TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control Department or Agency Secretary of State
Rule No. 820-2-2-.24
Rule Title: Agency-Based Voter Registration Form
New X 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
Date March 18, 2019

2019 MAR 21 PM 12:56
LEGISLATIVE SVC AGENCY (DATE FILED)
(Agency Name)
(Agency Division, if applicable)

NOTICE OF INTENDED ACTION

AGENCY NAME:
Alabama Secretary of State

RULE NO. & TITLE:
820-2-2-.24 Agency Based Voter Registration Form

INTENDED ACTION:
Amend Rule

SUBSTANCE OF PROPOSED ACTION:

Added a link to the Voter Registration Form for people to find additional information on Moral Turpitude felonies.

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) 242-4298.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

May 3, 2019

CONTACT PERSON AT AGENCY:

Hugh Evans, Office of the Secretary of State, State Capitol Suite E-201, 600 Dexter Avenue, Montgomery, AL 36130; (334) 242-4298.

(Revised and approved by__)

Secretary of State

(A-3)
(a) Pursuant to 52 U.S.C. 20504, the following form shall be used in all offices in the State that issue driver's licenses and non-driver's identification cards and all state-designated voter registration agencies designated in Rule 820-2-2-.03.

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.

1) Proof of U.S. citizenship is established by providing an original or legible photocopy of a copy in digital or other electronic format of ONE of the following documents:
   • Driver's license or non-driver'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 non-driver's ID card and that the driver's license or non-driver's ID card contains appropriate indicia showing proof of U.S. citizenship. Alabama driver's license or non-driver's ID card must be a “Star” license or ID.
   • 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 IC 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.

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.
State of Alabama Agency-Based Voter Registration Form

For use by U.S. citizens only • Fill in all boxes on this form • Please use Ink • Print legibly

To register to vote in the State of Alabama, you must:

- Be a citizen of the United States.
- Live in Alabama.
- Be at least 18 years of age on or before election day.
- Not have been convicted of a disqualifying felony, or if you have been convicted, you must have had your civil rights restored.
- Not have been declared "mentally incompetent" by a court.

ID requested: You may need to show this application a copy of valid photo identification. You will be required to present valid photo identification when you vote at your polling place or by absentee ballot, unless exempted by law. For more information, go to www.Election.CA.gov or call the Elections Division: 800-374-4053.

1. Are you a citizen of the United States of America? Yes No 
   • ATTENTION! If you answer "No" to either of these questions, do not complete this application.

2. Will you be 18 years of age or before election day? Yes No 

3. Print Your Name:

   First Name: Last Name:

4. Print Maiden Name/Former Name (if reporting a change of name)

5. Date of Birth (mm/dd/yyyy) Phone Number (optional)

6. Address

   Current Address: (Do not use post office box)
   Home Address: (Include apartment or other unit number if applicable)
   City State ZIP

   Address where you receive your mail:
   Mailing Address, if different from name address
   City State ZIP

   Address where you last registered to vote:
   Former Address
   City County State ZIP

7. Sex (check one)

   □ Female □ Male

8. Race (check one)

   □ White □ Black □ American Indian
   □ Hispanic □ Other

9. Registrar's Use Only

   Date: □ APPROVED □ DENIED

   County Pct.
   City Pct.
   Board member
   Board member

Voter Declaration - Read and Sign Under Penalty of Perjury

- I am a U.S. citizen.
- I live in the State of Alabama.
- I will be at least 18 years of age on or before election day.
- I am not barred from voting by reason of a disqualifying felony conviction.
- I have not been declared "mentally incompetent" in a court of law.

Your Signature:

(2) John H. Merrill - Secretary of State

Questions? Call the Elections Division at 1-800-274-8883 or 334-242-7210

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 (Reason-Hamman Alabama Taxpayer and Citizen Protection Act), I swear under oath that I am over the age of 16 at least 18 years of age or, if not, will be 18 on or before the next election 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:

1. Driver's license or nondriver's ID card issued by division or motor vehicles or of 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.
5. 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.
9. Certification of report of birth issued by the U.S. State Department.
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.

Printed Name of Applicant:

Signature of Applicant: __________________________ Notary Seal or Stamp __________________________

Signature of Notary:

Sworn to and subscribed before me on __________________________

Date

Information to Locate Birth Record: PLEASE CLEARLY PRINT ALL INFORMATION. FAILURE TO PROVIDE ACCURATE INFORMATION COULD DELAY THE PROCESSING OF THIS REQUEST.

Full Name as Listed on Birth Record: __________________________

Date of Birth: __________________________ First: ____________ County of Birth: ____________ Middle: ____________ Last: ____________

Mother's Full MAIDEN Name: __________________________

First: ____________ Middle: ____________ Last: ____________

Father's Full Name: __________________________

First: ____________ Middle: ____________ Last: ____________

Voter Registration Office Information:

County of Voter Registration Office: __________________________

Mailing Address: __________________________

City: ____________ State: Alabama Zip: ____________ E-mail Address: __________________________

Signature of Voter Registration Official: __________________________

Phone number with area code: ( ) — — — — — — Fax number with area code: ( ) — — — — — —

Date of Request: __________________________

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 and submit only if applicant has not submitted satisfactory documentary proof of citizenship.

I, __________, hereby request a 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.


(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.


(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.


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.

________________________
Signature of applicant

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

(b) Pursuant to 52 U.S.C. 20506, the following form shall be used in all offices in the State that provide public assistance and all offices in the State that provide State-funded programs primarily engaged in providing services to persons with disabilities.
STATE OF ALABAMA
AGENCY-BASED VOTER REGISTRATION APPLICATION
NVRA-1A

IF YOU ARE NOT REGISTERED TO VOTE WHERE YOU LIVE NOW, WOULD YOU LIKE TO APPLY TO REGISTER TO VOTE HERE TODAY?

☑ I want to apply to register to vote today.

☑ I want to change my address for voting purposes by use of this form.

☐ I do not want to apply to register to vote today.

IF YOU DO NOT CHECK ANY BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.

Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.

If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application in private.

Name______________________ Date_________ Signature____________________

Please detach lower portion and give to applicant

IF YOU DECIDE TO APPLY TO REGISTER TO VOTE, THE OFFICE WHERE YOU ARE SUBMITTING YOUR APPLICATION WILL REMAIN CONFIDENTIAL AND WILL BE USED FOR VOTER REGISTRATION PURPOSES ONLY.

IF YOU DECLINE TO REGISTER TO VOTE, YOUR DECISION WILL REMAIN CONFIDENTIAL AND WILL BE USED FOR VOTER REGISTRATION PURPOSES ONLY.

IF YOU BELIEVE THAT SOMEONE HAS INTERFERED WITH YOUR RIGHT TO REGISTER OR TO DECLINE TO REGISTER TO VOTE OR YOUR RIGHT TO PRIVACY IN DECIDING WHETHER TO REGISTER OR IN APPLYING TO REGISTER TO VOTE, YOU MAY FILE A COMPLAINT WITH THE SECRETARY OF STATE AT STATE CAPITOL, 600 DEXTER AVENUE, SUITE E-206, MONTGOMERY, ALABAMA, 36130 OR BY CALLING 334-242-7210 OR 1-800-274-VOTE (1-800-274-8693).
### State of Alabama Agency-Based Voter Registration Form

**For Use by U.S. Citizens Only**  
**Fill in All Boxes on This Form**  
**Please Use Ink**  
**Print Legibly**

**Attention:** If you answer “No” to either of these questions, do not complete this application.

1. **Are you a citizen of the United States of America?** [ ] Yes [ ] No
2. **Will you be 18 years of age or older on or before election day?** [ ] Yes [ ] No

**Print Your Name:**
- First Name:
- Last Name:

**Print Maiden Name / Former Name (if reporting a change of name):**
- First Name:
- Last Name:

**Date of Birth (Month/Year):**

**Primary Telephone:**

**Email Address:**

**Address where you live:**
- Street:
- City:
- State:
- ZIP:

**Address where you receive your mail:**
- Street:
- City:
- State:
- ZIP:

**Sex:** [ ] Male [ ] Female

**Race:** [ ] White [ ] Black [ ] Asian [ ] American Indian [ ] Hispanic [ ] Other

**REGISTRARS USE ONLY**

**Date**
- [ ] Approved
- [ ] Denied

**Your Signature:**

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**Voter Declaration - Read and Sign Under Penalty of Perjury**

- I am a U.S. citizen.
- I reside in the State of Alabama.
- I will be at least 18 years of age on or before election day.
- I have not been convicted of a disqualifying felony.
- I have not been declared "mentally incompetent" in a court of law.

**If you falsely sign this statement, you can be convicted and imprisoned for up to five years.**

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**Affidavit and Application for a Certification of an Alabama Birth Record for Alabama Voter Registration Use**

**John H. Merrill** - Secretary of State

Questions? Call the Elections Division at 1-800-274-8683 or 334-242-7210
In compliance with Section 31-13-28 of the Alabama Code (Benson-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:

1. 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.
5. 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.
9. Certification of report of birth issued by the U.S. State Department.
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.

Printed Name of Applicant

Signature of Applicant

Signature of Notary
Sworn to and subscribed before me on

Date

Information to Locate Birth Record: PLEASE CLEARLY PRINT ALL INFORMATION. FAILURE TO PROVIDE ACCURATE INFORMATION COULD DELAY THE PROCESSING OF THIS REQUEST.

Full Name as Listed on Birth Record: ____________________________

Date of Birth: ____________

County of Birth: ____________________________

Mother's Full MAIDEN Name: ____________________________

Father's Full Name: ____________________________

Voter Registration Office Information:

County of Voter Registration Office: ____________________________

Mailing Address: ____________________________

City: ____________________________ State: Alabama Zip: ____________ E-mail Address: ____________________________

Signature of Voter Registration Official

Phone number with area code: (____) - ______ Fax number with area code: (____) - ______

ADPH-H5-89.1.20.2012

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(1) A driver's license or non-driver'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 non-driver's identification card. **Alabama driver's license or non-driver'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.


(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.


(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.


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.

Signature of applicant

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

Authors: Jean Brown, Edward Packard, William Sutton, David Brewer, and Brent Beal
Repealed and New Rule: Filed April 13, 2015; effective May 18, 2015.

Ed. Note: Rule .23 was renumbered .24 as per certification filed March 4, 2016; effective April 18, 2016.