TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control No.	Department	or Agency: Se	ecretary of State	
Rule No. <u>820-2-</u>	224			
Rule Title: Ma	il-In Voter Reg	istration Form	m	
X New	Amend	Repeal	Adopt by Reference	
Would the absen				No No
			the state's police th, safety or welfare?	Yes
	er, less restric quately protect		f regulation available	No
	costs of any go		irectly or indirectly es involved and, if so,	No
Is the increase the harm that m	e in cost, if ar night result fro	ny, more harmf om the absence	ul to the public than of the proposed rule?	No
	d so they have,		signed solely for the ary effect, the	Yes
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Does the propos	sed rule have ar	n economic imp	act?	No
If the proposed accompanied by 23, Code of Ala	a fiscal note p	conomic impact prepared in ac	, the proposed rule is a cordance with subsection	required to be n (f) of Section 41-22-
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Certification of	of Authorized Of	Eficial		
requirements of	f Chapter 22, Ti ing requirements	itle 41, <u>Code</u> s of the Admin		l compliance with the at it conforms to all ision of the Legislative
Signature of ce	ertifying office	<u> </u>	the Chap	
Date 9-2	1-12			

(DATE FILED)

Office of the Secretary of State Elections Division

NOTICE OF INTENDED ACTION

AGENCY	NAME:	Secretary	of	State	

RULE NO. & TITLE:	820-2-217	Voter Registration Instructions for Voter Registrars to Assess
		Eligibility of Voter Registration
		Applicant
	820-2-218	Affidavit and Application for
		Certification of Free Alabama Birth
		Record for Voter Registration Use
	820-2-219	Citizenship Document Inconsistency
		Affidavit Form
	820-2-220	Form for Notification of
		Insufficiency of Proof of
		Citizenship
	820-2-221	Procedure for County Boards of
		Registrars to Determine Applicant's
		Citizenship for Voting Purposes
	820-2-222	Application Form to the Board of
		Registrars for Hearing on
		Eligibility to Register to Vote
	820-2-223	Agency-Based Voter Registration
		Form
	820-2-224	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



State of Alabama Voter Registration Application Instructions Regarding Proof of Citizenship for the Purpose of Registering to Vote

You must provide satisfactory evidence of U.S. citizenship when registering to vote in the State of Alabama.

You do not need proof of citizenship if you are registered to vote and you are using this form to update your registration record.

- Proof of U.S. citizenship is established by providing an original or legible photocopy or a copy in digital or other electronic format of ONE of the following documents:
 - Driver's license or nondriver's ID card issued by division of motor vehicles or equivalent
 governmental agency of any state within the U.S. provided that the governmental agency of
 another state within the U.S. requires proof of lawful presence (i.e., U.S. citizenship) as a condition
 of issuance of the driver's license or nondriver's ID card and that the driver's license or nondriver's
 ID card contains appropriate indicia showing proof of U.S. citizenship. Alabama driver's license or
 nondriver's ID card must be a "Star" license or ID.
 - $\bullet \ _$ Birth certificate indicating birth in the U.S. or one of its territories.
 - Pertinent pages of a valid or expired U.S. passport identifying applicant and applicant's passport number, or presentation of U.S. passport to Board of Registrars.
 - U.S. naturalization documents or the number of certificate of naturalization. If only number of
 certificate of naturalization is provided, applicant shall not be registered until number of certificate
 of naturalization is verified with U.S. Bureau of Citizenship and Immigration Services by Board of
 Registrars pursuant to 8 U.S.C. §1373(c).
 - Other documents or methods of proof of U.S. citizenship issued by federal government pursuant to Immigration and Nationality Act of 1952 and amendments thereto.
 - Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.
 - · Consular report of birth abroad of U.S. citizen.
 - Certificate of citizenship issued by U.S. Citizenship and Immigration Services.
 - Birth certificate issued by U.S. State Department.
 - American Indian card with KIC classification issued by U.S. Dept. of Homeland Security.
 - Final adoption decree showing applicant's name and U.S. birthplace.
 - Official U.S. military record of service showing applicant's place of birth in the U.S.
 - Extract from U.S. hospital birth record created at time of birth showing applicant's U.S. place of birth
 - Federal confirmation of U.S. citizenship under 8 U.S.C. §1373.
- 2) If you were born in Alabama and do not have one of the documents listed in section 1, the Alabama Department of Public Health will send a birth certificate to your county Board of Registrars at no cost to you. Please fill out the attached Form HS-89, "Affidavit and Application for a Certification of an Alabama Birth Record for Alabama Voter Registration Use," and submit it to your county Board of Registrars.
- 3) If you believe you have proof of U.S. citizenship that is not listed in section 1, you may apply to your county Board of Registrars for a hearing to determine your U.S. citizenship for voting purposes. Please fill out the attached Form C-4 and submit it to your county Board of Registrars.

FOR USE BY U.S. CITIZENS	of Alabama Mail-In Voter R	M + PLEASE USE IN	VK + PRINTLE	GIBLY
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To mail, put the address of your county Board of Registrars on the lines below.

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YOUR ADDRESS:

PUT FIRST CLASS STAMP HERE

MAIL TO:

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 and I 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 U.S. citizenship:

- Driver's license or nondriver's ID card issued by division or motor vehicles or equivalent governmental agency of any state within the U.S. provided that the governmental agency of another state within the U.S. requires proof of lawful presence in the U.S. (i.e., U.S. citizenship) as a condition of issuance of the driver's license or nondriver's ID card. Alabama driver's license or nondriver's ID must be a "Star" license or ID.
- 2. Birth certificate indicating birth in the U.S. or one of its territories.
- 3. Pertinent pages of a valid or expired U.S. passport, or original passport.
- 4. U.S. naturalization documents or the number of the certificate of naturalization
- Other documents issued by the Federal Government proving U.S. citizenship, pursuant to the immigration and Nationality Act of 1952.
- 6. Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.
- 7. Consular report of birth abroad of U.S. citizen.
- 8. Certificate of citizenship issued by the U.S. Citizenship and Immigration Services.
- 9. Certification of report of birth issued by the U.S. State Department.
- 10. American Indian card, with KIC classification, issued by the U.S. Department of Homeland Security.
- 11. Final adoption decree showing name and U.S. birthplace
- 12. Official U.S. military record of service showing place of birth in the U.S.
- 13. Extract from a U.S. hospital record of birth created at the time of birth indicating place of birth in the U.S.
- 14. Copy of declaratory judgment by a U.S. court confirming citizenship under 8 U.S.C. §1373.

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Signature of Notary			
Sworn to and subscribed	d before me on		
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ull Name as Listed on Bir	Alla Port		
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ate of Birth:		County of Birth:	
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Nother's Full MAIDEN Na ather's Full Name:	First First Information:	Middle Middle	Last
Nother's Full MAIDEN Na ather's Full Name:	First First First Information: Office State: Alabama Zip:	Middle Middle E-mail Address:	Last

ADPH -HS-89.1.20.2012

APPLICATION TO THE COUNTY BOARD OF REGISTRARS FOR HEARING TO DETERMINE APPLICANT'S CITIZENSHIP FOR VOTING PURPOSES (Form C-4)

Complete a	and submit only if applicant has not sub	mi	tted sati	sfacto	ry de	ocumen	tary pro	oof
of citizensh I,	hereby request		hearing	with	the	county	Board	of
Registrars.	In support thereof, I affirm as follows:							

I am a United States citizen but do not possess or have access to any of the following documents showing United States Citizenship:

- (1) A driver's license or nondriver's identification card issued by the division of motor vehicles or the equivalent governmental agency of any state within the United States provided that the governmental agency of another state within the U.S. requires proof of lawful presence (i.e., U.S. citizenship) in the U.S. as a condition of issuance of the driver's license or nondriver's identification card. Alabama driver's license or nondriver's ID card must be a "Star" license or ID.
- (2) A birth certificate indicating birth in the U.S. or one of its territories.
- (3) Pertinent pages of a valid or expired passport identifying me and my passport number, or presentation of my U.S. passport.
- (4) United States naturalization documents or the number of the certificate of naturalization.
- (5) Other documents or methods of proof of United States citizenship issued by the federal government pursuant to the Immigration and Nationality Act of 1952, and amendments thereto.
- (6) A Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.
- (7) A consular report of birth abroad of a citizen of the United States of America.
- (8) A certificate of citizenship issued by the United States Citizenship and Immigration Services.
- (9) A certification of report of birth issued by the United States Department of State.
- (10) An American Indian card, with KIC classification, issued by the United States Department of Homeland Security.

- (11) A final adoption decree showing my name and United States birthplace.
- (12) An official United States military record of service showing my place of birth in the United States.
- (13) An extract from a United States hospital record of birth created at the time of my birth indicating my place of birth in the United States.
- (14) Federal confirmation of U.S. citizenship under 8 U.S.C. §1373.

I believe that I am a United States citizen based upon the following information: (Provide the details as to why or how you became a citizen of the United States.)

I submit herewith the following documentation that proves that I am a United States citizen:

(Attach copies of any documentation that you believe demonstrates citizenship, such as newspaper birth announcements, family Bible entries, certificate of foreign birth if it reflects U.S. citizenship, affidavits signed by three U.S. citizens who know you are a U.S. citizen and have known you for 10 years or more, etc.)

NOTICE OF RIGHT TO HEARING BEFORE THE COUNTY BOARD OF REGISTRARS

I understand that I am entitled to a hearing before the Board of Registrars and an opportunity to testify and to present witnesses and additional evidence of citizenship if the Board does not determine that I have provided satisfactory evidence of citizenship based upon the information that I have supplied above. I understand that I have the right to have counsel, provided at my own expense, present at said hearing. I understand that notice of the hearing will be mailed to the address that I have provided at least five days prior to the hearing date.

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Signature	of applicant	

Mail completed form and attached documents to your local Board of Registrars.

Authors: Jean Brown; Edward Packard; Julie Sinclair. Statutory Authority: Code of Alabama, section 31-13-28 (2012); Code of Alabama, section 17-3-1 (2006). History: New Rule: Filed September 28, 2012; effective November 2, 2012.