

STATE OF ALABAMA
OFFICE OF THE SECRETARY OF STATE
ADMINISTRATION DIVISION
ADMINISTRATIVE CODE

CHAPTER 820-1-1
ORGANIZATION OF THE OFFICE OF THE SECRETARY OF STATE
AND CONSTRUCTION OF RULES

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820-1-1-.01 Organization.

(1) The Office of the Secretary of State is established by the Constitution of the State of Alabama (Art. V, §112, Ala. Constitution of 1901) and performs a wide variety of constitutional and statutory duties (Code of Ala. 1975, §§36-14-1 et seq.)

(2) Requests for information may be submitted to the Office of the Secretary of State via several methods:

(a) By mail: Office of the Secretary of State, P.O. Box 5616, Montgomery, Alabama 36103.

(b) By hand delivery: Office of the Secretary of State, 600 Dexter Avenue, Suite S-105, Montgomery, Alabama 36130.

(c) By telephone: (334) 242-7200.

(d) By internet: <http://www.sos.alabama.gov>.

(3) Organization. The Secretary of State has the authority and latitude to organize the office in a manner the Secretary deems appropriate for accomplishing these duties. The following depicts the organization serving under the Secretary of State's direction:

(a) The Secretary of State may appoint two assistants and exempt employees as follows:

1. A Confidential Assistant to the Secretary of State pursuant to Code of Ala. 1975, §36-26-10 (c)(1).

2. An Executive Assistant to the Secretary of State pursuant to Code of Ala. 1975, §36-14-16.

3. Two additional exempt employees pursuant to Code of Ala. 1975, §36-26-10 (b)(10).

(b) Divisions operating under the direction of the Secretary of State include the following:

1. Executive Division.
 2. Business Service Division
 3. Government Support Division.
 4. Authentications/Lands and Trademarks Division.
 5. Elections Division.
 6. Finance Division.
 7. Information Systems Division.
- (4) Bad Checks.

(a) If the Secretary of State's Office receives a check or negotiable instrument that is dishonored by the institution upon which it is drawn (hereinafter "bad check"), the Secretary of State's Office may charge a bad check fee as provided for in Code of Ala. 1975, §8-8-15. The fee to be charged shall be the maximum allowed by law.

(b) If the Secretary of State's Office receives a bad check, the Office shall provide notice to the person making, drawing, uttering, or delivering the instrument in accordance with Code of Ala. 1975, §13A-9-13.2.

Authors: Charles E. Grainger, Jr.; William Sutton; Jean Brown
Statutory Authority: Code of Ala. 1975, §§41-22-4, 36-26-10, 36-14-16, 8-8-15, 13A-9-13.1, 13A-9-13.2.

History: New Rule: Filed January 10, 2001; effective February 14, 2001. **Amended:** Filed October 20, 2015; effective November 24, 2015. **Amended:** Filed June 3, 2016; effective July 18, 2016.

820-1-1-.02 Construction Of Rules.

(1) As of the date of the initial adoption of this rule, the Secretary of State finds it appropriate to relocate certain rules formerly located in Division 820-X of the Secretary of State's Administrative Code. The new Administrative Code is structured into multiple divisions for the purpose of arranging together rules of similar subject matter. The subsequent creation of additional Divisions, Chapters and Rules does not require an amendment of this Rule, as this Rule is provided only to explain the restructuring of this Administrative Code on the date of the initial adoption of this rule.

(2) The Administrative Code for the Office of the Secretary of State may be referenced as: "820 -- The Office of the Secretary of State."

Authors: Charles E. Grainger, Jr.; William Sutton; Jean Brown

Statutory Authority: Code of Ala. 1975, §41-22-4.

History: New Rule: Filed January 10, 2001; effective February 14, 2001. **Amended:** Filed June 5, 2009; effective July 10, 2009. **Amended:** Filed October 20, 2015; effective November 24, 2015.

820-1-1-.03 Multiple Electronic Signatures On A Single Form.

(1) The delivery, acceptance, and filing of all filing instruments may be accepted by the Secretary of State's office in electronic form.

The Secretary of State's Office will accept electronic transmission 24 hours a day, seven days a week, including holidays and weekends.

(2) In order for the signature to be recognized as valid, the electronic signature must include the signatory's name and the date on which the form was signed.

Authors: Hugh Evans, David Brewer

Statutory Authority: Code of Ala. 1975, §8-1A-18 and applicable portions of Title 10A.

History: New Rule: Published August 31, 2020; effective October 15, 2020.