

**CERTIFICATION OF EMERGENCY RULES
FILED WITH LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

Pursuant to Code of Alabama 1975; §§41-22-5(b) and
41-22-6(c)(2)a. and b.

I certify that the attached emergency (amendment, new rule, new
chapter, repeal or adoption by reference) is a correct copy as
promulgated and adopted on the 17th day of July, 2020.

AGENCY NAME: Alabama Secretary of State

RULE NO. AND TITLE: 820-2-3-.06-.04ER Absentee Voting During
State of Emergency-General Election 2020

EFFECTIVE DATE OF RULE: July 17, 2020

EXPIRATION DATE (If less than 120 days): _____

NATURE OF EMERGENCY:

It was unforeseen that the governor's original state of emergency
would be extended and that the coronavirus pandemic would
continue in Alabama, thus necessitating the need for an emergency
absentee rule for the General Election on November 3, 2020.

STATUTORY AUTHORITY: 17-11-3(e); 41-22-5

SUBJECT OF RULE TO BE ADOPTED ON PERMANENT BASIS ____ YES X NO

NAME, ADDRESS, AND TELEPHONE NUMBER OF PERSON TO CONTACT FOR COPY
OF RULE:

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REC'D & FILED

JUL 17 2020

LEGISLATIVE SVC AGENCY

JULY 17, 2020
(For APA Use Only)

J. H. Merrill
Secretary of State

820-2-3-.06-.04ER Absentee Voting During State of Emergency – General Election 2020.

(1) Pursuant to 17-11-3(e) of the *Code of Alabama*, and without limitation, due to the State of Emergency issued by the Governor of Alabama on March 13, 2020, as amended, any qualified voter who determines it is impossible or unreasonable to vote at their voting place for the General Election on November 3, 2020 due to the declared states of emergency, shall be eligible to check the box on the absentee ballot application which reads as follows:

“I have a physical illness or infirmity which prevents my attendance at the polls. [ID REQUIRED]”

(2) Any qualified voter of this state who applies and successfully submits an application, with proper identification, for an absentee ballot pursuant to this Emergency Administrative Rule shall be eligible to vote an absentee ballot for the General Election on November 3, 2020.

(3) All Absentee Election Managers and any other election officials of this state are hereby directed and instructed to follow this Emergency Administrative Rule and accept all absentee ballot applications filed hereunder immediately.

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

Statutory Authority: 17-11-3(e).

History: New Rule: Filed July 17, 2020