government proving U.S. citizenship, pursuant to the immigration and Nationality Act of 1952.
6. Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.
7. Consular report of birth abroad of U.S. citizen.
8. Certificate of citizenship issued by the U.S. Citizenship and Immigration Services.
9. Certification of report of birth issued by the U.S. State Department.
10. American Indian card, with KIC classification, issued by the U.S. Department of Homeland Security.
11. Final adoption decree showing name and U.S. birthplace
12. Official U.S. military record of service showing place of birth in the U.S.
13. Extract from a U.S. hospital record of birth created at the time of birth indicating place of birth in the U.S.
14. Copy of declaratory judgment by a U.S. court confirming citizenship under 8 U.S.C. §1373.

Printed Name of Applicant

Notary Seal or Stamp

Signature of Applicant

Signature of Notary

Sworn to and subscribed before me on

Date

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: _____

Date of Birth: _____ First _____ Middle _____ Last _____
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: _____ E-mail Address: _____

Signature of Voter Registration Official

Date of Request

Phone number with area code: (_____) _____ - _____ Fax number with area code: (_____) _____ - _____

ADPH-HS-89.1.20.2012

**APPLICATION TO THE COUNTY BOARD OF REGISTRARS
FOR HEARING TO DETERMINE APPLICANT'S CITIZENSHIP
FOR VOTING PURPOSES (Form C-4)**

Complete and submit only if applicant has not submitted satisfactory documentary proof of citizenship.

I, _____, hereby request a hearing with the county Board of Registrars. 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 governmental agency of any state within the United States provided that the governmental agency of another state within the U.S. requires proof of lawful presence (i.e., U.S. citizenship) in the U.S. as a condition of issuance of the driver's license or nondriver's identification card. **Alabama driver's license or nondriver's ID card must be a "Star" license or ID.**
- (2) A birth certificate indicating birth in the U.S. or one of its territories.
- (3) Pertinent pages of a valid or expired passport identifying me and my passport number, or presentation of my U.S. passport.
- (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.

Appendices

(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 my 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 COUNTY
BOARD OF REGISTRARS

I understand that I am entitled to a hearing before the Board of Registrars and an opportunity to testify and to present witnesses and additional evidence of citizenship if the Board does not determine that I have provided satisfactory evidence of citizenship 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 understand that notice of the hearing will be mailed to the address that I have provided at least five days prior to the hearing date.

Signature of applicant

Mail completed form and attached documents to your local Board of Registrars.

Authors: Jean Brown; Edward Packard; William Sutton **Statutory Authority:** Code of Ala. 1975, §§31-13-28 (2012), 17-3-1 (2006). **History: New Rule:** Filed September 31, 2013; effective March 7, 2013. **Repealed and New Rule:** Filed April 13, 2015; effective May 18, 2015. **Amended:** Filed May 13, 2019; effective June 27, 2019. **Ed. Note:** Rule .23 was renumbered .24 as per certification filed March 4, 2016; effective April 18, 2016.

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 or a copy in digital or other electronic format of ONE of the following documents:
 - Driver's license or nondriver's ID card issued by division of motor vehicles or equivalent governmental agency of any state within the U.S. provided that the governmental agency of another state within the U.S. requires proof of lawful presence (i.e., U.S. citizenship) as a condition of issuance of the driver's license or nondriver's ID card and that the driver's license or nondriver's ID card contains appropriate indicia showing proof of U.S. citizenship. **Alabama driver's license or nondriver's ID card must be a "Star" license or ID.**
 - Birth certificate indicating birth in the U.S. or one of its territories.
 - Pertinent pages of a 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 pursuant to 8 U.S.C. §1373(c).
 - Other documents or methods 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 applicant's place of birth in the U.S.
 - Extract from U.S. hospital birth record created at time of birth showing applicant's U.S. place of birth.
 - 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 your county Board of Registrars for a hearing to determine your U.S. citizenship for voting purposes. Please fill out the attached Form C-4 and submit it to your county Board of Registrars.

NVRA-2
FORM REVISION DATE

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

You can use this form to:

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

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

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.

PROOF OF CITIZENSHIP REQUIRED: You must send with this application a legible photocopy or a copy in digital or other electronic format one of the documents listed on the Instruction Sheet. **IDENTIFICATION REQUIREMENT:** You will be required to present a valid form of ID when you vote absentee or at your polling place.

1 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.

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

3 Print Your Name:
 First Middle Last Suffix

4 Print Maiden Name / Former Name (if reporting a change of name)
 First Middle Last Suffix

5 Date of Birth (mm/dd/yyyy) 6 Primary Telephone 7 Email Address
 ()

Alabama Driver's License or Non-Driver ID Number: STATE NUMBER
 IF YOU HAVE NO ALABAMA DRIVER'S LICENSE OR ALABAMA NON-DRIVER ID NUMBER
 Last four digits of Social Security number:
☐ I do not have an Alabama driver's license or Alabama non-driver ID or a social security number.

Addresses	Current	Address where you live: <small>(Do not use post office box)</small>	Home Address (include apartment or other unit number if applicable) City State ZIP
		Address where you receive your mail:	Mailing Address, if different from Home Address City State ZIP
	Old	Address where you were last registered to vote: <small>(Do not use post office box)</small>	Former Address City County State ZIP

8 Sex (check one)
☐ Female ☐ Male

9 Race (check one)
☐ White ☐ Black
☐ Asian ☐ American Indian
☐ Hispanic ☐ Other

10 Place of Birth City County State Country

11 Map / Diagram
 If your home has no street number or name, please draw a map of where your house is located. Please include roads and landmarks.

12 Did you receive assistance?
 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).

REGISTRARS USE ONLY

County Pot _____

City Pot _____

CITIZENSHIP PROOF PER _____

DATE ☐ APPROVED ☐ DENIED

(mm/dd/yyyy)

Board member _____

Board member _____

Board member _____

Voter Declaration - Read and Sign Under Penalty of Perjury

▶ 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

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.

YOUR SIGNATURE _____ **DATE (mm/dd/yyyy)** _____

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.

[THIS SPACE FOR NAME OF CURRENT SECRETARY OF STATE]

Questions? Call the Elections Division at 1-800-274-8683 or 334-242-7210

Appendices

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

[THIS SPACE FOR CURRENT ADDRESSES AND PHONE NUMBERS OF BOARDS OF REGISTRARS OFFICES]

YOUR ADDRESS:

PUT
FIRST
CLASS
STAMP
HERE

MAIL TO:

BOARD OF REGISTRARS

STREET ADDRESS
CITY
STATE
ZIP

AFFIDAVIT AND APPLICATION FOR A CERTIFICATION OF AN ALABAMA BIRTH RECORD FOR ALABAMA VOTER REGISTRAR'S USE ONLY

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: _____

Email Address: _____

Mailing Address: _____

City: _____

State: Alabama

Zip: _____

Signature of Voter Registration Official _____

Date of Request _____

Phone Number: () _____

Fax Number: () _____

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**APPLICATION TO THE COUNTY BOARD OF REGISTRARS
FOR HEARING TO DETERMINE APPLICANT'S CITIZENSHIP
FOR VOTING PURPOSES (Form C-4)**

Complete and submit only if applicant has not submitted satisfactory documentary proof of citizenship.

I, _____, hereby request a hearing with the county Board of Registrars. 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 governmental agency of any state within the United States provided that the governmental agency of another state within the U.S. requires proof of lawful presence (i.e., U.S. citizenship) in the U.S. as a condition of issuance of the driver's license or nondriver's identification card. **Alabama driver's license or nondriver's ID card must be a "Star" license or ID.**
- (2) A birth certificate indicating birth in the U.S. or one of its territories.
- (3) Pertinent pages of a valid or expired passport identifying me and my passport number, or presentation of my U.S. passport.
- (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 my 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 COUNTY
BOARD OF REGISTRARS

I understand that I am entitled to a hearing before the Board of Registrars and an opportunity to testify and to present witnesses and additional evidence of citizenship if the Board does not determine that I have provided satisfactory evidence of citizenship 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 understand that notice of the hearing will be mailed to the address that I have provided at least five days prior to the hearing date.

Signature of applicant

Mail completed form and attached documents to your local Board of Registrars.

Authors: Jean Brown; Edward Packard; William Sutton **Statutory Authority:** Code of Ala. 1975, §§31-13-28 (2012), 17-3-1 (2006). **History: New Rule:** Filed September 31, 2013; effective March 7, 2013. **Repealed and New Rule:** Filed April 13, 2015; effective May 15, 2015. **Amended:** Filed May 13, 2019; effective June 27, 2019. **Ed. Note:** Rule .24 was renumbered .25 as per certification filed March 4, 2016; effective April 18, 2016.

820-2-2-.26 Domestic Violence Voter Affirmation Form. The following affidavit form shall be used by election officials in the State to omit the residential and mailing address of a registered voter on any generally available list of registered voters, except for those lists provided to federal and state agencies, who is or has been the victim of domestic violence, has legal custody of a minor who is or has been the victim of domestic violence, or when a domestic violence order is or has been issued by a judge or magistrate pursuant to the Domestic Violence Protection Order Enforcement Act. The affidavit form shall be filed in the county Board of Registrar's office where the individual is registered or intends to register to vote



State of Alabama
Domestic Violence Voter Affirmation

In accordance with *Code of Alabama 1975, Section 17-4-33(b)*, this form serves as notification to election officials to omit residential and mailing addresses from publicly available lists of registered voters who are victims of domestic violence or who have legal custody of a minor victim of domestic violence.

When completed, return this form to the Board of Registrars office in the county where the individual is registered or intends to register to vote.

Check one of the following options.

I swear or affirm that:

- ☐ I am a registered voter who is or has been the victim of domestic violence as provided in Article 7, commencing with Section 13A-6-130, of Chapter 6 of Title 13A.
- ☐ I am a registered voter who has legal custody of a minor who is or has been the victim of domestic violence as provided in Article 7, commencing with Section 13A-6-130, of Chapter 6 of Title 13A.
- ☐ I am a registered voter and a domestic violence order is or has been issued by a judge or magistrate pursuant to the Domestic Violence Protection Order Enforcement Act, to restrain access to myself or a minor who is in my legal custody.

Signature of Voter

Date of Affirmation

Printed Name of Voter

Voter Date of Birth

County of Registration

For office use only	
Date of Receipt	_____
Registrant ID Number	_____
Notes	_____

Authors: Jean Brown, Brandon Walters, Ed Packard **Statutory Authority:** Code of Ala. 1975, §17-4-33(2014). **History:** New **Rule:** Filed October 9, 2014; effective November 13, 2014. **Ed. Note:** Rule .25

was renumbered .26 as per certification filed March 4, 2016; effective April 18, 2016.

820-2-2-.27 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 for, 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 Ala. 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 votes 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 November 6, 2014; effective December 11, 2014. **Ed. Note:** Rule .26 was renumbered .27 as per certification filed March 4, 2016; effective April 18, 2016.

820-2-2-.28 Procedures For Absentee Election Managers For Domestic Violence Voter Protection. The county absentee election manager shall redact or omit the residential and mailing address for voters in protected status pursuant to Code of Ala. 1975, §17-4-33(b)(2014) from any copy of an absentee voter list to be posted or otherwise made a public record, except poll lists used at local precincts. **Authors:** Jean Brown, Brandon Walters, Ed Packard **Statutory Authority:** Code of Alabama 1975, §§17-4-33 (2014); 17-9-15(1) (2014). **History: New Rule:** Filed November 6, 2014; effective December 11, 2014.

Ed. Note: Rule .27 was renumbered .28 as per certification filed March 4, 2016; effective April 18, 2016.

820-2-2-.29 Procedures For Municipal Clerks For Domestic Violence

Voter Protection. Following each election, the municipal clerk shall make a copy of that portion of the poll list to be made a public record and shall maintain the original in his or her office. The municipal clerk shall redact or omit the residential and mailing address for voters in protected status pursuant to Code of Ala. 1975, §17-4-33(b)(2014) from any copy to be made a public record, except poll lists used at local precincts. **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 November 6, 2014; effective December 11, 2014.

Ed. Note: Rule .28 was renumbered .29 as per certification filed March 4, 2016; effective April 18, 2016.

820-2-2-.30 Procedures For Disseminating Information From Statewide Voter File For Domestic Violence Voter Protection.

The Secretary of State, judge of probate, and registrar shall include the name and omit the residential and mailing address of a registered voter on any list of registered voters compiled from the statewide voter file and generally available pursuant to §17-3-53, §17-4-33(10), §17-4-35(10), and §17-4-38, except for those lists provided to federal and state agencies, pursuant to Code of Ala. 1975, §17-4-33(b)(2014). **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 November 6, 2014; effective December 11, 2014.

Ed. Note: Rule .29 was renumbered .30 as per certification filed March 4, 2016; effective April 18, 2016.

820-2-2-.31 Report Of Voter's Change Of Residence Or Death Form.

The following form is for use by a family member of a voter, the inspector of a voter's election precinct, judge of probate, sheriff, or clerk of the circuit court to report that a voter in the statewide voter file is deceased or has become a nonresident of the precinct in which he or she is registered to vote. Further, the form is for use by the inspector of the voter's election precinct, judge of probate, sheriff, or clerk of the circuit court to provide a statement as to the source and nature of the information supporting the report that the voter is deceased or has become a nonresident of the precinct in which he or she is registered to vote.



Report of Voter's Change of Residence or Death

FORM NVKA-24

FOR REGISTRARS USE ONLY

Purpose

This form is intended to provide notification to the Board of Registrars that a registered voter is no longer a resident of the precinct in which he or she is registered to vote due to the voter's change of residence or death (§17-4-6.1, Code of Alabama, 1975).

Who May Use this Form

This form is for use by a family member of the voter, the inspector of the voter's election precinct, or the Judge of Probate, Sheriff, or Clerk of the Circuit Court of the county in which the voter is registered to vote.

Instructions

Complete this form as thoroughly as possible. Requested information will be used to ensure that the Board of Registrars can identify the correct voter. Sign the form and then submit it to the Board of Registrars of the county in which the voter is registered.

Information about Voter

Reason for completing this form: <input type="checkbox"/> Voter has moved outside of precinct <input type="checkbox"/> Death of Voter				
Last Name	First Name	Middle Name	Suffix	
Date of Birth	Date of Death (if deceased)	Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	Last 4 Digits of SSN	Driver License or ID No.
Voter's Address on Voter Registration Record		City	State	ZIP Code
Voter's Address (if voter has moved outside of precinct)		City	State	ZIP Code

Person Providing Information about Voter

<input type="checkbox"/> Family Member <input type="checkbox"/> Inspector of Election Precinct <input type="checkbox"/> Judge of Probate, Sheriff, or Clerk of Circuit Court		
Full Name		
Address		
City	State	Zip Code
Relationship to Voter (if family member)		Title (if public official)
Signature		Date Signed
<p>FOR USE BY INSPECTOR OF ELECTION PRECINCT, JUDGE OF PROBATE, SHERIFF OR CLERK OF THE CIRCUIT COURT - Please describe the source and nature of the information upon which you believe this voter is deceased or has become a nonresident of the precinct.</p>		

Authors: Edward Packard, William Suttom **Statutory Authority:** Code of Ala. 1975, §17-4-6.1. **History:** **New Rule:** Filed December 8, 2015; effective January 22, 2016. **Ed. Note:** Rule .30 was renumbered .31 as per certification filed March 4, 2016; effective April 18, 2016.

820-2-2-.32 Oath on The Voter Registration Form. Pursuant to 17-3-52 of the Code of Ala., voter registration applicants must sign a voter registration form that contains an oath to support and defend the

Constitution of the United States and the State Constitution of Alabama. Currently, that oath ends with the phrase “so help me God.” If an applicant objects to that phrase due to sincerely held beliefs, the applicant may strike through that phrase and then sign the registration form. If the applicant is otherwise qualified to vote, the Board of Registrars shall accept a valid voter registration form when the phrase “so help me God” is stricken through by the applicant. Striking through this phrase is the only modification that applicants may make to the language of the voter registration form. **Authors:** David Brewer, Hugh Evans, Clay Helms, Jeff Elrod **Statutory Authority:** Code of Ala. 1975, §17-3-52. **History:** **New Rule:** Published January 29, 2021; effective March 15, 2021.

Appendix S-4: Chapter 820-2-3 Absentee Voting

STATE OF ALABAMA OFFICE OF THE SECRETARY OF STATE ELECTIONS DIVISION

ADMINISTRATIVE CODE CHAPTER 820-2-3 ABSENTEE VOTING

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820-2-3-.01	<u>Contents Of The Absentee Ballot And Accompanying Affidavit Envelope.</u>

(1) Each ballot style shall have its own designation. A ballot style is a printed ballot showing a specific group of races, candidates and/or propositions. To the extent of any variation in the printed races, candidates and/or propositions among printed ballots, each variety shall be distinctly designated.

(2) Each ballot shall have a pre-printed serial number. Ballot serial numbers shall correspond to the number of ballots printed in a particular ballot style. While serial numbers may be duplicated between separate ballot styles, serial numbers may not be duplicated within a ballot style.

(3) Each affidavit envelope shall contain designated blanks for the purpose of permitting the absentee election manager to write-in the ballot style designation and serial number of the associated ballot.

Author: Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-10-22. **History:** **New Rule:** Filed January 10, 2001; effective February 14, 2001.

Ed. Note: Formerly Rule 820-X-10-.01, as per certification filed January 10, 2001; effective February 14, 2001.

820-2-3-.02 Completion Of The Ballot Style And Serial Number Blanks On The Affidavit Envelope. The Absentee Election Manager shall identify on the affidavit envelope in writing both the ballot style designation and the ballot serial number for the associated ballot prior to providing the affidavit envelope and ballot to the voter. Where absentee envelopes and ballots are provided to election officials for on-site absentee voting, the election officials shall be responsible for writing-in the ballot style designation and the ballot serial number of the associated ballot on the affidavit envelope prior to providing the affidavit envelope and associated ballot to the voter.

Author: Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-10-22. **History:** **New Rule:** Filed January 10, 2001; effective February 14, 2001.

Ed. Note: Formerly Rule 820-X-10-.02, as per certification filed January 10, 2001; effective February 14, 2001.

820-2-3-.03 List Of Qualified Voters. The list of qualified voters shall identify the correct ballot style designations for each voter. In the case of a primary election, ballot style designations for each party participating in the primary and a non-partisan ballot style designation shall be printed on the list of qualified voters. The absentee election manager and on-site absentee election officials shall use the ballot style designations printed on the list of qualified voters to identify the correct ballot style to provide a voter in an election. A voter claiming to qualify for a ballot style in conflict with the ballot style designation printed on the list of qualified voters may vote by challenged ballot.

Author: Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-10-22. **History:** **New Rule:** Filed January 10, 2001; effective February 14, 2001.

Ed. Note: Formerly Rule 820-X-10-.03, as per certification filed January 10, 2001; effective February 14, 2001.

820-2-3-.04 Forms For Overseas And Military Absentee Voting.

(1) This rule is intended to provide any form or ballot by which an absentee election manager or registrar shall administer the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §20301. Any form or ballot described in this rule may be used in any primary or general election.

(2) The State of Alabama adopts any form or ballot issued or promulgated by the federal government to implement the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. § 20301. Any form or ballot issued or promulgated by the federal government in the future to implement the Act is adopted prospectively. Any form or ballot described in this rule may be used by a voter covered by the Act in lieu of any form or ballot issued or promulgated by the State of Alabama for absentee voting, such as the Standard State Application Form for Absentee Voting described in Paragraph 4 of this rule. The scope of this paragraph shall include, but is not limited to, the Federal Write-In Absentee Ballot, FWAB SF-186.

(3) Absentee ballot material sent to a voter by an absentee election manager pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §20301, to vote in a primary election shall include a Federal Write-In Absentee Ballot, FWAB SF-186, to vote for any federal candidate in a second primary election. Absentee ballot material sent to a voter by an absentee election manager pursuant to this paragraph shall also be accompanied by an instruction provided by the Secretary of State explaining that the Federal Write-In Absentee Ballot, FWAB SF-186, may be used to vote in a second primary election.

(4) The State of Alabama adopts a Standard State Application Form for Absentee Voting; which may be used by a voter covered by the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §20301. The form may also be used by any other voter who applies to vote absentee. The form shall appear as follows:

Front side of Application

APPLICATION FOR ABSENTEE BALLOT FORM AV-R1				Return this application to:	
_____ COUNTY, ALABAMA					
General Voter Information - Please provide complete information so that we may verify your eligibility to vote.					
Last Name (Please print)		First Name		Middle or Maiden Name	
E-mail Address					
If you have moved since registering to vote, please update your voter registration record with the county board of registrars before proceeding with this application.					
Street Address (address where you are registered to vote; do not use PO box)				City	
				ZIP	
Mail my ballot to the address where I regularly receive mail, if different from the street address provided above					
Precinct where you vote (name and/or location of your polling place)					
Date of Birth		Month		Day	
Home Telephone Number		Work Telephone Number		Driver's License Number	
()		()		IF NO DRIVER'S LICENSE NUMBER	
				Last 4 digits of Social Security number	
				STATE NUMBER	
For all registered voters			For Military and U.S. Citizens Residing Overseas ONLY		
<p>I hereby make application for an absentee ballot so that I may vote in the following election(s):</p> <p>Absentee ballots for elections more than 30 days apart must be requested on separate applications. See note below.</p> <p><input type="checkbox"/> Primary Election or Presidential Preference Primary Election</p> <p style="margin-left: 20px;">Select one:</p> <p style="margin-left: 40px;"><input type="checkbox"/> Democratic Party</p> <p style="margin-left: 40px;"><input type="checkbox"/> Republican Party</p> <p style="margin-left: 40px;"><input type="checkbox"/> Other _____</p> <p style="margin-left: 40px;"><input type="checkbox"/> Proposed Constitutional Amendments Only</p> <p><input type="checkbox"/> Primary Runoff Election</p> <p style="margin-left: 20px;">Select one:</p> <p style="margin-left: 40px;"><input type="checkbox"/> Democratic Party</p> <p style="margin-left: 40px;"><input type="checkbox"/> Republican Party</p> <p style="margin-left: 40px;"><input type="checkbox"/> Other _____</p> <p style="margin-left: 40px;"><input type="checkbox"/> Proposed Constitutional Amendments Only</p> <p><input type="checkbox"/> General Election</p> <p><input type="checkbox"/> Special Election _____</p> <p><input type="checkbox"/> Municipal Election</p> <p><input type="checkbox"/> Municipal Runoff Election</p>			<p>This section is for individuals voting pursuant to the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).</p> <p><input type="checkbox"/> By checking this box, I am attesting that I am a member of the United States Armed Forces or I am a United States citizen residing overseas, or a spouse or dependent of such person.</p> <p>I understand that this application will be valid for all elections to be held during the next two regularly scheduled general election cycles for federal offices.</p> <p>If I wish to waive this right and have this application expire earlier, I am providing an expiration date below. For example, I might choose an earlier expiration date if I expect a change of duty station effective after the next election but before the end of the next two general election cycles.</p> <p>This application should expire on _____</p> <p style="text-align: right;">Month / Day / Year</p>		
<p>Unless you are a member of the armed forces or you are a United States citizen residing overseas, or a spouse or dependent of such person, please note that for elections to be held more than thirty (30) days apart, you must submit a separate application for absentee voting for each election.</p>					
<p>I am applying for an absentee ballot because (check one box):</p> <p><input type="checkbox"/> I will be out of the county or the state, or the municipality for municipal elections, on election day.</p> <p><input type="checkbox"/> I have a physical illness or infirmity which prevents my attendance at the polls.</p> <p><input type="checkbox"/> I work a shift which has at least ten (10) hours that coincide with the polling hours at my regular polling place.</p> <p><input type="checkbox"/> I am enrolled as a student at an educational institution located outside the county of my personal residence, attendance at which prevents my attendance at the polls.</p> <p><input type="checkbox"/> I am a member of, or a spouse or dependent of a member of, the Armed Forces of the United States or am otherwise similarly qualified to vote absentee pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. 1973ff.</p> <p><input type="checkbox"/> I have been appointed as an election officer at a polling place which is not my regular polling place.</p>					
<p>When I apply for this absentee ballot, I understand that my name will be stricken from the list of qualified electors and, when I cast this absentee ballot, I understand that I will not be entitled to vote at my regular polling place.</p>					
Voter's Signature		<div style="border: 1px solid black; padding: 2px; display: inline-block;"> Complete this section if voter signs by mark </div>		Witness Signature	
		<div style="border: 1px solid black; padding: 2px; display: inline-block;"> Print Witness Name </div>			
<p>The voter may hand this application to the Absentee Election Manager. The voter may also forward this application to the Absentee Election Manager by U.S. Mail [§17-11-3 and §17-11-4, Code of Alabama, 1975].</p>					
<p><u>READ PENALTIES ON BACK</u></p>					

Back side of Application

PENALTIES

§17-17-24, Code of Ala. 1975, as amended

(a) Any person who willfully changes an absentee voter's ballot to the extent that it does not reflect the voter's true ballot, any person who willfully votes more than once by absentee ballot in the same election, any person who willfully votes for another voter or falsifies absentee ballot applications or verification documents so as to vote absentee, or any person who solicits, encourages, urges, or otherwise promotes illegal absentee voting, shall be guilty, upon conviction, of a Class C felony. Any person who willfully aids any person unlawfully to vote an absentee ballot, any person who knowingly and unlawfully votes an absentee ballot, and any voter who votes both an absentee and regular ballot at any election shall be similarly punished.

(b) Upon request by the local District Attorney or the Secretary of State, the Attorney General shall provide investigating assistance in instances or absentee ballot or voting violations.

(c) Nothing in this section shall be construed to impede or inhibit organized legal efforts to encourage voter participation in the election process or to discourage a candidate from encouraging electors to lawfully vote by absentee ballot.

Author: Adam L. Bourne, William Sutton, Jean Brown, Ed Packard, Brent Beal, David Brewer, Jeff Elrod. **Statutory Authority:** Code of Ala. 1975, §§17-11-4, 17-11-5(d); Act 2019-507. **History:** **New Rule:** Filed February 10, 2006; effective March 17, 2006. **Amended:** Filed February 5, 2008; effective March 11, 2008. **Amended:** Filed May 4, 2018; effective June 18, 2018. **Amended:** Published October 31, 2019; effective December 15, 2019.

820-2-3-.05 Definition of Commercial Carrier. A commercial carrier shall be defined as a business licensed and regulated (pursuant to § 37-3-5) in the area(s) in which it operates that advertises to the public and is engaged in the business of trade or traffic and commerce.

Authors: Jeff Elrod, Hugh Evans. **Statutory Authority:** Act 2019-507. **History:** **New Rule:** Filed October 31, 2019. Effective December 15, 2019.

Appendix S-5: Chapter 820-2-4 Ballot Access for Political Parties and Independent Candidates

STATE OF ALABAMA OFFICE OF THE SECRETARY OF STATE ELECTIONS DIVISION

ADMINISTRATIVE CODE CHAPTER 820-2-4 BALLOT ACCESS FOR POLITICAL PARTIES AND INDEPENDENT CANDIDATES

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820-2-4-.01 Definitions. Unless otherwise clearly indicated, the following terms shall be given the following interpretations:

(1) Election petition. A petition submitted for any of the purposes identified in 820-2-4-.03(1) or 820-2-4-.03(2).

(2) Verifying authority. The entity charged with the responsibility for verifying petition signatures or providing assistance in the verification of petition signatures.

(3) Raw Count. The total number of unverified signatures affixed to an election petition and submitted to the verifying authority.

(4) Random sample of signatures. Signatures selected at random using a computerized random numbers generator.

Authors: Edward P. Packard, Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §§17-7-1, 17-8-2.1; Attorney General

Opinion Nos. 90-00223 and 99-00099. **History: New Rule:** Filed January 10, 2001; effective February 14, 2001.

Ed. Note: Formerly Rule 820-X-11-.01, as per certification Filed January 10, 2001; effective February 14, 2001.

820-2-4-.02 Purpose. The purpose of this section is to establish procedures for the submission, verification and certification of election petitions. **Authors:** Edward P. Packard, Charles E. Grainger, Jr.

Statutory Authority: Code of Ala. 1975, §§17-7-1, 17-8-2.1; Attorney General Opinion Nos. 90-00223 and 99-00099.

History: New Rule: Filed January 10, 2001; effective February 14, 2001.

Ed. Note: Formerly Rule 820-X-11-.02, as per certification Filed January 10, 2001; effective February 14, 2001.

820-2-4-.03 Scope. This section shall apply to the verification of signatures on the following types of petitions:

(1) Petitions for the establishment of independent candidacy submitted to a verifying authority pursuant to §§17-7-1(a)(3) and 17-19-2, Code of Ala. 1975, as amended, and

(2) Petitions for the establishment of ballot access for a political party submitted to a verifying authority pursuant to §17-8-2.1(a), Code of Ala. 1975, as amended.

Authors: Edward P. Packard, Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §§17-7-1, 17-8-2.1; Attorney General Opinion Nos. 90-00223 and 99-00099. **History: New Rule:** Filed January 10, 2001; effective February 14, 2001.

Ed. Note: Formerly Rule 820-X-11-.03, as per certification Filed January 10, 2001; effective February 14, 2001.

820-2-4-.04 Effective Date. The provisions of this section shall become effective for the first general or special election scheduled to occur after the U.S. Department of Justice notifies the State of Alabama that preclearance for this section is granted pursuant to Section 5 of the Voting Rights Act of 1965.

Authors: Edward P. Packard, Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §§17-7-1, 17-8-2.1; Attorney General Opinion Nos. 90-00223 and 99-00099. **History: New Rule:** Filed January 10, 2001; effective February 14, 2001.

Ed. Note: Formerly Rule 820-X-11-.04, as per certification Filed January 10, 2001; effective February 14, 2001.

820-2-4-.05 Petition Requirements.

(1) Petitions for the establishment of independent candidacy shall include at the top of each page of said petition pagination and a statement that includes the name of the prospective independent candidate, the type of election for which ballot access is sought (e.g., general or special), the date of the general election for which ballot access is sought, the name of the political subdivision for which ballot access is sought, including district or place number, if applicable, and the name of the office sought, including district or place number, if applicable. Petitions for the establishment of independent candidacy in a special election shall not be required to include the date of the special election at the top of each page.

(2) Petitions for the establishment of ballot access for a political party shall include at the top of each page of said petition pagination and a statement that includes the name of the political party seeking ballot access, the type of election for which ballot access is sought (e.g., general or special), the date of the general election for which ballot access is sought, and the name of the political subdivision for which ballot access is sought, or the name of the office for which ballot access is sought, including district or place number, if applicable. Petitions for the establishment of ballot access for a political party in a special election shall not be required to include the date of the special election at the top of each page.

(3) An election petition shall request the following information for each person signing said petition: name, residential address, date of birth, and signature. A signature shall not be deemed invalid for lacking any portion of the requested information if the disclosed information is sufficient for determining the validity of a signature.

Authors: Edward P. Packard, David Brewer, Brent Beal, Clay Helms, Hugh Evans, Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §§17-6-22, 17-9-3; Attorney General Opinion Nos. 90-00223 and 99-00099. **History: New Rule:** Filed January 10, 2001; effective February 14, 2001. **Amended:** Filed January 8, 2015; effective February 12, 2015. **Amended:** Filed October 9, 2018; effective November 23, 2018.

Ed. Note: Formerly Rule 820-X-11-.05, as per certification Filed January 10, 2001; effective February 14, 2001.

820-2-4-.06 Random Sample Of Signatures.

(1) A verifying authority may, at its option, elect to use the random sampling procedure set forth in this section or may conduct a verification of all signatures affixed to an election petition, provided that the verifying authority utilizes the same method of verifying signatures for all petitions submitted for the same election.

(2) A random sample of signatures to be verified shall be drawn in such a manner that every signature filed with the verifying authority shall be given equal opportunity to be included in the sample.

(3) The number of signatures to be verified by random sample shall be equal to one hundred (100) signatures or five percent (5%) of the raw count, whichever is greater. In the event that a petition contains less than one hundred signatures, one hundred percent (100%) of the signatures shall be verified.

(4) (a) Petitions may be submitted in whole or continuously in parts to the verifying authority, provided that no petition or part thereof may be submitted after the applicable statutory deadline for submitting the petition in its entirety. The verifying authority shall be under no obligation to verify partial submissions of petition signatures until the submission is complete but may do so at the option of the verifying authority.

(b) In the event that a petition is submitted continuously in parts to the verifying authority, the random sampling procedure set forth in 820-2-4-.07 may be applied to each portion of the petition. The sample size for each portion is to be determined as provided for in subparagraph (b).

Authors: Edward P. Packard, Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §§17-7-1, 17-8-2.1; Attorney General Opinion Nos. 90-00223 and 99-00099. **History: New Rule:** Filed January 10, 2001; effective February 14, 2001.

Ed. Note: Formerly Rule 820-X-11-.06, as per certification Filed January 10, 2001; effective February 14, 2001.

820-2-4-.07 Random Sampling Formula For Verification Of Elections Petitions.

(1) Signature verification. The following steps shall be followed when verifying signatures on an election petition:

(a) Determine the number of signatures to be sampled, as provided for in 820-2-4-.06(3).

(b) Draw the random sample of signatures, as provided for in 820-2-4-.06(2).

(c) Verify the signatures in the sample and determine the number of valid signatures in that sample.

(d) Divide the number of valid signatures in the sample by the total number of signatures in the sample. Compute as a percentage to two (2) decimal places.

(e) Multiply the raw count by the number computed in paragraph 820-2-4-.07(1)(d), above. Round up to nearest whole number.

(2) Withdrawn signatures. A person who has signed an election petition may withdraw his or her signature from the petition prior to the petition's

being filed with the verifying authority. If the withdrawn signature is selected as part of the random sample, the signature is treated as a signature that is deemed not valid.

(3) Duplicate signatures.

(a) Divide the raw count by the sample size to determine the value of each signature. Compute to four (4) decimal places.

(b) To determine the weight to be assigned to each duplicate signature found in the sample, multiply the value of each signature computed in 820-2-4-.07(3)(a), above, times the value of each signature, as determined in 820-2-4-.07(3)(a), minus one.

(c) To determine the estimated number of duplicate signatures in the entire petition, multiply the number of duplicate signatures found in the random sample by the weight established in 820-2-4-.07(3)(b). Round up to the nearest whole number.

(4) Number of valid signatures based on the verification of a sampling of the signatures. To determine the estimated number of verified signatures on the petition based on the random sampling, subtract the estimated number of duplicate signatures (i.e., the value calculated in 820-2-4-.07(3)(c)) from the number of estimated valid signatures (i.e., the value calculated in 820-2-4-.07(1)(e)).

Authors: Edward P. Packard, Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §§17-7-1, 17-8-2.1; Attorney General Opinion Nos. 90-00223 and 99-00099. **History: New Rule:** Filed January 10, 2001; effective February 14, 2001.

Ed. Note: Formerly Rule 820-X-11-.07, as per certification Filed January 10, 2001; effective February 14, 2001.

820-2-4-.08 Certification Of Election Petition.

(1) An election petition shall be certified as being sufficient if the number of valid signatures determined pursuant to 820-2-4-.07(4) is in excess of the number of required signatures.

(2) If an election petition fails to be certified under 820-2-4-.08(1) and the difference between the valid number of signatures and the required number of signatures is 5% or less of the required number of signatures, the verifying authority shall automatically conduct a second random sample verification of the election petition. If a second random sample verification of the election petition fails to produce a sufficient number of valid signatures as identified in 820-2-4-.08(1), the election petition shall not be certified.

Authors: Edward P. Packard, Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §§17-7-1, 17-8-2.1; Attorney General

Opinion Nos. 90-00223 and 99-00099. **History: New Rule:** Filed January 10, 2001; effective February 14, 2001.

Ed. Note: Formerly Rule 820-X-11-.08, as per certification Filed January 10, 2001; effective February 14, 2001.

820-2-4-.09 Procedures For Amendment Of Certifications Of Candidates By Political Parties.

(1) The following definitions are applicable to this Rule:

(a) "Certification of candidates" means a written listing provided by a political party of candidates legally qualified and entitled to appear on the ballot in a primary, special or general election.

(b) "Political party" is an organization of qualified electors seeking to elect candidates to public office and meeting the requirements of Sections 17-8-2.1, Code of Ala. 1975, or 17-16-2, Code.

(c) "Amendment of certification" means a written modification of a previously submitted certification of candidates submitted before or after a deadline for submitting a certification of candidates but, unless otherwise provided by law or order of a court of competent jurisdiction, prior to the printing of ballots in support of absentee voting.

(2) The following findings of fact and law are made in support of this rule:

(a) The Secretary of State finds that a long-standing practice of permitting amendments to certifications has functioned to correct and modify certifications of candidates by political parties. These amendments are designed to correct errors in certifications (such as name spellings and the office sought) and exercise the authority of the political party in determining candidates for office through correcting omissions, disqualifications, and the filling of vacancies.

(b) Generally, political parties will certify candidates for a primary election or nominees for the general election. Due to the brief time frames often involved and the scope of the political party's responsibility, errors in the certifications and a variety of other changes may compel changes to the certification. Examples include misspelled names, subsequent withdrawal of candidates and subsequent disqualification of candidates. Amending the certification provides a formal process consistent with practice which ensures the accuracy of the ballot.

(c) While silent on a procedure for amending certifications of candidates, Alabama's statutes providing for certifications of candidates are not in conflict with an opportunity to amend such certifications.

(d) The deadline for amending certifications, as a practical matter, occurs when the ballots for a particular race have been printed.

(3) Election officials are authorized to submit, accept and otherwise act on amendments to certifications of candidates to the full extent permitted by

the circumstances or until the applicable ballots are printed, whichever occurs first.

Author: Charles E. Grainger, Jr. **Statutory Authority:** §1 of Act No. 2003-313; Attorney General Opinion No. 97-00109. **History:** **New Rule:** Filed September 26, 2003; effective October 31, 2003.

**Appendix S-6: Chapter 820-2-5 Procedure to Complain
About Violations of Title III of the Federal Help America
Vote Act of 2002**

**STATE OF ALABAMA
OFFICE OF THE SECRETARY OF STATE**

**CHAPTER 820-2-5 PROCEDURE TO COMPLAIN ABOUT
VIOLATIONS OF TITLE III OF THE FEDERAL HELP AMERICA
VOTE ACT OF 2002**

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820-2-5-.01 Applicability And Purpose.

(1) This Chapter is established for the purpose of offering the public an administrative complaint procedure for allegations pertaining to violations of Title III of the federal Help America Vote Act of 2002, Pub. L. 107-252.

Author: Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-4-250(a); §§1 and 8 of Act 03-313; Attorney General Opinion No. 97-00109. **History:** **New Rule:** Filed September 26, 2003; effective October 31, 2003.

820-2-5-.02 Procedures.

(1) Complaints.

(a) Complaints which include a request for a hearing shall proceed in accordance with Chapter 820-1-2, Rules of Practice, except as otherwise provided in this Chapter.

(b) Complaints must be submitted in writing and notarized, and signed and sworn by the complaining person. Complaints may be submitted on a form prescribed by the Secretary of State for this purpose.

(c) Complaints must identify either in the heading or the first paragraph one or more of the following sections of Title III of the federal Help America Vote Act of 2002 which the complaining person alleges has been violated:

1. Section 301. Voting System Standards.
2. Section 302. Provisional Voting and Voting Information Requirements.
3. Section 303. Computerized Statewide Voter Registration List Requirements and Requirements for Voters Who Register By Mail.
4. Section 304. Minimum Requirements.
5. Section 305. Methods of Implementation Left to Discretion of State.
6. Section 311. Adoption of Voluntary Guidance By Commission.

(d) The complaint shall also identify the following:

1. To the extent known, which individuals failed to comply with Title III;
2. To the extent known, where the violation of Title III occurred;
3. A short and plain statement of the occurrence, procedure or practice which violates a particular section in Title III; and
4. Explain why the occurrence, procedure, or practice is a violation of Title III.

(2) Complaints which fail to request a hearing shall be reviewed in the following manner:

(a) The staff or other designee(s) of the Secretary of State, such as county Judges of Probate, shall investigate the complaint. Within 30 days from the receipt of the complaint, except for good cause shown, the investigator shall issue a written report and recommendation to the Secretary of State. The Secretary of State may reject, approve or require additional investigation associated with some or all of the report and recommendation.

(b) Upon the satisfaction of the Secretary of State that the investigation of the complaint is sufficient in order to make a final determination of the complaint, the Secretary of State shall issue an order setting forth the findings, conclusions and remedies (if any) resulting from the complaint and shall mail a copy to the complainant and each known party by first class mail within 90 days of the complaint having been received by the Secretary of State.

(3) Complaints which are not resolved within 90 days from the date received by the Secretary of State shall be resolved through alternative dispute resolution within 150 days from the date the original complaint was filed with the Secretary of State. Complaints not resolved by alternative dispute resolution within 150 days from the date the original

complaint was filed with the Secretary of State shall be treated as resolved against the complainant.

(4) Orders which dismiss the complaint upon a determination that there has not been a violation of Title III shall be published by the Office of the Secretary of State on its internet site at <http://www.sos.state.al.us> within seven days of receipt or issuance of the order by the Secretary of State.

Author: Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-4-250(a); §§1 and 8 of Act 03-313; Attorney General Opinion No. 97-00109. **History:** **New Rule:** Filed September 26, 2003; effective October 31, 2003.

820-2-5-.03 Remedies. If, under these procedures, the Secretary of State determines that there has been a violation of Title III, the order of the Secretary of State shall direct the appropriate remedy. See Sub-section 8 (5) of Act 03-313 of the State of Alabama and Section 402 (a)(2)(G) of the federal Help America Vote Act of 2002, Pub. L. 107-252.

Author: Charles E. Grainger, Jr. **Statutory Authority:** Code of Ala. 1975, §17-4-250(a); §§1 and 8 of Act 03-313; Attorney General Opinion No. 97-00109. **History:** **New Rule:** Filed September 26, 2003; effective October 31, 2003.

Appendix S-7: Chapter 820-2-6 Procedures for Provisional Voting

OFFICE OF THE SECRETARY OF STATE

ADMINISTRATIVE CODE

CHAPTER 820-2-6 PROCEDURES FOR PROVISIONAL VOTING

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820-2-6-.01 Applicability Of The Help America Vote Act And Provisional Voting. This administrative regulation is promulgated to comply with the requirements of the Help America Vote Act of 2002, Public Law 107-252, Section 302; and Alabama Acts 2003-313 and 2006-281, mandating provisional voting in federal, state, county and municipal elections. The statutory requirement of provisional voting is codified in Section 17-10A-1 et seq. Code of Ala. 1975 and replaces the state's previous voting practice utilizing challenged ballots. Copies of the Help America Vote Act may be obtained without charge from the Secretary of State's Office, State Capitol, Room S-105, Montgomery, Alabama 36130.

The Help America Vote Act (HAVA) requires that Provisional Voting be utilized in Alabama Elections after January 1, 2004.

Author: Roy Wylie Granger, III; Edward Packard; Jean Brown

Statutory Authority: Code of Ala. 1975, §§ 17-1-3(a) and 17-10-2.

History: New Rule: Filed May 27, 2004; effective July 1, 2004.

Amended: Filed May 20, 2010; effective June 24, 2010.

820-2-6-.02 Provisional Voter. During an election, a poll worker should direct a prospective voter to the provisional ballot officer for special assistance if the poll worker

(a) determines that the name of the individual does not appear on the official list of eligible voters for the precinct in which the individual seeks to vote,

(b) receives notice by an inspector that the individual is not entitled to vote at that precinct and challenges the individual,

(c) concludes that the individual is unable to meet the statutory requirements of voter identification, or

(d) believes that the individual applied for but did not return an absentee ballot for said election.

Author: Roy Wylie Granger, III; Ed Packard; Jean Brown

Statutory Authority: Code of Ala. 1975, §§ 17-1-3(a) and 17-10-2.

History: New Rule: Filed May 27, 2004; effective July 1, 2004.

Amended: Filed May 20, 2010; effective June 24, 2010.

820-2-6-.03 Provisional Ballot Officer. Each county appointing board or, in a municipal election, municipal governing body shall designate at least one election official in each precinct to serve as the provisional ballot officer. The provisional ballot officer shall administer all requirements of provisional voting in the precinct.

Author: Roy Wylie Granger, III; Edward Packard; Jean Brown

Statutory Authority: Code of Ala. 1975, §§ 17-1-3(a) and 17-10-2.

History: New Rule: Filed May 27, 2004; effective July 1, 2004.

Amended: Filed May 20, 2010; effective June 24, 2010.

820-2-6-.04 Voter Eligibility Verification. In the event an individual's name does not appear on the list of eligible voters for the precinct, the provisional ballot officer shall in the presence of that individual use reasonable efforts to contact the county board of registrars and/or members of the appointing board to determine whether the individual is eligible to vote in that precinct. In a municipal election, the provisional ballot officer shall first contact the city clerk to determine whether the individual is eligible to vote in that precinct. The individual may request

voting assistance from another person and such person shall be allowed to accompany and assist the individual during the process of provisional voting. If the provisional ballot officer verifies the individual's registration and/or eligibility to vote in that precinct, the provisional ballot officer shall write the source of verification in the designated area of a voter reidentification form which shall be completed by the individual or by the person providing voting assistance to the individual. Then the individual shall be directed to the appropriate poll worker so that he or she can vote a regular ballot. The individual will be directed to give the appropriate poll worker so that he or she can vote a regular ballot. The provisional ballot officer will give the poll worker the completed reidentification form so that the form will be maintained with other election materials as prescribed by state and federal law.

Author: Roy Wylie Granger, III; Edward Packard; Jean Brown **Statutory Authority:** Code of Ala. 1975, §§ 17-1-3(a) and 17-10-2. **History: New Rule:** Filed May 27, 2004; effective July 1, 2004. **Amended:** Filed May 20, 2010; effective June 24, 2010.

820-2-6-.05 Notice To Provisional Voter. A provisional ballot officer, who cannot confirm an individual's registration or eligibility to vote in that precinct shall inform the voter of his or her legal right to vote a provisional ballot. The provisional ballot officer shall explain to the individual the process of voting a provisional ballot.

Author: Roy Wylie Granger, III; Edward Packard; Jean Brown **Statutory Authority:** Code of Ala. 1975, §§ 17-1-3(a) and 17-10-2. **History: New Rule:** Filed May 27, 2004; effective July 1, 2004. **Amended:** Filed May 20, 2010; effective June 24, 2010.

820-2-6-.06 Provisional Ballot Roster. The voter shall sign a provisional ballot roster prescribed by the Secretary of State, which shall provide space for the name and number of precinct, the name of the county, city, or town in which the election is being held, the name of the election, the date of the election, the voter's printed name and signature and, when a person provides assistance to the provisional voter, the printed name and signature of the person providing assistance. The roster shall also contain a statement to be completed and signed by the provisional ballot officer certifying that the roster contains the names of all persons casting a provisional ballot in the precinct. The lines on the provisional ballot roster shall be numbered in a uniform manner. The line number shall include, in the case of primaries, party affiliation. Each voter's provisional ballot roster number shall be clearly written by the provisional ballot officer upon the respective provisional voter's provisional verification statement

and upon the outer ballot envelope given to the provisional voter. Upon the closing of polls, the provisional ballot officer shall sign each provisional roster to certify that the name of each person casting a provisional ballot appears on a provisional ballot roster.

Author: Roy Wylie Granger, III; Edward Packard; Jean Brown **Statutory Authority:** Code of Ala. 1975, §§ 17-1-3-(a) and 17-10-2. **History: New Rule:** Filed May 27, 2004; effective July 1, 2004. **Amended:** Filed May 20, 2010; effective June 24, 2010.

820-2-6-.07 Provisional Verification Envelope.

(1) Before giving the provisional voter his or her provisional verification statement, which shall be prescribed by the Secretary of State, the provisional ballot officer shall write on said statement

- (a) the election date,
- (b) precinct number, and
- (c) ballot style.

(2) The provisional ballot officer shall then check the appropriate box next to the reason for issuing the provisional ballot. The list of reasons shall include:

- (a) voter's name does not appear on the list of registered voters,
- (b) voter's registration status cannot be determined by the provisional ballot officer,
- (c) voter is unable to provide identification,
- (d) the voter requested but has not returned an absentee ballot,
- (e) an inspector has knowledge that the person is not entitled to vote at the precinct and challenges the person, or
- (f) the ballot is cast after the legal time for closing the polls due to a federal or state court order extending polling hours.
- (g) Voter objects to the political party identified for the voter on the list of registered voters for the primary runoff election.

Author: Roy Wylie Granger, III; Edward Packard; Jean Brown; Brent Beal; Clay Helms; David Brewer **Statutory Authority:** Code of Ala. 1975, §§ 17-1-3(a) and 17-10-2. **History: New Rule:** Filed May 27, 2004; effective July 1, 2004. **Amended:** Filed May 20, 2010; effective June 24, 2010. **Amended:** Filed September 18, 2017; effective November 2, 2017. **Amended:** Filed January 5, 2018; effective February 19, 2018.

820-2-6-.08 Provisional Voting Documents. The provisional ballot officer shall give the provisional voter the following documents, all prescribed by the Secretary of State:

- (a) a provisional verification statement,
- (b) a provisional ballot,

- (c) a provisional ballot inner envelope,
- (d) a provisional ballot outer envelope,
- (e) a voter reidentification form, and
- (f) an instructional sheet.

Author: Roy Wylie Granger, III; Edward Packard; Jean Brown **Statutory Authority:** Code of Ala. 1975, §§ 17-1-3(a) and 17-10-2. **History: New Rule:** Filed May 27, 2004; effective July 1, 2004. **Amended:** Filed May 20, 2010; effective June 24, 2010.

820-2-6-.09 Provisional Ballot. Any ballot used as a provisional ballot shall be printed and plainly marked as a "Provisional Ballot". The provisional ballot officer shall disable the provisional ballot to ensure that the provisional ballot is rejected by electronic tabulation equipment if the provisional voter places his or her provisional ballot in tabulation equipment on the day of the election. The provisional ballot may be disabled by 1) cutting or clipping the upper left corner of the provisional ballot, 2) placing an official provisional ballot label over the timing marks on the ballot, or 3) by shading or coloring in a bubble or other area on the ballot that will identify the ballot as a provisional ballot to the tabulation equipment.

Author: Roy Wylie Granger, III; Edward Packard; Jean Brown **Statutory Authority:** Code of Ala. 1975, §§ 17-1-3(a) and 17-10-2. **History: New Rule:** Filed May 27, 2004; effective July 1, 2004. **Amended:** Filed May 20, 2010; effective June 24, 2010.

820-2-6-.10 Provisional Voting Instruction Sheet. The provisional voting instruction sheet shall explain the procedure for casting a provisional ballot and shall include information explaining when and where the provisional voter must forward documents of identification. The instructions shall contain user-friendly guidelines for the voter to follow when responding to the challenge of a poll inspector and how to determine whether or not his or her vote was counted.

Author: Roy Wylie Granger, III; Edward Packard; Jean Brown **Statutory Authority:** Code of Ala. 1975, §§ 17-1-3(a) and 17-10-2. **History: New Rule:** Filed May 27, 2004; effective July 1, 2004. **Amended:** Filed May 20, 2010; effective June 24, 2010.

820-2-6-.11 Sworn Statement Of Provisional Voter. To cast a provisional ballot, an individual shall complete and execute the provisional verification statement including the written sworn affirmation prescribed by § 17-10-2(b), Code of Ala., 1975.

Author: Roy Wylie Granger, III; Edward Packard; Jean Brown **Statutory Authority:** Code of Ala. 1975, §§ 17-1-3(a) and 17-10-2. **History: New Rule:** Filed May 27, 2004; effective July 1, 2004. **Amended:** Filed May 20, 2010; effective June 24, 2010.

820-2-6-.12 Provisional Voter Reidentification "Update" Form And Inspector Challenge Form. The provisional voter shall complete a voter reidentification form. The provisional voter shall then return the completed but unsealed provisional verification statement and the reidentification form to the provisional ballot officer. If the basis of the provisional ballot results from an inspector's challenge, the provisional ballot officer shall separate the multi-part challenge statement and place the original in the provisional ballot box, give one copy of the challenge statement to the provisional voter, and attach one copy of the challenge statement to the provisional verification statement.

Author: Roy Wylie Granger, III; Edward Packard; Jean Brown **Statutory Authority:** Code of Ala. 1975, §§ 17-1-3(a) and 17-10-2. **History: New Rule:** Filed May 27, 2004; effective July 1, 2004. **Amended:** Filed May 20, 2010; effective June 24, 2010.

820-2-6-.13 Provisional Ballot Completion. The provisional voting officer shall then direct the provisional voter to a designated voting area where he or she shall cast a provisional ballot. After completing his or her ballot, the provisional voter shall place the provisional ballot in the provisional ballot inner envelope and seal the envelope. The provisional voter shall then place the sealed provisional ballot inner envelope in the provisional ballot outer envelope and seal the envelope. The provisional ballot officer shall direct the provisional voter to the location of the provisional ballot box. The provisional voter shall place the sealed provisional ballot outer envelope into the sealed ballot box for provisional ballots.

Author: Roy Wylie Granger, III; Edward Packard; Jean Brown **Statutory Authority:** Code of Ala. 1975, §§ 17-1-3(a) and 17-10-2. **History: New Rule:** Filed May 27, 2004; effective July 1, 2004. **Amended:** Filed May 20, 2010; effective June 24, 2010.

820-2-6-.14 Provisional Voting Poll Closing Procedure. Upon the closing of the polls, the provisional ballot officer shall complete the administrative responsibilities of collecting the provisional verification statements, the provisional ballot roster or rosters, and related forms and shall place these documents in a precinct verification envelope which shall be given to the Sheriff, or the municipal clerk in a municipal election, and

addressed to the county board of registrars. Before giving the Sheriff or the municipal clerk the provisional ballot box, the provisional ballot officer shall determine from the provisional ballot roster a tally of the number of provisional ballots cast and shall write the total number of provisional ballots cast upon the sealed provisional ballot box. In the event no provisional ballots are cast in the precinct, the provisional ballot officer shall indicate that fact on the precinct verification envelope and on the provisional ballot roster. The provisional ballot officer shall then place the provisional ballot roster in the precinct verification envelope and seal.

Author: Roy Wylie Granger, III; Edward Packard; Jean Brown **Statutory Authority:** Code of Ala. 1975, §§ 17-a-3(a) and 17-10-2. **History: New Rule:** Filed May 27, 2004; effective July 1, 2004. **Amended:** Filed May 20, 2010; effective June 24, 2010.

820-2-6-.15 Provisional Voting Verification Procedure.

(1) In an election for federal, state or county offices or proposed constitutional amendments or referenda, the Sheriff shall deliver the precinct verification envelope from each precinct in the county to the county board of registrars. In a municipal election, the municipal clerk shall deliver the precinct verification envelope from each precinct in the municipality to the board of registrars. Upon receipt of all the precinct verification envelopes, the board of registrars shall tally the number of provisional verification statements received in each precinct verification envelope. The number of provisional voters identified on the provisional ballot roster from the precinct should equal the total number of provisional verification statements. If the roster listing and tally correctly correspond, the board of registrars shall begin updating the state voter registration list using the voter reidentification form contained in each provisional verification envelope.

(2) When a discrepancy exists between the roster listing and tally, the board of registrars shall notify members of the county appointing board, or the municipal clerk in a municipal election, of the discrepancy and request assistance from the county appointing board or the municipal clerk, as appropriate, to resolve the matter. If the discrepancy remains unresolved at the time of designated for the county board of registrars to deliver its findings to the judge of probate, or the municipal clerk in a municipal election, the appointing board, or the municipal clerk in a municipal election, shall create a written record of the discrepancy and a majority of the members of both the appointing board or the governing body in a municipal election and the county board of registrars shall attest to the same. The written record of the discrepancy shall be provided to the canvassing board or the municipal governing body with a copy included in

the container housing the records of the election as mandated by federal and state law.

(3) The board of registrars shall first identify all provisional ballots that were cast as a result of a challenge statement from an inspector. When all the provisional ballots resulting from a challenge statement are identified, the board of registrars shall promptly mail notice statements, as prescribed by the Secretary of State, addressed to each "inspector-challenged" provisional voter and provide him or her with additional information on how he or she may respond to the challenge from the poll inspector.

(4) The board of registrars shall use reasonable efforts to determine whether or not the ballot of each provisional voter shall be counted. The absentee election manager should be contacted to resolve matters involving an absentee ballot request that triggered a provisional ballot. For provisional ballots cast in a municipal election, the board of registrars shall consult with the clerk of the municipality to resolve issues related to residency in the municipality. When a final determination is made that a vote shall or shall not be counted, a brief statement explaining the board of registrars findings shall be written in the designated area of the provisional verification statement. If the board of registrars creates any work papers or other correspondence in the verification process, a copy of such papers and correspondence shall be placed inside the provisional verification statement which shall be stored in the records of election. A majority of the board of registrars shall sign the findings of the board by certification and such certification shall include the printed name and signature of each registrar signing the findings.

Author: Roy Wylie Granger, III; Edward Packard; Jean Brown **Statutory Authority:** Code of Ala. 1975, §§ 17-1-3(a) and 17-10-2. **History:** **New Rule:** Filed May 27, 2004; effective July 1, 2004. **Amended:** Filed May 20, 2010; effective June 24, 2010.

Appendix S-8: Chapter 820-2-6.1 Cross-Over Voting

OFFICE OF THE SECRETARY OF STATE

ADMINISTRATIVE CODE

CHAPTER 820-2-6.1 CROSS-OVER VOTING

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820-2-6.1-.01 Cross-Over Voting

820-2-6.1-.01 Cross-Over Voting.

(1) When a person presents himself or herself to vote at a polling place in a primary election, the registration list clerk as provided for in Section 17-8-1(b)(2) shall determine if the person is eligible to vote in the primary election.

(2) Upon a determination that the person is eligible to vote in the primary election, the voter shall declare to the registration list clerk in which political party's primary he or she desires to cast a ballot

(3) (a) The registration list clerk shall highlight or otherwise mark off the voter's name from the list of registered voters as provided for in Section 17-8-1(b)(2).

(b) The registration list clerk shall notate by the voter's name on the list of registered voters in which political party's primary the voter is participating. The registration list clerk shall clearly notate the political party preference by using an abbreviation for the political party's name, such as "Dem" for "Democrat" or "Rep" for "Republican". At the discretion of the judge of probate, the registration list clerk may be provided with a stamp with the name of each political party for notating the voter's political party preference on the list of registered voters.

(c) For voters casting a non-partisan, issue-only ballot in a special referendum election held at the same time as a primary election and who are not participating in a political party primary election, the registration list clerk shall make a notation of "NP" for non-partisan next to the voter's name on the list of registered voters. At the discretion of the judge of probate, the registration list clerk may be provided a stamp containing the term "non-partisan" for notating on the list of registered voters that the voter participated only in the special referendum election.

(4) If the registration list clerk is unable to determine the eligibility of the person to vote in the primary election or primary runoff election or the voter objects to the party listed for the runoff, the person shall be required to cast a provisional ballot as provided for in Section 17-10-2 and determined by the Secretary of State according to Act No.2017-340. In addition to the procedures for provisional balloting provided for in Section 17-10-2 and Chapter 820-2-6 of the Alabama Administrative Code, the provisional ballot officer shall mark the person's political party preference on the face of the sworn statement of provisional voter provided for in the Rule 820-2-6-11 for use by the Board of Registrars.

(5) In precincts utilizing electronic poll books in lieu of a paper list of registered voters, the registration list clerk shall identify in the electronic poll book the voter's political party preference, or non-partisan status if voting in a special referendum election held at the same time as a primary election, after determining the voter is eligible to vote in the primary election.

(6) After the primary election, the Board of Registrars of each country shall keep the list of registered voters until after a decision has been made on all provisional ballots by the registrars of the county for the primary runoff election.

(7) The Board of Registrars shall record each voter's party preference when recording voter history.

(8) In administering absentee voting for an election pursuant to Title 17, Chapter 11, the duties assigned to the registration list clerk pursuant to this section shall be assigned to the absentee election manager for each county.

Authors: Brent Beal, David Brewer, Ed Packard, Clay Helms **Statutory**

Authority: Code of Ala. 1975 §§ 17-8-1, 17-10-2, Act No. 2017-340.

History: New Rule: Filed September 18, 2017; effective November 2, 2017. **Amended:** Filed January 5, 2018; effective February 19, 2018.

**Appendix S-9: Chapter 820-2-8 Fair Campaign Practices
Act Filing Regulations**

OFFICE OF THE SECRETARY OF STATE

ADMINISTRATIVE CODE

**CHAPTER 820-2-8 FAIR CAMPAIGN PRACTICES ACT FILING
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820-2-8-.01 Fair Campaign Practices Act Reports. (Repealed)
Authors: Julie Sinclair; Jean Brown. **Statutory Authority:** Code of Ala. 1975, §17-5-8 (2012). **History:** **New Rule:** Filed August 27, 2013; effective October 1, 2013. **Repealed:** Published August 13, 2020; effective October 15, 2020.

820-2-8-.02 Monthly Reports. If a monthly report is due on an election day, that report shall be due on the last business day preceding the day of the election. For this report, the principal campaign committee or political action committee shall close its books two business days prior to the last business day preceding the day of the election. For a report filed by mail, the certified mail deadline shall be two business days prior to the last business day preceding the day of the election. **Authors:** Julie Sinclair; Jean Brown; Edward Packard **Statutory Authority:** Code of Ala. 1975, §17-5-8 (2012). **History:** **New Rule:** Filed August 27, 2013; effective October 1, 2013. **Amended:** Published August 31, 2020; effective October

15, 2020.

820-2-7-.03 Weekly Reports. For purposes of filing weekly reports, a "week" is defined as running from a Saturday to a Friday. The first weekly report shall include all reportable transactions that occurred since the most recently filed prior report. Weekly reports shall be filed on the Monday of the succeeding week.

If a weekly report is due on a Monday holiday, that report shall be due the next business day. If a weekly report is due on a Monday holiday, and the next business day after the holiday is the day of the election for which the report is being filed, the report shall be due on the Monday holiday. If the report is to be filed by mail, the certified mail deadline shall be the Friday preceding the election. **Authors:** Julie Sinclair; Jean Brown; Edward Packard; Clay Helms; Hugh Evans; David Brewer; Jeff Elrod. **Statutory Authority:** Code of Ala. 1975, §17-5-8 (2012). **History: New Rule:** Filed August 27, 2013; effective October 1, 2013. **Amended:** Published August 31, 2020; effective October 15, 2020.

820-2-7-.04 Daily Reports. (Repealed)

Authors: Julie Sinclair; Jean Brown **Statutory Authority:** Code of Ala. 1975, §17-5-8 (2012). **History: New Rule:** Filed August 27, 2013; effective October 1, 2013. **Repealed:** Published August 31, 2020; effective October 15, 2020.

820-2-8-.05 Major Contribution Reports. (Repealed)

Authors: Adam Thompson; Julie Sinclair; Jean Brown **Statutory Authority:** Code of Ala. 1975, §17-5-8.1(c) (2012). **History: New Rule:** Filed September 18, 2013; effective October 23, 2013. **Repealed:** Published August 31, 2020; effective October 15, 2020.

820-2-8-.10 Electronic Registration Required. (Repealed)

Authors: Julie Sinclair; Ed Packard; Jean Brown **Statutory Authority:** Code of Alabama 1975, § 17-5-8.1 (2011). **History: New Rule:** Filed June 21, 2013; effective July 26, 2013. **Repealed:** Published August 31, 2020; effective October 15, 2020.

820-2-8-.11 Form And Method of Electronic Registration. Electronic registration shall be implemented by logging onto the electronic FCPA website provided by the Secretary of State's office and completing the registration form. Registration is complete when a printed copy of the form is signed and delivered to the Elections Division of the Secretary of State's office. The Secretary of State shall review each registration and

activate a Principal Campaign Committee's or a Political Action Committee's electronic account after a printed copy of the electronic registration form has been received.

Authors: Julie Sinclair; Ed Packard; Jean Brown **Statutory Authority:** Code of Alabama 1975, § 17-5-8.1 (2011). **History:** **New Rule:** Filed June 21, 2013; effective July 26, 2013.

820-2-8-.12 Expedited Method of Registration.

(1) Upon completion of the online registration process, to receive expedited activation, a Principal Campaign Committee or Political Action Committee may

(a) deliver the signed form to the Elections Division of the Secretary of State's Office in person, or

(b) if activation is needed within 5 days of a reporting deadline, transmit the form by facsimile and/or call the Elections Division for immediate activation during normal business hours. Nothing in this expedited registration process supersedes the requirement of sending a signed original form to the Secretary of State as provided in 820-2-8-.02.

Authors: Julie Sinclair; Ed Packard; Jean Brown **Statutory Authority:** Code of Alabama 1975, § 17-5-8.1 (2011). **History:** **New Rule:** Filed June 21, 2013; effective July 26, 2013.

820-2-8.13 Fair Campaign Practices Act Reports. (Repealed)

Authors: Julie Sinclair; Ed Packard; Jean Brown **Statutory Authority:** Code of Alabama 1975, § 17-5-8.1 (2011). **History:** **New Rule:** Filed June 21, 2013, effective July 26, 2013. **Repealed:** Published August 31, 2020; effective October 15, 2020.

820-2-8-.14 Emergency FCPA Reporting Period.

(1) If the electronic FCPA reporting system is not functioning at the state level due to system failure or environmental, structural or other adverse conditions at the facility where the reporting system is hosted, any report then due shall be filed within two business days after access to the electronic system is restored.

(2) The Secretary of State shall apply to any report filed pursuant to paragraph (a) a date of receipt that reflects the original deadline of the report, and the report shall be considered timely filed.

Authors: Julie Sinclair; Ed Packard; Jean Brown **Statutory Authority:** Code of Alabama 1975, § 17-5-8.1 (2011). **History:** **New Rule:** Filed June 21, 2013; effective July 26, 2013.

820-2-8-.15 Public Access to Computer Station. The Elections Division of the Secretary of State's office shall provide at least one computer station accessible to the general public for retrieving electronic FCPA reports and filings. The computer station shall also be available for submitting FCPA reports and other filings by candidates or the chair or treasurer of a Political Action Committee. The computer station shall be available to the general public during regular business hours of the Secretary of State's office. Persons wishing to use the computer station shall provide the following information on a "Sign In" sheet placed on the desk where the computer station is located: name, physical address, the date and time of use of the computer station, and the purpose for use of the computer station.

Authors: Julie Sinclair; Ed Packard; Jean Brown **Statutory Authority:** Code of Alabama 1975, § 17-5-8.1 (2011). **History:** New **Rule:** Filed June 21, 2013; effective July 26, 2013.

**Appendix S-10: Chapter 820-2-9 Implementation of
Alabama Photo Voter Identification Law**

OFFICE OF THE SECRETARY OF STATE

ADMINISTRATIVE CODE

**CHAPTER 820-2-9 IMPLEMENTATION OF ALABAMA PHOTO
VOTER IDENTIFICATION LAW**

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820-2-9-.01 Purpose.

The purpose of this chapter is to establish procedures for Alabama voters to obtain a free Alabama photo voter identification card or free nondriver identification card. An Alabama photo voter identification card shall be valid only for the purposes of voter identification and said card shall so state. No fee shall be charged or collected from an Alabama elector for the application for or issuance of an Alabama photo voter identification card. Likewise, if an Alabama elector does not possess any of the forms of valid photo identification set forth in Rule 820-2-9-.03, and said elector completes an application so stating, no fee shall be charged or collected from an Alabama elector for the application for or issuance of an Alabama nondriver identification card by the office located within the elector's county of residence where driver's licenses/ nondriver identification cards are issued or renewed. **Authors:** Jean Brown; Ed Packard; Julie Sinclair.

Statutory Authority: Code of Ala. 1975, §17-9-30 (2011). **History:** **New Rule:** Filed October 22, 2013; effective November 26, 2013.

820-2-9-.02 Effective Date Of Alabama Photo Voter Identification.

Beginning with the first statewide primary election for 2014, unless specifically exempted pursuant to Code of Alabama, section 17-9-30 (c) and Rule 820-2-9-.12, each Alabama elector shall be required to provide valid photo identification to an appropriate election official prior to voting. Unless specifically exempted pursuant to Code of Alabama, section 17-9-30 (c) and Rule 820-2-9-.12, voters casting an absentee ballot shall also be required to submit with the ballot a copy of one of the forms of valid photo identification set forth in Rule 820-2-9-.03. **Authors:** Jean Brown; Ed Packard; Julie Sinclair. **Statutory Authority:** Code of Ala. 1975, §17-9-30 (2011). **History:** **New Rule:** Filed October 22, 2013; effective November 26, 2013.

820-2-9-.03 Instructions And Application Form For Free Alabama Photo Voter Identification Card.

(1) The following instructions and form shall be used by Alabama electors who do not have any of the following forms of valid photo identification:

- (a) a valid Alabama driver's license;
- (b) a valid Alabama nondriver identification card which was properly issued by the appropriate state or county department or agency;
- (c) a valid Alabama photo voter identification card;
- (d) a valid identification card issued by a branch, department, agency, or entity of the State of Alabama, any other state, or the United States authorized by law to issue personal identification, provided that such identification card contains a photograph of the elector;

- (e) a valid U.S. passport;
 - (f) a valid employee identification card containing the photograph of the elector and issued by any branch, department, agency, or entity of the U.S. government, the State of Alabama, or any county, municipality, board, authority, or other entity of this state;
 - (g) a valid student or employee identification card issued by a public or private college, university, or postgraduate technical or professional school located within the State of Alabama, provided that such identification card contains a photograph of the elector;
 - (h) a valid U.S. military identification card, provided that such identification card contains a photograph of the elector; or
 - (i) a valid tribal identification card containing a photograph of the elector.
- (2) As used in these rules, the term “valid” means having legal strength, force, and effect.

INSTRUCTIONS FOR FREE ALABAMA PHOTO VOTER IDENTIFICATION CARD

If you are a registered voter and you are eligible for a free Alabama photo voter identification card, you can apply for the identification card at your local Board of Registrar’s office, a mobile services location in your county, or at the office of the Secretary of State.

If you are not already a registered voter and you are eligible for a free Alabama photo voter identification card, you can apply for the card at the same time you turn in your voter registration form. Your voter registration form and this application must be submitted in person to the Board of Registrars. If the Board of Registrars determines that you are qualified to vote in Alabama, that office can then process the card application, so long as all other requirements are met.

You can only receive a free Alabama photo voter identification card if you are registered to vote in Alabama and do not have any of the following:

- (a) a valid Alabama driver’s license which was properly issued by the appropriate state or county department or agency;
- (b) a valid Alabama nondriver identification card which was properly issued by the appropriate state or county department or agency;
- (c) a valid Alabama photo voter identification card;
- (d) a valid identification card issued by a branch, department, agency, or entity of the State of Alabama, any other state, or the United States authorized by law to issue personal identification, provided that such identification card contains a photograph of the elector;
- (e) a valid U.S. passport;

(f) a valid employee identification card containing the photograph of the elector and issued by any branch, department, agency, or entity of the U.S. government, the State of Alabama, or any county, municipality, board, authority, or other entity of this state;

(g) a valid student or employee identification card issued by a public or private college, university, or postgraduate technical or professional school located within the State of Alabama, provided that such identification card contains a photograph of the elector;

(h) a valid U.S. military identification card, provided that such identification card contains a photograph of the elector; or

(i) a valid tribal identification card containing a photograph of the elector.

If you already possess one of these documents, do not complete this application.

In order to receive this card you must provide a document that contains your full legal name and date of birth. All of the information may be contained in the same document. Verification of voter registration can be electronically verified by issuing office.

Your application must be signed and sworn to under penalty of perjury pursuant to the laws of the State of Alabama. Any falsification or fraud in the making of this application shall constitute a Class C felony.

**OFFICE OF THE SECRETARY OF STATE APPLICATION FOR
FREE ALABAMA PHOTO VOTER IDENTIFICATION CARD
CARDS WILL BE ISSUED TO ALABAMA REGISTERED
VOTERS ONLY**

**ANY FALSIFICATION OR FRAUD IN THE MAKING OF THIS
APPLICATION SHALL CONSTITUTE A CLASS C FELONY**

This application must be presented in person at one of the following locations:

1. Your local Board of Registrars;
2. The Alabama Secretary of State's Office State Capitol Building
- Suite S-105 600 Dexter Avenue Montgomery, Alabama 36103-5616; or
3. Mobile Locations to be provided.

Full Legal Name (print)_____

Address as reflected in voter registration record

(street address)_____

City, State and ZIP Code_____

Date of Birth (00/00/0000) _____

Eye Color___ Gender___ Height___ Weight___ Application Date___

In order to process your application you must provide the following information:

(All of the following information can be contained in one document.)

1. a photo identification document or a non-photo identification document is acceptable if it contains your full legal name and date of birth;
2. documentation showing your date of birth;
3. documentation showing that you are an Alabama registered voter (can be electronically verified by the processing office);
4. documentation showing your name and address as reflected in your voter registration record (can be electronically verified by the processing office).

I, _____, a registered voter (or voter registration applicant if form is filed with Board of Registrars at same time voter registration application is filed) in the State of Alabama, do hereby swear or affirm that the information contained above is true and correct.

Signature of Alabama registered voter (full legal name)

FOR OFFICE USE ONLY

DOCUMENTATION SHOWING FULL LEGAL NAME AND DATE OF BIRTH PRESENTED WITH APPLICATION:

IF APPLICATION WAS DENIED STATE REASON:

Authors: Jean Brown; Ed Packard; Julie Sinclair.

Statutory Authority: Code of Ala. 1975, §17-9-30 (2011).

History: New Rule: Filed October 22, 2013; effective November 26, 2013.

820-2-9-.04 Free Nondriver Identification Card Application Form.

(1) The following application form shall be used only by Alabama electors who wish to obtain a free nondriver identification card and do not have any of the following forms of valid photo identification:

- (a) a valid Alabama driver's license;
- (b) a valid Alabama nondriver identification card which was properly issued by the appropriate state or county department or agency;
- (c) a valid Alabama photo voter identification card;

(d) a valid identification card issued by a branch, department, agency, or entity of the State of Alabama, any other state, or the United States authorized by law to issue personal identification, provided that such identification card contains a photograph of the elector;

(e) a valid U.S. passport;

(f) a valid employee identification card containing the photograph of the elector and issued by any branch, department, agency, or entity of the U.S. government, the State of Alabama, or any county, municipality, board, authority, or other entity of this state;

(g) a valid student or employee identification card issued by a public or private college, university, or postgraduate technical or professional school located within the State of Alabama, provided that such identification card contains a photograph of the elector;

(h) a valid U.S. military identification card, provided that such identification card contains a photograph of the elector; or

(i) a valid tribal identification card containing a photograph of the elector.

**APPLICATION FOR FREE NONDRIVER IDENTIFICATION
CARD FOR USE BY ALABAMA REGISTERED VOTERS ONLY**

(To be provided to state or county department, license commissioner or agency that issues or renews driver's licenses/nondriver identification cards)

I, _____ (print name), hereby attest that I am an Alabama elector and that I do not currently possess any of the following forms of valid photo identification:

(a) a valid Alabama driver's license;

(b) a valid Alabama nondriver identification card which was properly issued by the appropriate state or county department or agency;

(c) a valid Alabama photo voter identification card;

(d) a valid identification card issued by a branch, department, agency, or entity of the State of Alabama, any other state, or the United States authorized by law to issue personal identification, provided that such identification card contains a photograph of the elector;

(e) a valid U.S. passport;

(f) a valid employee identification card containing the photograph of the elector and issued by any branch, department, agency, or entity of the U.S. government, the State of Alabama, or any county, municipality, board, authority, or other entity of this state;

(g) a valid student or employee identification card issued by a public or private college, university, or postgraduate technical or

professional school located within the State of Alabama, provided that such identification card contains a photograph of the elector;

(h) a valid U.S. military identification card, provided that such identification card contains a photograph of the elector; or

(i) a valid tribal identification card containing a photograph of the elector.

I understand and acknowledge that if I possess any of the valid photo identification documents set forth above, I am not entitled to apply for a free nondriver identification card. I further understand and acknowledge that the issuance and/or renewal of the nondriver identification card is governed by the requirements of the Alabama Department of Public Safety.

_____(Printed name)

_____(Signature)

Authors: Jean Brown; Ed Packard; Julie Sinclair.

Statutory Authority: Code of Ala. 1975, §17-9-30 (2011).

History: New Rule: Filed October 22, 2013; effective November 26, 2013.

820-2-9-.05 Locations Where Alabama Electors Can Obtain Free Nondriver Identification Card Or Free Alabama Photo Voter Identification Card.

(1) Alabama electors can obtain a free nondriver identification card or free Alabama photo voter identification card at the following locations:

(a) Nondriver identification cards. Alabama electors can obtain a free nondriver identification card at the location within the county of residence where driver's licenses/nondriver identification cards are issued or renewed, subject to the requirements of the Alabama Department of Public Safety. Before obtaining a free nondriver identification card, an Alabama elector must complete an application stating that he or she does not possess any of the following:

1. a valid Alabama driver's license which was properly issued by the appropriate state or county department or agency;
2. a valid Alabama nondriver identification card which was properly issued by the appropriate state or county department or agency;
3. a valid Alabama photo voter identification card;
4. a valid identification card issued by a branch, department, agency, or entity of the State of Alabama, any other state, or the United

States authorized by law to issue personal identification, provided that such identification card contains a photograph of the elector;

5. a valid U.S. passport;

6. a valid employee identification card containing the photograph of the elector and issued by any branch, department, agency, or entity of the U.S. government, the State of Alabama, or any county, municipality, board, authority, or other entity of this state;

7. a valid student or employee identification card issued by a public or private college, university, or postgraduate technical or professional school located within the State of Alabama, provided that such identification card contains a photograph of the elector;

8. a valid U.S. military identification card, provided that such identification card contains a photograph of the elector; or

9. a valid tribal identification card containing a photograph of the elector. Any charge incurred in the production of the nondriver identification card by said offices pursuant to this rule shall be billed to the Secretary of State's office and the elector shall not be charged for the production of the card.

(b) Alabama photo voter identification cards. Alabama photo voter identification cards can be obtained at the following locations:

1. at the county Board of Registrars office where the elector is registered to vote. Any charge incurred by the county Board of Registrars shall be billed to the Secretary of State's office and the elector shall not be charged for the production of the card.

2. at the Secretary of State's office located at 600 Dexter Avenue, Montgomery, Alabama (State Capitol). The Secretary of State's office shall pay any costs incurred in the production of the card and the elector shall not be charged for the production of the card;

3. at mobile locations to be provided by the Secretary of State's office. There shall be no charge to an elector for production of the card and the Secretary of State shall pay any costs incurred in the production of the card.

(c) In the event an elector's county of residence has more than one Board of Registrars office, an elector can obtain the free Alabama photo voter identification card at any Board of Registrars location at his or her convenience.

Authors: Jean Brown; Ed Packard; Julie Sinclair. **Statutory Authority:** Code of Ala. 1975, §17-9-30 (2011). **History:** **New Rule:** Filed October 22, 2013; effective November 26, 2013.

820-2-9-.06 Processing Applications For Free Alabama Photo Voter Identification Card.

(1) To process the elector's application for the Alabama photo voter identification card the processing agent shall require the elector to complete, sign, and submit the application form set forth in Rule 820-2-9-.03 and to present documentation showing the applicant's full legal name and date of birth. All of the information may be contained in one document. The applicant's voter registration information can be confirmed electronically. If the elector completes, signs, and submits an application and presents said information as set forth in the application form, the processing agent shall immediately:

- (a) capture a digital photograph of the elector;
- (b) issue the receipt for the Alabama photo voter identification card to the elector, which shall contain the digital photograph of the elector; and

- (c) inform the elector that he or she should receive the Alabama photo voter identification card within fourteen (14) days and that the elector can use the receipt for the Alabama photo voter identification card to vote for forty-five (45) days from the date of issuance.

(2) If the elector completes, signs, and submits an application for a free Alabama photo voter identification card but the processing agent determines the form of identification presented by the elector does not satisfy the requirements of Rule 820-2-9-.03, the processing agent shall immediately advise the elector of the reason(s) why the application has been denied, and further advise the voter of the availability of an appeal process.

(3) Right of appeal. In the event an elector is denied issuance of an Alabama photo voter identification card, or a card is subsequently cancelled, the elector shall have the right to appeal the denial or cancellation through the appeals process outlined in Code of Alabama, section 17-3-55. The processing agent and/or issuing agent shall not be made a party to any appeal and shall not be liable for costs. An Alabama elector can appeal the denial or cancellation of an Alabama photo voter identification card, without giving security for costs, within 30 days after such denial or cancellation, by filing a petition in the probate court in the county of residence, alleging that he or she is qualified to receive a free Alabama photo voter identification card. Upon the filing of the petition, the clerk of the probate court shall give notice thereof to the district attorney authorized to represent the state in the county, who shall appear and defend against the petition on behalf of the state. An appeal will lie to the circuit court in favor of the petitioner if taken within 30 days from the date of judgment pursuant to Section 12-22-20. Final judgment in favor of

the petitioner shall entitle him or her to a free Alabama photo voter identification card as of the date of his or her application for the card.

Authors: Jean Brown; Ed Packard; Julie Sinclair. **Statutory Authority:** Code of Ala. 1975, §17-9-30 (2011). **History:** **New Rule:** Filed October 22, 2013; effective November 26, 2013.

820-2-9-.07 Cancellation And Surrender Of Free Alabama Photo Voter Identification Card Or Receipt.

(1) The issuing agent for an Alabama photo voter identification card can cancel and require surrender of the card or receipt for said card upon confirmation that the card or receipt was issued to a person not entitled thereto. In the event a card or receipt is cancelled, notice shall be given to the county Board of Registrars who shall immediately record the cancellation in the statewide voter registration system and send notice by U.S. mail to the card recipient at the address shown on the card that was issued. The notice to the elector shall state that the elector shall have the right to appeal the cancellation through the appeals process outlined in Code of Alabama, section 17-3-55, as set forth in Rule 820-2-9-.06.

(2) After issuance, a free Alabama photo voter identification card or receipt can be cancelled if:

(a) The Board of Registrars receives official notice that an elector has been convicted of a felony determined by the Board to be a felony involving moral turpitude.

(b) An elector is deceased.

(c) The Board of Registrars receives official notice that an elector has registered to vote in another state.

(d) An elector is otherwise no longer qualified to vote.

Authors: Jean Brown; Ed Packard; Julie Sinclair.

Statutory Authority: Code of Ala. 1975, §17-9-30 (2011).

History: **New Rule:** Filed October 22, 2013; effective November 26, 2013.

820-2-9-.08 Replacement Of Alabama Photo Voter Identification Card.

(1) If a previously issued Alabama photo voter identification card has been lost, destroyed, marred or mutilated, a replacement card shall be issued to the elector upon application for a new card in accordance with the procedures set forth herein in Rules 820-2-9-.03 and 820-2-9-.06.

(2) If the name of the elector to whom an Alabama photo voter identification card was issued has changed, a replacement card shall be issued to the elector upon the elector

(a) updating his or her voter registration record to reflect his or her new name, and

(b) providing official documentation of the change of name. Issuance of the prior Alabama photo voter identification card shall establish prima facie that the elector is qualified to receive a new card without being required to provide any additional documentation other than said evidence of the legal change of name.

Authors: Jean Brown; Ed Packard; Julie Sinclair. **Statutory Authority:** Code of Ala. 1975, §17-9-30 (2011). **History:** **New Rule:** Filed October 22, 2013; effective November 26, 2013.

820-2-9-.09 Validity Of Alabama Photo Voter Identification Card Or Nondriver Identification Card.

(1) An Alabama photo voter identification card shall not contain an expiration date, but shall remain valid for as long as the elector resides at the same address shown on the card and remains qualified to vote in Alabama. An Alabama nondriver identification card shall remain valid until the expiration date contained on the card.

(2) It shall be the duty of an elector who moves his or her residence within the county where he or she is registered to vote to surrender his or her Alabama photo voter identification card to the local Board of Registrars. The elector may thereafter complete a voter update form and apply for a new Alabama photo voter identification card reflecting his or her new address. Issuance of the prior Alabama photo voter identification card shall establish prima facie that the elector is qualified to receive a new card without being required to provide documentation of full legal name and date of birth.

(3) It shall be the duty of a person who moves his or her residence within this state but outside the county in which he or she is registered to vote to surrender his or her Alabama photo voter identification card to the local Board of Registrars in the new county of residence. The person may thereafter complete a new voter registration form and apply for a new Alabama photo voter identification card. Issuance of the prior Alabama photo voter identification card shall establish prima facie that the person is qualified to receive a new Alabama photo voter identification card without being required to provide any documentation of full legal name and date of birth.

(4) It shall be the duty of a person who moves his or her residence outside this state or who ceases to be qualified to vote to surrender his or her Alabama photo voter identification card to the Secretary of State.

(5) Each Board of Registrars shall forward all surrendered Alabama photo voter identification cards to the Secretary of State.

(6) An Alabama nondriver identification card shall remain valid until the expiration date contained on the card. Pursuant to Code of Alabama, section 32-6-4.2, an Alabama nondriver identification card issued to a person who is 62 years of age or older shall not have an expiration date. Pursuant to Code of Alabama, section 32-6-4.1, an Alabama nondriver identification card issued to persons who are mentally or physically disabled or legally blind shall not have an expiration date.

Authors: Jean Brown; Ed Packard; Julie Sinclair. **Statutory Authority:** Code of Ala. 1975, §17-9-30 (2011). **History:** **New Rule:** Filed October 22, 2013; effective November 26, 2013.

820-2-9-.10 Voting By Provisional Ballot.

Any elector who is required to produce a valid Alabama photo identification as defined in Rule 820-2-9.03 but is unable to do so at the time his or her vote is cast shall be allowed to vote a provisional ballot and shall be subject to the requirements of Code of Alabama, section 17-10-2(a)(3).

Authors: Jean Brown; Ed Packard; Julie Sinclair. **Statutory Authority:** Code of Ala. 1975, §17-9-30 (2011). **History:** **New Rule:** Filed October 22, 2013; effective November 26, 2013.

820-2-9-.11 Identification By Two Election Officials And Affidavit Form.

(1) If an elector does not have a valid Alabama photo identification as defined in Rule 820-2-9-.03 in his or her possession at the polls, he or she shall be allowed to cast a regular ballot if the individual is positively identified by two election officials as a voter on the poll list who is eligible to vote and both of the election officials sign a sworn affidavits so stating.

(2) The affidavit form to be used when two election officials positively identify an individual as a voter on the poll list who is eligible to vote shall read as follows:

County of _____

State of Alabama

I, _____ (print name), and _____ (print name) who are both election officials in the above stated county, do hereby swear or affirm that _____ (print elector's name) does not have a valid Alabama photo identification in his/her possession at the polls. I further swear or affirm that said elector has been positively identified by me as a voter on the poll list who is eligible to vote.

I further swear or affirm under penalty of perjury that all information provided in the affidavit above is true and correct.

(Signature of election official)

(Printed name)

(Signature of election official)

(Printed name)

Authors: Jean Brown; Ed Packard; Julie Sinclair.

Statutory Authority: Code of Ala. 1975, §17-9-30 (2011).

History: New Rule: Filed October 22, 2013; effective November 26, 2013.

820-2-9-.12 Inapplicability Of Photo Voter Identification Requirement To Voters Entitled To Vote By Absentee Ballot Pursuant To The Uniformed And Overseas Citizens Absentee Voting Act And Voters Entitled To Vote By Absentee Ballot Pursuant To The Voting Accessibility For The Elderly And Handicapped Act Or Any Other Federal Law.

(1) A voter who is entitled to vote by absentee ballot pursuant to the Uniformed and Overseas Citizens Absentee Voting Act shall not be required to produce identification prior to voting.

(2) A voter who is entitled to vote by absentee ballot pursuant to the Voting Accessibility for the Elderly and Handicapped Act or any other federal law shall not be required to produce identification prior to voting.

(3) Pursuant to Section 8 of the Voting Accessibility for the Elderly and Handicapped Act (subchapter 1-F of Chapter 20 of Title 42 U.S.C.), the Secretary of State has determined that the term “accessible” as applied to handicapped or elderly voters shall mean that the location of a polling place is physically accessible to handicapped and elderly voters. Moreover, if a handicapped or elderly voter is unable to access his or her assigned polling place due to a neurological, musculoskeletal, respiratory (including speech organs), cardiovascular, or other life-altering disorder that affects the voter’s ability to perform manual tasks, stand for any length of time, walk unassisted, see, hear, or speak, that voter’s polling place is not “accessible” to him or her.

Authors: Jean Brown; Ed Packard; Julie Sinclair. **Statutory Authority:** Code of Ala. 1975, §17-9-30 (2011). **History: New Rule:** Filed October 22, 2013; effective November 26, 2013.

820-2-9-.13 Application For Issuance Of Free Alabama Birth Or Marriage Certification To Obtain Free Alabama Photo Voter ID Card.

- (1) The following application is to be used by Alabama voters who need a free birth or marriage certificate to obtain a free Alabama Photo Voter Identification Card.
- (2) The birth or marriage certificate will be provided electronically to the processing or issuing agent and is for voting purposes only. The voter will not be given a copy of these free birth or marriage certificates. The processing or issuing agent is to transmit both sides of the application to the state office of the Alabama Department of Public Health using the contact information provided by the Secretary of State.
- (3) The processing or issuing agent transmitting the application for free Alabama birth or marriage certificate must include a transmittal form identifying the office that is transmitting the form to the Alabama Department of Public Health.

SIDE A

**OFFICE OF THE SECRETARY OF STATE APPLICATION FOR
ISSUANCE OF FREE ALABAMA BIRTH OR MARRIAGE**

**CERTIFICATION TO OBTAIN FREE ALABAMA
PHOTO VOTER ID CARD**

Print Your Name: _____

Address: _____

City: _____ State: _____

Zip: _____ Daytime Phone: (_____) _____

**DO NOT COMPLETE THIS FORM IF YOU HAVE ANY OF THE
FOLLOWING:**

1. a valid Alabama driver's license or a valid Alabama nondriver identification card which was properly issued by the appropriate state or county department or agency;
2. a valid Alabama photo voter identification card;

3. a valid identification card issued by a branch, department, agency, or entity of the State of Alabama, any other state, or the United States authorized by law to issue personal identification, provided that such identification card contains a photograph of the elector;
4. a valid U.S. passport;
5. a valid employee identification card containing the photograph of the elector and issued by any branch, department, agency, or entity of the U.S. government, the State of Alabama, or any county, municipality, board, authority, or other entity of this state;
6. a valid student or employee identification card issued by a public or private college, university, or postgraduate technical or professional school located within the State of Alabama, provided that such identification card contains a photograph of the elector;
7. a valid U.S. military identification card, provided that such identification card contains a photograph of the elector; or
8. a valid tribal identification card containing a photograph of the elector.

I, _____, a registered voter in the State of Alabama, do hereby swear or affirm that I do not possess any of the forms of photo ID listed above. I further swear or affirm that the information contained on this form (Side A and Side B) is true and correct. I understand that the free birth or marriage certificate will be issued electronically to the processing or issuing agent and that said free certification cannot be used for any purpose other than obtaining a free Alabama photo voter ID card.

Signature of Alabama Registered Voter _____
Date _____

SIDE B

**APPLICATION FOR ISSUANCE OF A FREE ALABAMA BIRTH
OR MARRIAGE CERTIFICATION TO OBTAIN
FREE ALABAMA PHOTO VOTER ID CARD
SIDE A MUST BE COMPLETED BEFORE
COMPLETING SIDE B OF THIS FORM**

<p><u>THERE IS NO FEE FOR BIRTH OR MARRIAGE RECORD SEARCHES FOR PURPOSES OF ELECTOR VOTING.</u></p>		
<p>PRINT ALL INFORMATION LEGIBLY. You must complete & sign the applicant section or your request cannot be processed.</p>		
<p>TAKE THIS FORM TO YOUR LOCAL BOARD OF REGISTRARS OFFICE</p>		
<p>APPLICANT SECTION (THIS SECTION MUST BE COMPLETED) Anyone falsely applying for a record is subject to a penalty upon conviction of up to three months in the county jail or a fine of up to \$500. Code of Ala. 1975, § 13A-10-109. By signing, you are certifying you have a legal right to the record requested.</p>		
<p>Your Signature _____ Date _____</p>		
<p>Print Your Name _____ Address _____</p>		
<p>City _____ State _____ Zip _____ Daytime Phone _____</p>		
<p>BIRTH:</p>		
<p>FULL NAME AS ON BIRTH CERTIFICATE _____ <div style="display: flex; justify-content: space-between; width: 100%;"> FIRST MIDDLE LAST </div> </p>		
<p>DATE OF BIRTH _____ SEX _____</p>		
<p>COUNTY OF BIRTH _____ HOSPITAL _____</p>		
<p>FULL MAIDEN NAME OF MOTHER _____ <div style="display: flex; justify-content: space-between; width: 100%;"> FIRST MIDDLE LAST </div> </p>		
<p>FULL NAME OF FATHER _____ <div style="display: flex; justify-content: space-between; width: 100%;"> FIRST MIDDLE LAST </div> </p>		
<p>MARRIAGE:</p>		
<p>FULL NAME OF HUSBAND _____ <div style="display: flex; justify-content: space-between; width: 100%;"> FIRST MIDDLE LAST </div> </p>		
<p>FULL MAIDEN NAME OF WIFE _____ <div style="display: flex; justify-content: space-between; width: 100%;"> FIRST MIDDLE LAST </div> </p>		
<p>DATE OF MARRIAGE _____ COUNTY WHERE LICENSE WAS ISSUED _____</p>		
<p><u>FOR OFFICE USE ONLY:</u></p>		
<p>PROCESSING/ISSUING AGENT USE: The processing/issuing agent must print and sign his or her name below before transmitting both sides of the application to the state office of the Alabama Department of Public Health</p>		
<p>Processing/Issuing Agent Printed Name _____ Processing/Issuing Agent Signature _____ Date _____</p>		
<p>ALABAMA DEPARTMENT OF PUBLIC HEALTH USE: This application has been reviewed for the individual's right to receive the requested document(s).</p>		
<p>ADPH Employee's Signature _____ Date _____ ADPH Receipt Number _____</p>		

Authors: Jean Brown, William Sutton

Statutory Authority: Code of Ala. 1975, §17-9-30 (2011).

History: New Rule: Filed October 9, 2014; effective November 13, 2014.

**Appendix S-11: Chapter 820-2-10 Procedures for
Implementing the Uniformed Overseas Citizens Absentee
Voting Act (UOCAVA)**

OFFICE OF THE SECRETARY OF STATE

ADMINISTRATIVE CODE

**CHAPTER 820-2-10 PROCEDURES FOR IMPLEMENTING THE
UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING
ACT (“UOCAVA”)**

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820-2-10-.01 Purpose. The purpose of this chapter is to provide for implementation of the Uniformed and Overseas Citizens Absentee Voting Act (“UOCAVA”), 42 U.S.C. §1973FF *et seq.*, as Amended by the Military and Overseas Voter Empowerment Act, Pub. L. No. 111-84, Subtitle H, §§575-589, 123 Stat. 2190, 2318-2355 (2009)(“MOVE Act”) and Act of Alabama 2011-619, for those qualified individuals requesting to vote by absentee ballot pursuant to the Federal Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA). The procedures in this chapter are promulgated under authority granted the Secretary of State as Chief Elections Official pursuant to the UOCAVA and Code of Ala. 1975,

sections 17-11-42 and 17-1-3(a). **Author:** Edward Packard; Jean Brown; William Sutton **Statutory Authority:** Code of Ala. 1975, §§17-11-40 *et seq.*, 17-1-3(a), 17-11-4, 17-11-5(d), 17-11-9. **History:** **New Rule:** Filed March 28, 2014; effective May 2, 2014.

820-2-10-.02 Applicability. This chapter applies to absentee balloting for all elections for individuals eligible to vote by absentee ballot pursuant to the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA). **Author:** Edward Packard; Jean Brown; William Sutton **Statutory Authority:** Code of Ala. 1975, §§17-11-40 *et seq.*, 17-1-3(a), 17-11-4, 17-11-5(d), 17-11-9. **History:** **New Rule:** Filed March 28, 2014; effective May 2, 2014.

820-2-10-.03 Application And Procedures For Issuance Of Absentee Ballot.

(1) Individuals voting by absentee ballot pursuant to UOCAVA may apply for an absentee ballot by utilizing an application adopted by the State of Alabama pursuant to §§17-11-4 or 17-11-5(d) or by utilizing the Federal Postcard Application provided for by UOCAVA. The application must be submitted by the voter by U.S. mail or hand-delivery to the absentee election manager in the county in which the prospective absentee voter is registered to vote. The application prescribed by the Secretary of State pursuant to §17-11-5(d) shall provide the UOCAVA applicant the means to request delivery of the blank absentee ballot by U.S. mail, by hand-delivery or by electronic transmission.

(2) A voter who chooses to have the blank absentee ballot transmitted to him or her electronically must designate that choice on the Federal Postcard Application or on the state-prescribed absentee ballot application prescribed pursuant to §17-11-5(d). If the voter does not make such designation, the blank absentee ballot shall be delivered to the voter by U.S. mail or hand-delivery.

(3) If the voter requests to have the blank absentee ballot transmitted electronically, the absentee election manager shall:

(a) verify the voter registration status of the applicant;

(b) record in the Alabama Voter Registration and Election Management System the request for the absentee ballot;

(c) deliver to the voter the blank absentee ballot by electronic transmission utilizing the electronic blank ballot transmission developed by the Secretary of State;

(d) shall notify the voter that to be properly cast and counted, the voted absentee ballot must be returned to the appropriate absentee election manager by the date specified in state law and provide the voter said date;

(4) Each absentee ballot delivered to a voter pursuant to UOCAVA shall include a “UOCAVA Affidavit” which shall read as prescribed in §17-11-7, Code of Ala. 1975, except:

(a) the instructions to the voter regarding signing and witnessing of the affidavit shall not include any reference to notarization and shall read “IF YOUR AFFIDAVIT IS NOT SIGNED (OR MARKED), AND IF YOUR AFFIDAVIT IS NOT WITNESSED BY TWO WITNESSES 18 YEARS OF AGE OR OLDER, PRIOR TO BEING DELIVERED OR MAILED TO THE ABSENTEE ELECTION MANAGER, YOUR BALLOT WILL NOT BE COUNTED.”, and

(b) the affidavit shall not include a section for completion by a notary public.

(c) item (5) in paragraph (b) of §17-11-7 shall read

“(5) I am entitled to vote an absentee ballot because I am a member of or a spouse or dependent of a member of the Armed Forces of the United States or am otherwise entitled to vote pursuant to the federal Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. 1973ff.”

(5) For voters requesting electronic transmission of the absentee ballot, the “UOCAVA Affidavit” shall be provided in electronic format to the voter; otherwise the “UOCAVA Affidavit” shall be provided printed on the ballot return envelope.

(6) For purposes of the MOVE Act and Section 104 of the Uniformed and Overseas Citizens Absentee Voting Act, the Federal Postcard Application (FPCA) for absentee balloting provided for by Section 101(b)(2), of the Uniformed and Overseas Citizens Absentee Voting Act shall be processed as follows:

(a) An FPCA marked to request delivery of the absentee ballot by e-mail shall be processed as a request for electronic delivery of the blank absentee ballot.

(b) An FPCA marked to request delivery of the absentee ballot by fax shall be processed as a request for delivery by U.S. mail of the blank absentee ballot. **Author:** Edward Packard; Jean Brown; William Sutton
Statutory Authority: Code of Ala. 1975, §§17-11-40 *et seq.*, 17-1-3(a), 17-11-4, 17-11-5(d), 17-11-9. **History:** **New Rule:** Filed March 28, 2014; effective May 2, 2014.

820-2-10-.04 Return Of Absentee Ballots.

(1) After the voter marks his or her choices on the ballot, the voter shall:

(a) complete the “UOCAVA Affidavit”, including the section for two witnesses as required by §17-11-7, Code of Ala. 1975;

(b) when the voter has requested electronic transmission of the

blank absentee ballot, insert and seal the ballot in a blank envelope for secrecy and not write any personally identifying information on the envelope and then insert and seal the blank envelope (which contains the voted ballot) and the completed UOCAVA Affidavit into a second envelope to be used for returning the absentee ballot to the appropriate absentee election manager by hand-delivery, U.S. mail, or commercial air or ground carrier;

(c) when the voter has requested that the absentee ballot be delivered by U.S. Mail or hand-delivery, insert and seal the voted ballot into the secrecy envelope and then insert and seal the secrecy envelope into the envelope on which is printed the “UOCAVA Affidavit” and which is used as the return envelope for delivering the ballot to the absentee election manager by hand-delivery, U.S. mail, or commercial air or ground carrier; and

(d) return the absentee ballot by hand-delivery, U.S. mail, or commercial air or ground carrier, to the appropriate absentee election manager using the address information provided by the absentee election manager.

(2) In the event a voter does not place the absentee ballot inside a secrecy envelope, the absentee election manager shall immediately upon discovery insert and seal the voter’s ballot into a secrecy envelope and place inside an envelope of sufficient size the secrecy envelope, the UOCAVA Affidavit, and the envelope used by the voter to deliver the ballot. **Author:** Edward Packard; Jean Brown; William Sutton **Statutory Authority:** Code of Ala. 1975, §§17-11-40 *et seq.*, 17-1-3(a), 17-11-4, 17-11-5(d), 17-11-9. **History: New Rule:** Filed March 28, 2014; effective May 2, 2014.

820-2-10-.05 Counting Of Absentee Ballots.

(1) As provided in §17-11-10, no poll worker or other election official shall count an absentee ballot unless the appropriate affidavit has been properly completed by the voter.

(2) An affidavit is properly completed if the voter has complied with the provisions of §17-11-7, Code of Ala. 1975, including the requirement for witnessing, except that the affidavit is not required to be notarized. **Author:** Edward Packard; Jean Brown; William Sutton **Statutory Authority:** Code of Ala. 1975, §§17-11-40 *et seq.*, 17-1-3(a), 17-11-4, 17-11-5(d), 17-11-9. **History: New Rule:** Filed March 28, 2014; effective May 2, 2014.

820-2-10-.06 Minimum Criteria To Ensure Secure Remote Electronic Transmission Of Blank Absentee Ballots.

(1) The minimum criteria to ensure the secure electronic transmission of blank absentee ballots shall include the following:

(a) The capability for secure access by the overseas voter to the electronic ballot transmission server.

(b) The capability to verify the identity of the overseas voter before granting access to the electronic ballot transmission server.

(2) (a) **Procedures for Secure Electronic Return of Absentee Ballots.** Eligibility to Return an Absentee Ballot by Electronic Transmission. Only the following voters are eligible to return an absentee ballot by electronic transmission:

1. A member of the uniformed services while in the active service, or an eligible spouse or dependent of such a member, who is a permanent resident of the state and is temporarily residing outside of the territorial limits of the United States and the District of Columbia, who is qualified and registered to vote as provided by law.
2. A member of the Merchant Marine of the United States, or an eligible spouse or dependent of such a member, who is a permanent resident of the state and is temporarily residing outside of the territorial limits of the United States and the District of Columbia, who is qualified and registered to vote as provided by law.
3. Any other citizen of the United States who is a permanent resident of the state and is temporarily residing outside of the territorial limits of the United States and the District of Columbia, who is qualified and registered to vote as provided by law.

(b) The absentee election manager shall determine the eligibility of the absentee voter to return the absentee ballot by electronic transmission by evaluating the absentee ballot application submitted by said voter.

1. If a voter requests to receive the absentee ballot by electronic transmission but the absentee ballot application does not provide sufficient information to determine the voter's eligibility to return an absentee ballot by electronic transmission:

(i) the absentee election manager shall attempt to contact the voter and obtain supplemental information to determine the voter's eligibility to receive and return the absentee ballot by electronic transmission.

(ii) Any supplemental information obtained by the absentee election manager shall be documented and kept with the original absentee ballot application.

2. If the absentee election manager is unable to contact the voter to obtain supplemental information to determine eligibility and the only eligibility requirement that is in question relates to whether the voter is residing

outside of the territorial limits of the United States and the District of Columbia, the absentee election manager shall consider the application prima facie evidence that the voter is eligible to return the absentee ballot by electronic transmission and shall document said determination.

3. If a voter requests to return the absentee ballot by electronic transmission but the information available to the absentee election manager, either on the absentee ballot application or as provided by the voter as supplemental information, establishes that the voter is not residing outside of the territorial limits of the United States and the District of Columbia, the absentee election manager shall not permit the voter to return the ballot by electronic transmission.

(c) Minimum Criteria To Ensure Secure Electronic Return of Voted Absentee Ballots. The minimum criteria to ensure the secure electronic return of voted absentee ballots shall include the following:

1. The capability for secure access by the overseas voter to the electronic ballot transmission server.
2. The capability to verify the identity of the overseas voter before granting access to the electronic ballot transmission server.
3. The capability for secure transmission of the voted ballot to the local absentee election manager.
4. The capability to verify the identity of the overseas voter transmitting the voted ballot to the local absentee election manager.
5. The use of encrypted information, including, but not limited to, ballots, passwords, and both public and private encryption keys.
 - (i) A public or private key encryption methodology shall include key generation under the control of the Secretary of State.
 - (ii) A password protected private key shall be held secure by the county appointing board, as applicable, and never transmitted or otherwise divulged by any means.
 - (iii) A password protected private key that is unique for each eligible overseas voter to digitally sign the ballot for transmission and storage before decryption by the canvassing board or the absentee election manager.
6. The capability for auditing the secure remote voting application source code, and the capability for this application to be executed on a clean computer which, at a minimum, has a baseline operating system on its hard disk and no other software or driver installed.
7. The capability to secure access to and from the overseas voter and the voting server or the voting database platform or both.
8. The verification of the authenticity of the identity of the overseas voter before granting access to the transmission of election material.

9. The capability for the overseas voter to determine that the secure transmission of election material was successful.
10. The capability for the absentee election manager to segregate rejected ballots before decryption.
11. The capability to record election material received by secure transmission.
12. The capability for the absentee election manager to produce a marked paper ballot for each vote cast by secure transmission.
13. The capability for the overseas voter to securely and electronically execute the “Overseas Voter Certificate” as provided for in §17-11-46, if the UOCAVA voter is submitting the voted ballot by secure electronic transmission.

(d) Electronic Return Of Absentee Ballots.

1. When the voter has requested electronic transmission of the blank absentee ballot, that voter may choose to return the voted ballot and completed Overseas Voter Certificate via secure electronic transmission to the local absentee election manager if the voter is eligible to return the ballot by electronic transmission pursuant to rule 820-2-10.06(2).
2. In the event a voter chooses to return the completed ballot via secure electronic transmission to the local absentee election manager as authorized in (1),
 - (i) the absentee election manager shall determine if the electronic voted ballot is to be accepted or rejected;
 - (ii) the absentee election manager shall print the electronic ballot if accepted, including supporting documentation; and
 - (iii) the absentee election manager shall then place and seal the accepted voted ballot in a secrecy envelope and store with the other voted absentee ballots until they are to be counted on election day by the absentee election officials.

(e) Counting Of Absentee Ballots Returned by Electronic Transmission.

1. No poll worker or other election official shall count an absentee ballot returned electronically unless the Overseas Voter Certificate has been properly completed and submitted by the voter.
2. The absentee election manager shall make the determination as to whether the Overseas Voter Certificate is properly submitted.
3. An Overseas Voter Certificate is properly submitted if it is signed and dated by the overseas voter. **Authors:** Edward Packard; Jean Brown; William Sutton **Statutory Authority:** Code of Ala. 1975, §§17-11-40 *et seq.* **History:** **New Rule:** Filed March 28, 2014; effective May 2, 2014. **Amended:** Filed June 3, 2016; effective July 18, 2016.

820-2-10-.07 Application Of Postmark Deadline To Delivery Of Ballots By Commercial Carriers. For the purpose of delivering an absentee ballot to a county absentee election manager by commercial ground or air carrier, the postmark requirement specified in §17-11-18 shall refer to the date on which the absentee ballot is tendered to the commercial carrier for delivery. **Author:** Edward Packard; Jean Brown; William Sutton **Statutory Authority:** Code of Ala. 1975, §§17-11-40 *et seq.* **History:** **New Rule:** Filed March 28, 2014; effective May 2, 2014.

820-2-10-.08 Delivery Of Printed Ballots And Preparation Of Electronic Ballot Transmission System.

(1) The Judge of Probate in each county shall prepare the absentee ballots for UOCAVA voters.

(2) Pursuant to Code of Ala. 1975, Section 17-11-12 (2014), the Judge of Probate shall deliver the absentee ballots to the absentee election manager not later than 55 days prior to the primary and general election.

(3) Pursuant to Code of Ala. 1975, Section 17-11-12 (2014), the Judge of Probate shall provide to the Secretary of State as soon as practicable, but in no case later than the 68th day prior to the primary and general election, the absentee ballots in electronic format or as electronic ballot definition files for use in the blank electronic ballot transmission system developed by the Secretary of State. **Author:** Edward Packard, Jean Brown, William Sutton **Statutory Authority:** Uniformed and Overseas Citizens Absentee Voting Act, 42 USC §1973 ff *et seq.*, as amended by the Military and Overseas Voter Empowerment Act, Pub. L. No. 111-84, Subtitle H, §§575-589, 123 Stat. 2190, 2318-2335 (2009); Code of Ala. 1975, §§17-11-40 *et seq.*, 17-1-3(a), 17-11-12. **History:** **New Rule:** Filed October 9, 2014; effective November 13, 2014.

820-2-10-.17 Counting Of Votes.

(1) An elector's ballot shall be counted for each office to be filled except for each office where it is impossible to determine the elector's choice for that office. The inability to determine the elector's choice for any particular office to be filled shall not cause the rejection of votes for other offices where the elector's choice can be determined. No ballot shall be rejected for any technical error which does not make it impossible to determine the elector's choices.

(2) (a) In precincts utilizing precinct ballot counters, if the elector has overvoted his or her ballot in in one or more contests, the counters shall be programmed to permit the elector to choose whether to 1) review and correct his or her ballot or 2) have the counter tabulate all votes on

the ballot except in any contest where the elector has overvoted the ballot.

(b) If the elector chooses to correct the ballot, the original ballot shall be spoiled by a poll worker and the elector shall be issued a new, blank ballot.

(c) If the elector chooses not to correct the ballot, the elector shall be permitted to have the counter tabulate all votes on the ballot except in any contest where the elector has overvoted the ballot.

(3) In counties utilizing central ballot counters, the counters shall be programmed to permit the ballot to be tabulated by the counter if the elector has overvoted his or her ballot in any contest. The counter shall be programmed to tabulate all votes on the ballot except in any contest where the elector has overvoted the ballot.

(4) (a) In precincts utilizing precinct ballot counters, if the ballot counter detects a blank ballot, that is, a ballot where the elector has not marked any choices in accordance with the instructions for properly marking his or her choices, the ballot counter shall be programmed to return the ballot to the elector. The elector shall be permitted the opportunity to mark his or her choices on the original ballot or a replacement ballot according to the instructions for properly marking the ballot. The ballot may then be tabulated by the ballot counter. The ballot counter shall be programmed to accept a blank ballot in those circumstances where the elector chooses to not remedy his or her blank ballot.

(b) In counties utilizing central ballot counters, if the ballot counter detects a blank ballot, that is, a ballot where the elector has not marked any choices in accordance with the instructions for properly marking his or her choices, the ballot counter shall be programmed to return the ballot or otherwise divert the ballot to be reviewed by the attending poll workers. The poll workers shall review the ballot to determine if the elector has marked no choices on the ballot or if the elector has marked choices on the ballot inconsistent with the instructions for properly marking the ballot. If the elector has marked choices on the ballot inconsistent with the instructions for properly marking the ballot, the ballot shall be counted by hand as described in paragraphs (1) and (5) of this rule. If the elector has marked no choices on the ballot, the ballot shall be set aside to be sealed with all other ballots in the ballot box after all ballots have been tabulated.

(5) When ballots are to be counted by hand, polling officials shall determine the elector's choice by considering the ballot as a whole and determining the manner in which the elector marked his or her choices on the ballot. Only those choices marked consistently in this manner shall be counted for each office to be filled. As used herein, "marked consistently"

pertains to the manner in which the elector expresses his or her choice and not the pattern of candidates selected as between political parties on the ballot. If the polling officials are unable to determine the manner in which an elector marked his or her choices, the ballot shall be rejected in its entirety.

(6) (a) If a precinct ballot counter should malfunction, the poll shall remain open and voters shall deposit their ballots in a ballot box or other suitable container. The inspector shall notify the custodian, who shall attempt to repair or replace the equipment, and the probate judge, who shall maintain a public list of all precincts in which equipment failure has occurred.

(b) If the precinct ballot counter cannot be repaired, after the polls close the ballot box shall be opened and the ballots counted either by hand as described in paragraphs (1) and (4) of this rule or by feeding the ballots into an operable precinct ballot counter. If counted by hand, the determination of the elector's choice shall be governed by paragraph (4) of this rule. Poll watchers of opposing interests and members of the media, if any are present, shall be permitted to witness this process. The results of this hand count shall be added to the official results, and the ballots shall be bound separately and returned with the other ballots.

(c) In counties utilizing precinct ballot counters, any ballot returned by the machine in a post-election recount must be counted by hand following the rules for central ballot counters as provided in paragraphs (1) and (4) of this rule. The results of this hand count shall be added to the official results, and the ballots shall be bound separately and returned with the other ballots.

(7) If a central ballot counter should malfunction, the count shall be suspended until the equipment is repaired or replaced or the ballots are counted by hand as described in paragraphs (1) and (4) of this rule. If counted by hand, the determination of the elector's choice shall be governed by paragraph (4) of this rule. Poll watchers of opposing interests and members of the media, if any are present, shall be permitted to witness this process. The results of this hand count shall be added to the official results, and the ballots shall be bound separately and returned with the other ballots.

(8) (a) In counties utilizing precinct ballot counters, if a ballot is defective and the counter is unable to accept or read the ballot, 1) the ballot shall be spoiled and the elector shall be issued a new ballot or 2) if the elector does not choose to mark a new ballot, the elector's original ballot shall be counted by hand as described in paragraphs (1) and (4) of this rule. The results of this hand count shall be added to the official results, and

the ballots shall be bound separately and returned with the other ballots.

(b) In counties utilizing central ballot counters, if a ballot is defective and the counter is unable to accept or read the ballot, the ballot shall be counted by hand as described in paragraphs (1) and (4) of this rule. If counted by hand, the determination of the elector's choice shall be governed by paragraph (4) of this rule. Poll watchers of opposing interests and members of the media, if any are present, shall be permitted to witness this process. The results of this hand count shall be added to the official results, and the ballots shall be bound separately and returned with the other ballots. **Authors:** Edward Packard; Jean Brown **Statutory Authority:** Code of Ala. 1975, §17-7-25 (formerly §17-24-7(b)). **History:** **New Rule:** Filed February 10, 1998; effective March 7, 1998. **Amended:** Filed February 7, 2002; effective March 14, 2002. **Amended:** Filed October 9, 2014; effective November 13, 2014.

820-2-10-.18 UOCAVA State Written Plan For Federal Primary Runoff Election.

(1) Pursuant to 52 U.S.C. Section 20302(a)(9), these rules provide the state written plan for any Federal primary runoff election.

(a) Federal law provides that, when a UOCAVA voter has requested a ballot for a federal election by the 45th day before that election, the State must transmit the ballot to that voter by the 45th day before the election. 52 U.S.C. Section 20302(a)(8)(A). The U.S. District Court for the Middle District of Alabama and the Eleventh Circuit Court of Appeals have held that this provision applies to federal runoff elections.

Thus, when a UOCAVA voter requests to vote in a federal primary runoff election on or before the 45th day before such election, the ballot must be transmitted to the voter on or before the 45th day before the primary runoff election by the method of transmission requested by the voter.

For a variety of reasons, it has long been Alabama's preference to hold any runoff elections, also known as second primary elections, less than 45 days after the first primary election. Separating the elections sufficiently to allow for the determination of the primary election results and the printing and transmission of the primary runoff ballots would mean more than two months between the two elections. Accordingly, the State recently implemented instant runoff ballots for UOCAVA voters in order to address the State's concerns about the primary schedule while protecting the rights of UOCAVA voters to participate in federal elections and ensuring the State's compliance with federal law.

This chapter applies only to UOCAVA voters in the

circumstances described below. It provides procedures for election officials to follow when there is a federal primary election in a county or portion of a county where three or more candidates have qualified with the same political party to run for the same federal office (other than the office of President).

These rules do not alter in any way the current election cycle.

Instant runoff ballots are not needed for a Presidential race, regardless of the number of candidates qualifying for that office, because Alabama does not hold a second primary election in that race.

(b) To facilitate the participation of UOCAVA voters in Alabama's federal second primary elections, ballot preparation under the UOCAVA State Written Plan for Federal Primary Runoff Election shall be as follows.

1. When three or more candidates have qualified with the same political party to run for the same federal office (other than the office of President), the probate judge shall prepare both a special federal ballot and a special state ballot for the primary election. The special federal ballot materials shall include instructions prepared by the Secretary of State. These instructions shall explain how a UOCAVA voter casts his or her vote using the special federal instant runoff primary ballot.
2. If necessary, the probate judge shall prepare a special state ballot for a second primary election.

(c) The content of special federal and special state ballots shall be as follows.

1. A special federal ballot shall be used in a federal instant runoff primary election. The special federal ballot shall contain a list of all federal offices (other than the office of President) for which three or more candidates have qualified with the same political party to run for the same federal office and said candidates' names. The special federal ballot shall permit the UOCAVA voter to cast a ballot in a federal instant runoff primary election by indicating his or her order of preference for each candidate for each federal office listed on the ballot. UOCAVA voters may also use this ballot to participate in the second federal primary election alone, in which case it shall be specifically labeled "Runoff Only." The labeling may be done in the ballot preparation or manually prior to its transmission to the UOCAVA voter.

2. A special state ballot shall be used when there is the possibility of a federal primary runoff election. This ballot shall contain the office of President in presidential election years, any federal offices for which only two candidates have qualified with the same political party to run for the same office and said candidates' names, all state and county offices and said candidates' names, and

any referenda to be voted on in the primary election.

3. If necessary, a special state ballot for a second primary election shall be used. This ballot shall contain any state or county offices for which a second primary election is required, the names of the candidates who have qualified for said offices, and any referenda to be voted on in a second primary election.

(d) Issuance and transmission of ballots shall be as follows.

1. When a UOCAVA voter requests an absentee ballot and votes in a precinct where a federal race with the potential for a runoff is on the ballot, the absentee election manager shall initially issue both a special federal ballot and a special state ballot.
2. The ballots shall be transmitted together, with provisions made for both ballots to be returned together.
3. If the UOCAVA voter has requested a runoff ballot, and there is the potential for a runoff in a non-federal race, or if any referenda are contained on a special state second primary election ballot, the absentee election manager shall issue the special state second primary election ballot to the voter when it is ready.

(e) UOCAVA voters may participate in Alabama's federal primary election and any second federal primary elections using the Federal Write-In Absentee Ballot ("FWAB").

1. UOCAVA voters who vote using a Federal Write-In Absentee Ballot ("FWAB") in a federal primary election in which three or more candidates have qualified with the same political party to run for the same federal office may rank their choices for such candidates on the FWAB in the same manner provided for in Code of Ala. 1975, Section 17-13-8.1(c)(2).
2. The rules contained in the UOCAVA State Written Plan for Federal Primary Runoff Election shall govern the receipt, counting, canvassing, storage, and reporting of FWAB ranked ballots cast in the first federal primary election, and second federal primary election, if necessary.

(f) The deadline for receipt of ballots shall be as follows.

1. Special Federal Ballot, FWAB, or Special State Ballot for Primary Election.

(i) If received by mail, no special federal ballot, FWAB, or special state primary ballot shall be opened or counted in the first federal primary election unless the absentee ballot is postmarked as of the date of the first primary election and received by the absentee election manager no later than noon seven days after the first primary election.

(ii) If received electronically, no special federal ballot or special state primary ballot shall be opened or counted in the first federal primary election unless the absentee ballot is received by midnight on the date of the first primary election.

2. Special Federal Ballot, FWAB, or Special State Ballot for Second Primary Election.

(i) If received by mail, no special federal ballot, FWAB, or special state ballot for a second primary election shall be opened or counted unless the absentee ballot is postmarked as of the date of the second primary election and received by the absentee election manager no later than noon seven days after the second primary election.

(ii) If received electronically, no special federal ballot or special state ballot for a second primary election shall be opened or counted unless the absentee ballot is received by midnight on the night of the federal primary runoff election.

(g) The determination as to whether the special federal ballot is entitled to be counted shall be as follows.

1. For a federal primary election in which three or more candidates have qualified with a single political party to run for the same federal office (other than the office of President), where the voter is required to complete an absentee ballot affidavit, the absentee election poll officials provided for in Code of Ala. 1975, Section 17-11-11 shall follow the procedures set forth in Code of Ala. 1975, Section 17-11-10 to determine whether the UOCAVA absentee ballot affidavit establishes that the UOCAVA voter is entitled to vote by absentee ballot. Where the voter is required to complete an overseas voter certificate in accordance with Code of Ala. 1975, Section 17-11-46, the absentee election manager shall determine whether the overseas voter certificate establishes that the UOCAVA voter is entitled to vote by absentee ballot.

2. The determination in paragraph (1) governs all ballots submitted together, including for any second federal primary election, such that no new determination as to the adequacy of the same absentee ballot affidavit, or overseas voter certificate, as applicable, need be made.

3. For any ballots submitted separately, such as stand-alone runoff ballots or a special state ballot for a second primary election, where the voter is required to complete an absentee ballot affidavit, the absentee election poll officials provided for in Code of Ala. 1975, Section 17-11-11 shall follow the procedures set forth in Code of Ala. 1975, Section 17-11-10 to determine whether the UOCAVA absentee ballot affidavit establishes that the UOCAVA voter is entitled to vote by absentee ballot. Where the voter is required to complete an overseas voter certificate in accordance with Code of Ala. 1975, Section 17-11-46, the absentee election manager shall determine whether the overseas voter certificate establishes that the UOCAVA voter is entitled to vote by absentee ballot.

4. If the absentee election poll officials or absentee election manager, as applicable, determine(s) that the UOCAVA absentee ballot is entitled to

be counted, upon the closing of the polls, the ballot shall be counted in accordance with state law.

5. If the absentee election poll officials determine that an absentee ballot affidavit is insufficient and therefore the UOCAVA absentee ballot is not entitled to be counted, a record shall be made as to the reason for rejection of the ballot and said record of the reason for rejection of any ballot shall be provided to the absentee election manager. If the absentee election manager determines that an overseas voter certificate is insufficient and therefore the UOCAVA absentee ballot is not entitled to be counted, a record shall be made and maintained as to the reason for rejection of the ballot. The absentee election manager shall thereafter record in the statewide election management system which absentee ballots have been accepted or rejected and if rejected, the reason therefor.

(h) The method for counting the special federal ballot and FWAB and securing same shall be as follows.

1. In a federal primary election in which the special federal ballot or FWAB is used, the first choice preference of each voter shall be the vote counted as cast by the voter. Only the first choice preference votes of the voters shall be counted or divulged during the count or upon the conclusion of the primary election. The total count of first choice preference votes received by each federal candidate shall be added to the count of votes produced for candidates pursuant to Section 17-13-13.

2. Upon the conclusion of this count, the special federal ballots or FWABs shall be returned to the absentee election manager, who shall secure and maintain the ballots until the time for counting the ballots for any second primary election. Any FWAB on which the UOCAVA voter has written in a single choice in the federal Congressional races, without crossing-over for the runoff, and where the voter's single choice is facing only one opponent is a FWAB which has not registered a vote for any potential federal runoff election, and it may be returned to the absentee election manager or secured along with the traditional ballots pursuant to governing state law.

3. If a federal second primary election is necessary, the vote to be counted as cast by each voter shall be the highest designated choice of the voter of the two candidates participating in the contest. In the event that the voter has only ranked one choice, the vote will be counted for that candidate if he or she is a candidate in the federal runoff election. The total count of the votes received by each candidate shall be added to the count of votes pursuant to Section 17-13-18.

4. If, on the special federal ballot, the voter marks an "X" or places a check mark by only one candidate's name, circles only one candidate's name, or otherwise clearly designates his or her choice for only one

candidate, that candidate shall be counted as the voter's first choice candidate.

5. The votes for any office listed on the special federal ballot or FWAB shall be canvassed, certified, and announced in the manner provided for in Section 17-13-17 and Section 17-13-18.

6. Upon the conclusion of the first federal primary election, and the second federal primary election, if necessary, the special federal ballots and FWABs shall be stored with the records of election as required by state law, but shall be segregated from regular absentee ballots and labeled.

(i) The method for counting the special state ballot shall be as follows.

1. The special state ballot shall be counted in the manner provided for in Section 17-13-13 or Section 17-13-18, as applicable to a primary election or second primary election.
2. The votes for any office listed on the special state ballot shall be canvassed, certified, and announced in the manner provided for in Section 17-13-17 and Section 17-13-18.
3. If the absentee election officials determine that an absentee ballot affidavit is insufficient and therefore the UOCAVA absentee ballot is not entitled to be counted, a record shall be made as to the reason for rejection of the ballot and said record of the reason for rejection of any ballot shall be provided to the absentee election manager. If the absentee election manager determines that an overseas voter certificate is insufficient and therefore the UOCAVA absentee ballot is not entitled to be counted, a record shall be made and maintained as to the reason for rejection of the ballot. The absentee election manager shall thereafter record in the statewide election management system which absentee ballots have been accepted or rejected and if rejected, the reason therefor. **Authors:** Jean Brown; Edward Packard **Authority:** 52 U.S.C. Section 20302(a)(9); Code of Ala. 1975, Section 17-13-8.1 (2015). **History:** **New Rule:** Filed February 5, 2016; effective March 21, 2016. **Amended:** Filed January 5, 2018; effective February 19, 2018.

Appendix S-12: Chapter 820-2-11 Electronic Poll Books

OFFICE OF THE SECRETARY OF STATE

ADMINISTRATIVE CODE

CHAPTER 820-2-11 ELECTRONIC POLL BOOKS

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820-2-11-.02 County Reimbursement

820-2-11-.01 Certification of Electronic Poll Books

(1) To be certified for use, an electronic poll book shall do all of the following:

- (a) Be secure.
- (b) Be compatible with the statewide voter registration system.
- (c) Include a failsafe data recovery procedure for information included in the electronic poll book.
- (d) Contain the same information as the printed lists provided for in Section 11-46-36 and any local law governing a municipal election and in Section 17-4-2 and the poll lists provided for in Section 11-46-50 and any local law governing a municipal election and in Sections 17-9-11 and 17-13-7.
- (e) Indicate whether the voter applied for an absentee ballot and the registration status of the voter in the statewide voter registration list.
- (f) Provide an electronic process to check in voter on election day that incorporates the signature requirements set forth in Section 11-46-50 and any local law governing a municipal election and in Section 17-9-11; provided that this process may not be used for checking in a voter who is required to cast a provisional ballot as provided for in Chapter 10 of this title, or whose name is not contained in the electronic poll book as an eligible voter for the precinct.
- (g) Provide functionality for quickly and accurately uploading voter history into the statewide voter registration list in accordance with Section 17-4-33.
- (h) Provide for the retention of the voter data contained in the electronic poll book for the applicable retention period applicable to the records of election, which may be accomplished by archiving the data in electronic format on an external data storage device.

(i) When used in a primary election or primary runoff election, provide for the recording and subsequent printing or exporting of electronic data of names and electronic signatures of the voters participating in the primary election or primary runoff election of each political party.

(j) Provide for the retention of the voter's party preference in a primary election for the runoff election.

Authors: Brent Beal, David Brewer, John Bennett, Clay Helms **Statutory Authority:** Code of Ala. 1975, §§ 17-8-1, 17-10-2, 17-4-2.1 **History:** **New Rule:** Filed February 7, 2018; effective March 24, 2018.

820-2-11-.02 County Reimbursement

(1) As Electronic Poll Books can be utilized in lieu of the printed poll list, Electronic Poll Books are equipment necessary for election officials to conduct elections as required by law.

(2) Due to their usage in multiple elections including federal, state, and county, collectively and/or separately, counties which utilize Electronic Poll Books in lieu of the printed poll list shall be reimbursed fifty (50) percent of their expense by the State of Alabama only for elections eligible for reimbursement by the State of Alabama.

(3) Only Electronic Poll Books certified by the Secretary of State shall be eligible for reimbursement.

Authors: Brent Beal, David Brewer, John Bennett, Clay Helms **Statutory Authority:** Code of Ala. 1975, §§ 17-8-1, 17-10-2, 17-4-2.1 **History:** **New Rule:** Filed February 7, 2018; effective March 24, 2018.

Appendix S-13: Chapter 820-2-12 Permanent Disability Absentee Voting

OFFICE OF THE SECRETARY OF STATE

ADMINISTRATIVE CODE

CHAPTER 820-2-12 PERMANENT DISABILITY ABSENTEE VOTING

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820-2-12-.06	Forms for Absentee Voting by Permanently Disabled Citizens

820-2-12-.01 Purpose. The purpose of this chapter is to provide for implementation of the Disabled Citizens Absentee Voting Act (2019-359) for citizens with a permanent disability which prevents attendance at the polls requesting to vote by absentee ballot pursuant to Act 2019-359. The procedures in this chapter are promulgated under authority granted the Secretary of State as Chief Elections Official pursuant to Act 2019-359 and 17-1-3(a).

Authors: Jeff Elrod, Ed Packard, Clay Helms **Statutory Authority:** Act 2019-359. **History: New Rule:** Published November 29, 2019; effective January 13, 2020.

820-2-12-.02 Applicability. This chapter applies to absentee ballots for all elections for individuals with permanent disabilities which prevent attendance at the polls pursuant to the Disabled Citizens Absentee Voting Act (2019-359).

Authors: Jeff Elrod, Ed Packard, Clay Helms **Statutory Authority:** Act 2019-359. **History: New Rule:** Published November 29, 2019; effective January 13, 2020.

820-2-12-.03 Procedures for Applying for Absentee Ballot.

(1) The absentee ballot application for a permanently disabled voter shall be valid for all elections in the calendar year in which the application is submitted. For election cycles that span multiple calendar years, the application shall be valid for the whole election cycle. Voters voting pursuant to Act 2019-359 must resubmit the absentee application on an annual basis.

(2) When applying to vote absentee in county, state and federal elections, the permanently disabled voter shall submit the application to the county absentee election manager. When applying to vote absentee in municipal elections, the permanently disabled voter shall submit the application to the municipal absentee election manager.

(3) When a voter submits a valid application to vote absentee pursuant to Act 2019-359, the absentee election manager shall add that voter's name to the list of permanently disabled absentee voters.

Authors: Jeff Elrod, Ed Packard, Clay Helms **Statutory Authority:** Act 2019-359. **History:** **New Rule:** Published November 29, 2019; effective January 13, 2020.

820-2-12-.04 Application and Procedures for Issuance of Absentee Ballot.

(1) Individuals voting by absentee ballot pursuant to Act 2019-359 may apply for an absentee ballot by utilizing an application adopted by the State of Alabama pursuant to 17-11-4 and Act 2019-359. The application must be submitted by the voter by U.S. mail, commercial carrier, or hand-delivery to the absentee election manager in the county in which the prospective absentee voter is registered to vote.

(2) The application prescribed by the Secretary of State shall provide a space to be signed and notarized by the applicant's primary physician in order to verify the applicant's status as a permanently disabled citizen.

(3) The applicant must submit the application to the absentee election manager no later than five (5) days prior to the election.

Authors: Jeff Elrod, Ed Packard, Clay Helms **Statutory Authority:** Act 2019-359. **History:** **New Rule:** Published November 29, 2019; effective January 13, 2020.

820-2-12-.05 Procedures for Sending Absentee Ballots. At the beginning of the absentee voting period, the absentee election manager shall issue an absentee ballot to any registered voter who has an up-to-date permanently disabled citizen absentee application. Any voter who submits an absentee application pursuant to Act 2019-359 during the absentee

voting period shall be issued an absentee ballot upon verification that the voter is registered and eligible to vote in that election.

Authors: Jeff Elrod, Ed Packard, Clay Helms **Statutory Authority:** Act 2019-359. **History:** **New Rule:** Published November 29, 2019; effective January 13, 2020.

820-2-12-.06 Forms for Voting Absentee by Permanently Disabled Citizens. This rule is intended to provide any form by which an absentee election manager shall administer the Disabled Citizens Absentee Voting Act (2019-359). The forms shall appear as follows:

**APPLICATION FOR PERMANENT DISABILITY
ABSENTEE BALLOT**
**FOR USE ONLY BY INDIVIDUALS VOTING ABSENTEE DUE TO A
PERMANENT DISABILITY**

Return this application to:

____ COUNTY, ALABAMA

Please note only one application may be placed in the same envelope.

Please note that a copy of your valid photo identification must be submitted along with this application.

General Voter Information - Please provide complete information so that we may verify your eligibility to vote.

Last Name (Please print)	First Name	Middle or Maiden Name	E-mail Address
Street Address (address where you are registered to vote; do not use PO box)			City
			ZIP
If requesting mail delivery of a ballot, provide a mailing address, if different from the street address provided above			
Precinct where you vote (name and/or location of your polling place)			
Date of Birth	Month	Day	Year
Home Telephone Number		Work Telephone Number	
Driver's License Number		IF NO DRIVER'S LICENSE NUMBER	
STATE		NAVEER	
		Last 4 digits of Social Security number	

Type of Ballot (select one)

☐ Primary Election or Presidential Preference Primary

Select one: ☐ Democratic Party
☐ Republican Party
☐ Other _____
☐ Amendments Only

☐ Primary Runoff Election

Select one: ☐ Democratic Party
☐ Republican Party
☐ Other _____
☐ Amendments Only

☐ General Election

☐ Special Election (specify) _____

If primary election, select one: ☐ Democratic Party ☐ Republican Party

Reason for Applying to Vote Absentee

By signing this application, I am attesting that I am permanently disabled and unable to attend the polls. I am eligible to vote absentee pursuant to Act 2010-359.

I understand that this application will be valid for all county, state, and federal elections to be held during this calendar year. For election cycles that span multiple calendar years, this application will be valid for the entire election cycle.

I further understand that annual renewal of this application will be required.

Physician's Report (Please note that the physician's signature must be notarized)

Physician shall describe and certify the circumstances as constituting the voter's condition.

Sworn to and subscribed before me this _____ day of _____, 20____. I certify that the affiant is known (or made known) to me to be the identical party he or she claims to be.

Signature of Notarizing Official

Title of Notarizing Official

Physician's Signature

Date

When I apply for this absentee ballot, I understand that my name will be stricken from the list of qualified electors and, when I cast this absentee ballot, I understand that I will not be entitled to vote at my regular polling place.

Voter's Signature	Complete this section if voter signs by mark →	Witness Signature
		Print Witness Name

The voter may hand this application to the Absentee Election Manager. The voter may also forward this application to the Absentee Election Manager by U.S. Mail or commercial carrier [§17-11-3 and §17-11-4, Code of Alabama, 1975].

READ PENALTIES ON BACK

PENALTIES

§17-17-24, Code of Alabama, 1975, as amended

(a) Any person who willfully changes an absentee voter's ballot to the extent that it does not reflect the voter's true ballot, any person who willfully votes more than once by absentee ballot in the same election, any person who willfully votes for another voter or falsifies absentee ballot applications or verification documents so as to vote absentee, or any person who solicits, encourages, urges, or otherwise promotes illegal absentee voting, shall be guilty, upon conviction, of a Class C felony. Any person who willfully aids any person unlawfully to vote an absentee ballot, any person who knowingly and unlawfully votes an absentee ballot, and any voter who votes both an absentee and a regular ballot at any election shall be similarly punished.

(b) Upon request by the local district attorney or the Secretary of State, the Attorney General shall provide investigating assistance in instances of absentee ballot or voting violations.

(c) Nothing in this section shall be construed to impede or inhibit organized legal efforts to encourage voter participation in the election process or to discourage a candidate from encouraging electors to lawfully vote by absentee ballot.

**APPLICATION FOR MUNICIPAL PERMANENT
DISABILITY ABSENTEE BALLOT**
**FOR USE ONLY BY INDIVIDUALS VOTING ABSENTEE DUE TO A
PERMANENT DISABILITY**

Return this application to:

____ COUNTY, ALABAMA

Please note that only one application may be placed in the same envelope.
Please note that a copy of your valid photo identification must be submitted along with this application.

General Voter Information - Please provide complete information so that we may verify your eligibility to vote.

Last Name (Please print)		First Name		Middle or Maiden Name		E-mail Address	
Street Address (address where you are registered to vote; do not use PO box)						City	ZIP
If requesting mail delivery of a ballot, provide a mailing address, if different from the street address provided above							
Precinct where you vote (name and/or location of your polling place)							
Date of Birth		Month	Day	Year		Driver's License Number	
Home Telephone Number		Work Telephone Number		STATE		NUMBER	
						IF NO DRIVER'S LICENSE NUMBER	
						Last 4 digits of Social Security number	

Type of Ballot (select one)

☐ Municipal Election

☐ Municipal Runoff Election

☐ Special Municipal Election (specify) _____

Duration of Absentee Ballot Application

By signing this application, I am attesting that I am permanently disabled and unable to attend the polls. I am eligible to vote absentee pursuant to Act 2010-359.

I understand that this application will be valid for all municipal elections to be held during this calendar year. For election cycles that span multiple calendar years, this application will be valid for the entire election cycle.

I further understand that annual renewal of this application will be required.

Physician's Report (Please note that the physician's signature must be notarized)

Physician shall describe and certify the circumstances as constituting the voter's condition.

Sworn to and subscribed before me this _____ day of _____,
20____, I certify that the affiant is known (or made known) to me to
be the identical party he or she claims to be.

Signature of Notarizing Official

Physician's Signature

Date

Title of Notarizing Official

When I apply for this absentee ballot, I understand that my name will be stricken from the list of qualified electors and, when I cast this absentee ballot, I understand that I will not be entitled to vote at my regular polling place.

Voter's Signature	Complete this section if voter signs by mark →	Witness Signature
		Print Witness Name

The voter may hand this application to the Absentee Election Manager. The voter may also forward this application to the Absentee Election Manager by U.S. Mail or commercial carrier (§17-11-3 and §17-11-4, Code of Alabama, 1976).

READ PENALTIES ON BACK

PENALTIES

§17-17-24, Code of Alabama, 1975, as amended

(a) Any person who willfully changes an absentee voter's ballot to the extent that it does not reflect the voter's true ballot, any person who willfully votes more than once by absentee ballot in the same election, any person who willfully votes for another voter or falsifies absentee ballot applications or verification documents so as to vote absentee, or any person who solicits, encourages, urges, or otherwise promotes illegal absentee voting, shall be guilty, upon conviction, of a Class C felony. Any person who willfully aids any person unlawfully to vote an absentee ballot, any person who knowingly and unlawfully votes an absentee ballot, and any voter who votes both an absentee and a regular ballot at any election shall be similarly punished.

(b) Upon request by the local district attorney or the Secretary of State, the Attorney General shall provide investigating assistance in instances of absentee ballot or voting violations.

(c) Nothing in this section shall be construed to impede or inhibit organized legal efforts to encourage voter participation in the election process or to discourage a candidate from encouraging electors to lawfully vote by absentee ballot.

Author: Jeff Elrod, Ed Packard, Clay Helms.

Statutory Authority: Act 2019-359.

History: New Rule: Filed September 3, 2019. Effective December 19, 2019.

Authors: Jeff Elrod, Ed Packard, Clay Helms **Statutory Authority:** Act 2019-359. **History: New Rule:** Published November 29, 2019; effective January 13, 2020.

Appendix T: Table of Election-Related Legal Authorities Issued Since Publication of the 19th Edition of the Alabama Election Handbook

Type Authority	Authority	Date	Topics Covered	Description
Alabama Acts	Act No. 2020-39	03/12/2020	General Elections	To revise deadlines for candidates to qualify for the November 3, 2020, general election schedule to accommodate the dates of the 2020 Republican National Convention; and to provide that this is a onetime occurrence.
	Act No. 2020-88	03/12/2020	Local Constitutional Amendment	To establish a date for holding an election on the local constitutional amendment proposed by Act 2019-80 concerning Calhoun County bingo games and resolution of local application for Act 2019-80.
	Act No. 2020-155	05/09/2020	Local Legislation	Amend Sections 1 and 2 of Act 33, 1931 Regular Session (Local Acts 1931, p. 7), to provide for the election of the Lauderdale County Superintendent of Education by the qualified electors of the county residing outside of the corporate limits of the City of Florence.
	Act No. 2020-161	05/09/2020	Local Legislation	Cullman County; to amend Sec. 1 and 2 of Act 469 of the 1977 Regular Session (Acts 1977, p. 612), to provide for the election of two additional associate commissioners of the county commission; to amend Sec. 45-22-71 of the Code of Alabama 1975, to further provide for the operation of the county roads on the county unit system; to further provide for the compensation of the associate commissioners of the county commission; and to repeal Sec. 45-22-70 of the Code of Alabama 1975, relating to the associate county commissioners of the county.

**Appendix T: Table of Election-Related Legal Authorities
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Type Authority	Authority	Date	Topics Covered	Description
	Act No. 2021-157	03/30/2021	Municipal Elections	Municipal elections, to amend Sec. 11-46-6, 11-46-21, 11-46-22, 11-46-25, 11-46-26, 11-46-55, and 17-11-12, Code of Alabama 1975, to revise the municipal election dates in certain municipalities beginning on a specified date; to revise the dates by which a mayor of certain municipalities must give notice of municipal elections; to revise the deadline for printing ballots in municipal elections; to require confirmation from the Alabama Ethics Commission that a candidate has complied with filing requirements prior to the printing of a ballot; to revise the time frame for municipal runoff elections; to revise the deadline for printing and distribution of ballots in runoff municipal elections; and to make non-substantive, technical revisions to update the existing code language to current style.
	Act No. 2021-164	04/01/2021	Runoff Elections	Relating to runoff elections; to amend Sec. 11-46-66, 11-46-21 and 11-46-55 and Sec. 17-13-3, as last amended by Act 2019-318, 2019 Regular Session, Code of Alabama 1975; to provide that all runoff municipal and runoff special primary elections be held four weeks after the previous election; and to make non-substantive, technical revisions to update the existing code language to current style.
	Act No. 2021-195	04/06/2021	Local Legislation	Russell County; to repeal Act 2008-413 of the 2008 Regular Session (Acts 2008, p. 813), providing for special elections to fill vacancies on the county commission when there is one year or more remaining on a term.
	Act No. 2021-243	4/13/2021	Lee County Board of Registrars	Amend Sec. 17-3-8, Code of Alabama 1975, as last amended by Act 2019-439, 2019 Regular Session, and Act 2020-113, 2020 Regular Session; to increase the maximum number of days the board of registrars in Lee County may meet each year.

Appendix T: Table of Election-Related Legal Authorities Issued Since Publication of the 19th Edition of the Alabama Election Handbook (continued)

Type Authority	Authority	Date	Topics Covered	Description
	Act No. 2021-265	04/22/2021	Local Constitutional Amendment	Proposing an amendment to the Constitution of Alabama of 1901, pertaining to Dallas County, to allow certain elected or appointed Dallas County officials to elect to participate in the Employees' Retirement System of Alabama.
	Act No. 2021-284	04/22/2021	General Election Implementation Date (CA)	Proposing an amendment to the Constitution of Alabama of 1901, to provide that the implementation date for any bill enacted in a calendar year in which a general election is to be held and relating to the conduct of the general election shall be at least six months before the general election.
	Act No. 2021-306	04/22/2021	Local Legislation	Morgan County; to further provide for the compensation of certain election officers in the county.
	Act No. 2021-314	04/22/2021	Campaign Finance Reports, Electronic Filing with the SoS Required	To amend Sec. 17-5-4, 17-5-5, 17-5-8, 17-5-9, 17-5-10, 17-5-11, 17-5-19.1, 17-5-19.2, Code of Alabama 1975 relating to electronic filing of campaign finance reports with the SoS and revise reporting deadlines.
	Act No. 2021-335	04/27/2021	Voter Registration	Voter registration lists, to permit a registered voter or spouse of a registered voter who is a prosecutor, judge, or law enforcement officer to have info omitted, Sec. 17-4-33 am'd."
	Act No. 2021-343	05/06/2021	Local Legislation	Relating to Cullman County; To propose an amendment to the Constitution of Alabama of 1901, to provided that the county superintendent of education shall be elected by the qualified voters of the county in 2024 for a four-year term.
	Act No. 2021-364	04/29/2021	Absentee Ballots	To amend Sec. 17-11-3, 17-11-10, 17-11-18, Code of Alabama 1975, to revise the timeframe for applying to vote by absentee ballot; to revise certain procedures for the processing of absentee ballots; and to update certain reference to federal law.

Appendix T: Table of Election-Related Legal Authorities Issued Since Publication of the 19th Edition of the Alabama Election Handbook (continued)

Type Authority	Authority	Date	Topics Covered	Description
	Act No. 2021-377	04/29/2021	Elections	Elections, allows precinct election officials who are registered to vote in a given county to serve in any precinct in that county, Secs. 17-8-1, 17-8-5, 17-8-6, 17-8-12, 17-8-14 am'd.
	Act No. 2021-446	05/04/2021	Elections	To authorize the SoS to conduct a one-time post-election audit after the November 8, 2022, general election to determine the accuracy of the originally reported outcome of the election.
	Act No. 2021-448	05/06/2021	Voter Fraud	Amend Sec. 17-13-24 and 17-17-36 Code of Alabama 1975, to prohibit a voter in this state from also voting in another state in the same or equivalent election; to provide further for criminal penalties; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Amendment 621 of the Constitution of Alabama of 1901, as amended by Amendment 890, now appearing as Sec. 111.05 of the Official Recompilation of the Constitution of Alabama of 101, as amended.
	Act No. 2021-456	05/06/2021	Jefferson County Retirement System	*** "To establish procedures for the election of board members number four and five"***
	Act No. 2021-534	5/17/2021	Updating of voter rolls	Amend Sec. 17-4-30 and 17-4-31, Code of Alabama 1975; to revise the process used by the Secretary of State and boards of registrars to periodically update the statewide voter registration database.
	Act No. 2021-535	05/17/2021	Curbside voting	To amend Sec. 17-6-4, Code of Alabama 1975, providing for voting places; to prohibit curbside voting of voting places; to prohibit curbside voting of voting machines outside of enclosed buildings designated as voting place.
Alabama Attorney General Advisory Opinions	AO 2020-020	03/17/2020	SoS - Elections - Emergencies - Governor - Voting	The SoS may certify the results of a secondary primary election (runoff) that has been postponed and rescheduled by the Governor pursuant to the Alabama Emergency Management Act of 1955 ("AEMA").

Appendix T: Table of Election-Related Legal Authorities Issued Since Publication of the 19th Edition of the Alabama Election Handbook (continued)

Type Authority	Authority	Date	Topics Covered	Description
	AO 2020-038	06/03/2020	Elections - Polling Places - County Commissions – Emergencies	<p>The Mobile County Commission may not establish voting centers pursuant to section 17-6-4 and under procedures set out in its local law before the Runoff Election.</p> <p>The Mobile County Commission may move or consolidate voting places located within a precinct within three months of an upcoming election if it finds that such measure are necessary as a result of an emergency situation.</p>
	AO 2020-49	08/18/2020	Circuit Clerks – Absentee Election Manager	<p>Circuit Clerks – Absentee Election Manager – Circuit Clerk Fund – County Commissions – Attorneys Fees – Lee County</p> <p>A circuit clerk sued in his or her official capacity as circuit clerk shall be represented by the Attorney General or his or her designee.</p> <p>Once the Attorney General determines that litigation against a circuit clerk sued in his or her official capacity as AEM concerns the interest of the state, the AEM shall be represented by the Attorney General or his or her designee.</p> <p>A county commission may, in its discretion, reimburse the circuit clerk for legal expenses paid in defense of a lawsuit relating to his or her duties as absentee election manager.</p> <p>A circuit clerk that is sued in his or her official capacity may use monies from the circuit clerk's fund to pay for attorney's fees and related legal expenses incurred in defending the lawsuit.</p>

**Appendix T: Table of Election-Related Legal Authorities
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Type Authority	Authority	Date	Topics Covered	Description
	AO 2020-051	09/02/2020	City of Birmingham – Boards of – Vacancies in Office – Special Elections – Jefferson County	<p>The procedures set out in section 45-37A-50.06 of the Code of Alabama to fill a vacancy on the Birmingham Board of Education require a special election if more than a year remains in the unexpired term.</p> <p>The “state law” referred to by Section 45-37A-50.06 to define when and how a special election should be conducted to fill a vacancy on the Board is section 45-37A-52.58, which provides for the filling of vacancies on The Birmingham City Council.</p> <p>The Election Commission may postpone the special election from the date set out in section 45-37A-52.58 and reschedule to the earliest convenient date if it finds that such a measure is necessary to comply with the applicable election laws, the Governor’s proclamation, and the CDC guidelines. The Commission may use paper ballots if necessitated by a shortage of voting machines.</p>
	AO 2020-52	09/18/2020	Probate Courts – Probate Judges Pike County	<p>Uniform Electronic Transactions Act - Public Notice - Probate Courts Probate Judges - Pike County</p> <p>Proof of publication of a legal notice as required by section 12-21-68 of the Code of Alabama may be provided by electronic means.</p>
Alabama Ethics Commission Advisory Opinions	AO 2020-05 – Christopher England	10/07/2020	FCPA – Federal PAC Contributions	<p>Fair Campaign Practices Act (FCPA)/PAC-to-PAC Transfers</p> <p>A federally-registered PAC that complies with all FEC regulations and Federal laws may not contribute funds to the Alabama Democratic Party, an Alabama PAC. Money donated for use in federal campaigning activity is not subject to the PAC-to-PAC ban because federal law pre-empts state law with respect to federal campaign activity.</p>

