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 25th day of June, 2020.

AGENCY NAME: Alabama Secretary of State

RULE NO. AND TITLE: 820-2-3-.06-.02ER Absentee Voting During State of Emergency- Municipal Elections of 2020

EFFECTIVE DATE OF RULE: June 25, 2020

EXPIRATION DATE (If less than 120 days):

NATURE OF EMERGENCY:

The state of emergency declared by the Governor warrants clarification on which box voters should mark on the absentee ballot application.

STATUTORY AUTHORITY: 17-11-3(e)

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:

Hugh Evans
State Capitol Suite E-201
600 Dexter Avenue, Montgomery, AL 36130
(334)353-7857

REC'D & FILED
JUN 25 2020
LEGISLATIVE SVC AGENCY

J. H. Merrill
Secretary of State

JUNE 25, 2020
(For APA Use Only)

820-2-3-.06-.02ER Absentee Voting During State of Emergency – Municipal Elections of 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, 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, and by request of the Alabama League of Municipalities on behalf of all Alabama municipalities scheduled to hold an election in 2020, any qualified voter who determines it is impossible or unreasonable to vote at their voting place for the Municipal Elections 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 Municipal Elections of 2020.

(3) All Municipal Clerks 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, June 25, 2020.