

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 4th day of January, 2021.

AGENCY NAME: Alabama Secretary of State

RULE NO. AND TITLE: 820-2-3-.06-.10ER Absentee Voting During State of Emergency - House District 73 Special Elections

EFFECTIVE DATE OF RULE: January 4, 2021

EXPIRATION DATE (If less than 120 days): _____

NATURE OF EMERGENCY:

It was unforeseen that the governor's state of emergency would be extended and that the coronavirus pandemic would continue, thus necessitating a need for voters to vote absentee for the special election cycle for State House District 73.

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

JAN 4 2021

LEGISLATIVE SVC AGENCY

JANUARY 4, 2021
(For APA Use Only)

J. H. Merrill
Secretary of State

820-2-3-.06-.10ER Absentee Voting During State of Emergency – House District 73 Special Elections.

(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 all of the special elections for State House District 73 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 all of the special elections for State House District 73.

(3) The Absentee Election Manager and any other election officials of the affected county 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 January 4, 2021