

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control _____ Department or Agency Office of the Secretary of State
Rule No. 820-2-6-.07
Rule Title: Provisional Verification Envelope.
 New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

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? N/A

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 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 Reference Service.

Signature of certifying officer *J. H. Merrill*

Date *Jun 21, 2017*

(DATE FILED)
(STAMP)

(Agency Name)
(Agency Division, if applicable)

NOTICE OF INTENDED ACTION

AGENCY NAME:Office of the Secretary of State

RULE NO. & TITLE: 820-2-6-.07 Provisional Verification Envelope.

INTENDED ACTION:Amend existing rule.

SUBSTANCE OF PROPOSED ACTION:

This rule provides for the administration and implementation of Act # 2017-340 by creating a tracking mechanism to determine a voter's primary selection.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

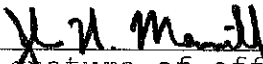
Views may be presented orally or in writing and should be addressed to Brent Beal, Office of the Secretary of State, P.O. Box 5616, Montgomery, AL 36103; (334) 353-7857.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

September 4, 2017

CONTACT PERSON AT AGENCY:

Brent Beal, Office of the Secretary of State, State capitol Suite E-201, 600 Dexter Avenue, Montgomery, AL 36130; (334) 353-7857.



(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

820-2-6-.07 Provisional Verification Envelope.

(1) Before giving the provisional voter his or her provisional verification statement, which shall be prescribed by the Secretary of State, the provisional ballot officer shall write on said statement

- (a) the election date,
- (b) precinct number, and
- (c) ballot style.

(2) The provisional ballot officer shall then check the appropriate box next to the reason for issuing the provisional ballot. The list of reasons shall include:

- (a) voter's name does not appear on the list of registered voters,
- (b) voter's registration status cannot be determined by the provisional ballot officer,
- (c) voter is unable to provide identification,
- (d) the voter requested but has not returned an absentee ballot,
- (e) an inspector has knowledge that the person is not entitled to vote at the precinct and challenges the person, or,
- (f) the ballot is cast after the legal time for closing the polls due to a federal or state court order polling hours.
- (g) Voter objects to the political party identified for the voter on the list of registered voters for the primary runoff election.

Authors:

Roy Wylie Granger, III; Edward Packard; Jean Brown; Brent Beal; Clay Helms; David Brewer;

Statutory Authority: Code of Ala. 1975, §§1713(a), 17102.
History: New Rule: Filed May 27, 2004; effective July 1, 2004. Amended: Filed May 20, 2010; effective June 24, 2010. Amended: Filed June 21, 2017.