

APA-1  
07/04

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control No. \_\_\_\_\_ Department or Agency: Secretary of State

Rule No. 820-2-2-.22

Rule Title: Certificate of Citizenship for Voting Purposes

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:

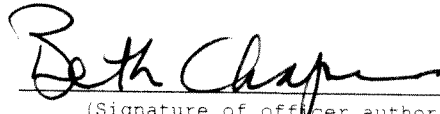
Views may be presented in writing and should be addressed to Jean Brown, Chief Legal Advisor, Office of the Secretary of State, P.O. Box 5616, Montgomery, Alabama 36103.

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-.22 Certificate of Citizenship for Voting Purposes.**

If the State Election Board determines by a preponderance of the evidence that an applicant has presented satisfactory evidence that he or she is a U.S. citizen for purposes of voting in the State of Alabama, the Board shall issue the applicant the following Certificate of Citizenship for Voting Purposes ("Form C-5").

**CERTIFICATE OF CITIZENSHIP FOR VOTING PURPOSES (Form C-5)**

TO THE REGISTRARS OF \_\_\_\_\_ COUNTY, GREETINGS:

The State Election Board hereby certifies that, in accordance with Section 31-13-28(m)(6), it has determined by a preponderance of the evidence presented to it that \_\_\_\_\_ has presented satisfactory evidence that he or she is a citizen of the United States of America for purposes of voting in the State of Alabama.

DONE, on this the \_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Lieutenant Governor

\_\_\_\_\_  
Attorney General

\_\_\_\_\_  
Secretary of State

**Authors:** Jean Brown; Edward Packard.

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

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

**820-2-2-.23 Temporary Rules for State Election Board.**

The following temporary rules shall govern the State Election Board ("the Board") until such time as the Board shall meet to formally adopt or amend said rules:

(1) There is hereby established the State Election Board (hereinafter "the Board") consisting of the Secretary of State, the Attorney General, and the Lieutenant Governor. The Board shall meet on the call of the Secretary of State. The Board shall do both of the following: