

APA-1
07/04

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. _____ Department or Agency: Secretary of State

Rule No. 820-2-2-.19

Rule Title: Citizenship Document Inconsistency Affidavit Form

X 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 Beta 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", is written over a horizontal line.

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

**820-2-2-.19 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)

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)