APA-4
Revised 1/2018

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 18th day of March, 2020.

AGENCY NAME: Alabama Secretary of State

RULE NO. AND TITLE: 820-2-3-.06-.01ER Absentee Voting During State of Emergency

EFFECTIVE DATE OF RULE: March 18, 2020

EXPIRATION DATE (If less than 120 days):

NATURE OF EMERGENCY:

The Governor of Alabama declared a State of Emergency effective March 13,2020 and postponed the primary runoff election until July 14, 2020. This rule allows for voters to cast an absentee ballot due to the State of Emergency.

STATUTORY AUTHORITY: Section 17-11-3(e) *Code of Alabama*

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
MAR 18 2020
LEGISLATIVE SVC AGENCY

J. H. Merrill
Secretary of State

MARCH 18, 2020

820-2-3-.06-.01ER **Absentee Voting During State of Emergency.**

(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 on March 18, 2020, as well as the National Emergency declared by the President of the United States on March 13, 2020 related to the 2019 Novel Coronavirus known as COVID-19, any qualified voter who determines it is impossible or unreasonable to vote at their voting place for the Primary Runoff Election of 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 Primary Runoff Election of 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, Grace Newcombe.
Statutory Authority: 17-11-3(e)
History: New Rule: Filed, March 18, 2020