

APA-1
07/04

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. _____ Department or Agency: Secretary of State

Rule No. 820-2-2-.18

Rule Title: Affidavit and Application for Certification of Free Alabama Birth Record for Voter Registration Use

New Amend Repeal Adopt by Reference

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

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

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

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

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

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

Does the proposed rule have an economic impact? No

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

Certification of Authorized Official

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

Signature of certifying office

Beth Chap

Date 4-20-12

(DATE FILED)

Office of the Secretary of State
Elections Division

NOTICE OF INTENDED ACTION

AGENCY NAME: Secretary of State

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

INTENDED ACTION: New rules.

SUBSTANCE OF PROPOSED ACTION:

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

TIME, PLACE, MANNER OF PRESENTING VIEWS:

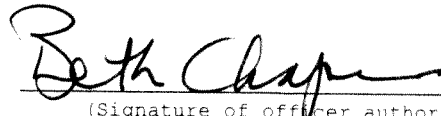
Views may be presented in writing and should be addressed to Jean Brown, Chief Legal Advisor, Office of the Secretary of State, P.O. Box 5616, Montgomery, Alabama 36103.

FINAL DATE FOR COMMENT AND COMPLETION OF THE NOTICE:

June 4, 2012

CONTACT PERSON AT AGENCY:

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

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

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

Authors: Jean Brown; Edward Packard

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

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

820-2-2-.18 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 to the county department of vital statistics, whereupon the county department of vital statistics shall expeditiously electronically provide the applicant's birth certificate, if one is found to exist, to the county board of registrars.

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

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

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

Printed Name of Applicant _____

NOTARY AFFIX SEAL OR STAMP HERE _____

Signature of Applicant _____

Signature of Notary _____

Date _____

Sworn to and subscribed before me on _____

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

Full Name as Listed on Birth Record: _____

First

Middle

Last

Date of Birth: _____

County of Birth: _____

Mother's Full MAIDEN Name: _____

First

Middle

Last

Father's Full Name: _____

First

Middle

Last

Voter Registration Office Information

County of Voter Registration Office: _____

Mailing Address: _____

City: _____

State: Alabama

Zip: _____

Signature of Voter Registration Official _____

Date of Request _____

Phone Number: () _____

Fax Number: () _____

ADPH.HS.89.1.20.2012.KB

Authors: Jean Brown; Edward Packard.

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

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