

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control \_\_\_\_\_ Department or Agency \_\_\_\_\_ Alabama Secretary of State  
Rule No. \_\_\_\_\_ Chapter 820-2-2-.32 \_\_\_\_\_

Rule Title: Oath on the Voter Registration 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? \_\_\_\_\_ 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 action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? \_\_\_\_\_ 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 Services Agency.

Signature of certifying officer J. H. Merrill

Date November 12, 2020

November 12, 2020  
REC'D & FILED  
NOV 12 2020

(STAMP)

APA-2

Alabama Secretary of State  
Elections Division

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Secretary of State

RULE NO. & TITLE:

Chapter 820-2-2-.32 Oath on the Voter Registration Form

INTENDED ACTION:

New Rule

SUBSTANCE OF PROPOSED ACTION:

This rule is to allow voter registration applicants to strike through part of the oath due to sincerely held beliefs.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Views may be presented orally or in writing and should be addressed to Hugh Evans, Office of the Secretary of State, P.O. Box 5616, Montgomery, Al 36130; (334) 353-7857.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

January 4, 2020

CONTACT PERSON AT AGENCY:

Hugh Evans, Office of the secretary of State, State Capitol Suite E-201, 600 Dexter Avenue, Montgomery, AL 36130; (334) 353-7857.

  
\_\_\_\_\_  
(Secretary of State)

**820-2-2-.32 Oath on the Voter Registration Form.**

Pursuant to 17-3-52 of the *Code of Alabama*, voter registration applicants must sign a voter registration form that contains an oath to support and defend the Constitution of the United States and the State Constitution of Alabama. Currently, that oath ends with the phrase "so help me God." If an applicant objects to that phrase due to sincerely held beliefs, the applicant may strike through the phrase and then sign the registration form. If the applicant is otherwise qualified to vote, the Board of Registrars shall accept a valid voter registration form when the phrase "so help me God" is stricken through by the applicant. Striking through this phrase is the only modification that applicants may make to the language of the voter registration form.

**Authors:** David Brewer, Hugh Evans, Clay Helms, Jeff Elrod.

**Statutory Authority:** 17-3-52

**History:** New Rule: Filed November 12, 2020