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 17th day of July, 2020.

AGENCY NAME: Alabama Secretary of State

RULE NO. AND TITLE: 820-2-3-.06-.03ER Absentee Voting During State of Emergency-Special Elections House District 49

EFFECTIVE DATE OF RULE: July 17, 2020

EXPIRATION DATE (If less than 120 days):

NATURE OF EMERGENCY:

It was unforeseen that a vacancy would occur in State House District 49, 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 special election in House District 49.

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

John H. Merrill
Secretary of State

JULY 17, 2020
(For APA Use Only)

820-2-3-.06-.03ER Absentee Voting During State of Emergency – Special Elections House District 49.

(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 Special Primary Election, Special Runoff Election, or the Special General Election for House District 49 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 Special Primary Election, Special Runoff Election, or the Special General Election for House District 49.

(3) All Absentee Election Managers and any other election officials of the affected counties 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