

APA-1

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control _____ Department or Agency Secretary of State

Rule No. 820-2-2-.12

Rule Title: Processing Voter Registration Forms
 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

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

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

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? N/A

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

Does the proposed rule have an economic impact? No

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

Certification of Authorized Official

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

Signature of certifying officer *John H. Merrill*
John H. Merrill
Secretary of State

Date April 13, 2018

(DATE FILED) (STAMP)

APA-2

OFFICE OF THE SECRETARY OF STATE
ELECTIONS DIVISION

NOTICE OF INTENDED ACTION

AGENCY NAME: Office of the Secretary of State

RULE NO. & TITLE: 820-2-2-.12 Processing Voter Registration
Forms

INTENDED ACTION: Amend existing rule.

SUBSTANCE OF PROPOSED ACTION: This proposed amendment provides
procedures regarding voter registration applications submitted
by citizens who are not 18 years old at the time the application
is received by the board of registrars.


TIME, PLACE, MANNER OF PRESENTING VIEWS:

Views may be presented in writing and should be addressed to
Jean Brown, Office of the Secretary of State, P.O. Box 5616,
Montgomery, AL 36103; (334)242-7202.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: June 2, 2016

CONTACT PERSON AT AGENCY:

Jean Brown, Office of the Secretary of State, State Capitol
Suite E-201, 600 Dexter Avenue, Montgomery, AL 36130; (334)242-
7202.



John H. Merrill
Secretary of State

APA-2
07/04

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 by the applicable board 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.

Authors: Edward Packard, Jean Brown.

Statutory Authority: Code of Ala. 1975, §17-4-63; Code of Alabama 1975, section 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 April 13, 2016.