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07/04

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control_____ Department or Agency Secretary of State

Rule No. 820-2-2-.25

Rule Title: Domestic Violence Voter Affirmation Form.

X New _____ 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? 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

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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.

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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 Jim Bennett

Date 7/14/14

REC'D & FILED

JUL 14 2014

LEGISLATIVEREFSERVICE

APA-2
07/04

Office of the Secretary of State
Administrative Division

NOTICE OF INTENDED ACTION

AGENCY NAME: Secretary of State.

RULE NO. & TITLE: 820-2-2-.25 Domestic Violence Voter Affirmation Form.

INTENDED ACTION: New Rule.

SUBSTANCE OF PROPOSED ACTION: This proposed rule will provide a procedure to ensure the residential and mailing address of a registered voter who is or has been a victim of domestic violence, or who has legal custody of a minor who is or has been a victim of domestic violence, is omitted on any generally available list of registered voters, except for those lists provided to federal and state agencies.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Views may be presented orally or 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; 334-242-7202.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

September 4, 2014.

CONTACT PERSON AT AGENCY:

Jean Brown, Office of the Secretary of State, State Capitol, 600 Dexter Avenue, Suite S-205, Montgomery, Alabama 36104; 334-242-7202.

(Signature of officer authorized to promulgate and adopt rules or his or her deputy)

APA-2
07/04

NEW

STATE OF ALABAMA
OFFICE OF THE SECRETARY OF STATE
ELECTIONS DIVISION
ADMINISTRATIVE CODE

820-2-2-.25-.01ER **Domestic Violence Voter Affirmation Form.**

The following affidavit form shall be used by election officials in the State to omit the residential and mailing address of a registered voter on any generally available list of registered voters, except for those lists provided to federal and state agencies, who is or has been the victim of domestic violence, has legal custody of a minor who is or has been the victim of domestic violence, or when a domestic violence order is or has been issued by a judge or magistrate pursuant to the Domestic Violence Protection Order Enforcement Act. The affidavit form shall be filed in the county Board of Registrars office where the individual is registered or intends to register to vote.

State of Alabama
Domestic Violence Voter Affirmation

In accordance with *Code of Alabama 1975, Section 17-4-33(b),* this form serves as notification to election officials to omit residential and mailing addresses from publicly available lists of registered voters who are victims of domestic violence or who have legal custody of a minor victim of domestic violence.

When completed, return this form to the Board of Registrars office in the county where the individual is registered or intends to register to vote.

Check one of the following options.

I swear or affirm that:

☐ I am a registered voter who is or has been the victim of domestic violence as provided in Article 7, commencing with Section 13A-6-130, of Chapter 6 of Title 13A.

☐ I am a registered voter who has legal custody of a minor who is or has been the victim of domestic violence as provided in Article 7, commencing with Section 13A-6-130, of Chapter 6 of Title 13A.

☐ I am a registered voter and a domestic violence order is or has been issued by a judge or magistrate pursuant to the Domestic Violence Protection Order Enforcement Act, to restrain access to myself or a minor who is in my legal custody.

Signature of Voter _____ Date of Affirmation _____

Printed Name of Voter _____ Voter Date of Birth _____

County of Registration _____

For office use only

Date of Receipt _____

Registrant ID Number _____

Notes _____

Authors: Jean Brown; Brandon Walters; Ed Packard.
Statutory Authority: Code of Ala. 1975, §17-4-33 (2014).
History: **New Rule**: Filed July 14, 2014.