

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

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? 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? 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 Chapman

Date 9-21-12



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 Procedure for County Boards of  
Registrars to Determine Applicant's  
Citizenship for Voting Purposes  
820-2-2-.22 Application Form to the Board of  
Registrars for Hearing on  
Eligibility to Register to Vote  
820-2-2-.23 Agency-Based Voter Registration  
Form  
820-2-2-.24 Mail-In Voter Registration Form

INTENDED ACTION: New rules.

SUBSTANCE OF PROPOSED ACTION:

Adopt voter registration rules to comply with the Beeson-Hammon  
Alabama Taxpayer and Citizen Protection Act, as amended, pursuant to  
§31-13-28, Code of Alabama (2012).

TIME, PLACE, MANNER OF PRESENTING VIEWS:

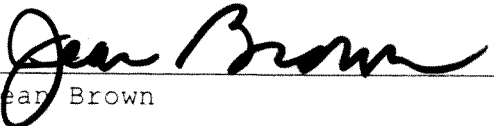
Views may be presented in writing and should be addressed to Jean Brown, Chief Legal Advisor, Office of the Secretary of State, P.O. Box 5616, Montgomery, Alabama 36103.

FINAL DATE FOR COMMENT AND COMPLETION OF THE NOTICE:

November 2, 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.

  
\_\_\_\_\_  
Jean Brown

**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.

\_\_\_\_\_  
Applicant) (Signature of Voter Registration

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.

\_\_\_\_\_  
Public) (Signature of Notary

\_\_\_\_\_  
Public) (Printed name of Notary

**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 September 28, 2012; effective November 2, 2012.