

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

CHAPTER 820-2-3
ABSENTEE VOTING

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**820-2-3-.01 Contents Of The Absentee Ballot And Accompanying
Affidavit Envelope.**

(1) Each ballot style shall have its own designation. A ballot style is a printed ballot showing a specific group of races, candidates and/or propositions. To the extent of any variation in the printed races, candidates and/or propositions among printed ballots, each variety shall be distinctly designated.

(2) Each ballot shall have a pre-printed serial number. Ballot serial numbers shall correspond to the number of ballots printed in a particular ballot style. While serial numbers may be duplicated between separate ballot styles, serial numbers may not be duplicated within a ballot style.

(3) Each affidavit envelope shall contain designated blanks for the purpose of permitting the absentee election manager to write-in the ballot style designation and serial number of the associated ballot.

Author: Charles E. Grainger, Jr.

Statutory Authority: Code of Ala. 1975, §17-10-22.

History: New Rule: Filed January 10, 2001; effective February 14, 2001.

Ed. Note: Formerly Rule 820-X-10-.01, as per certification filed January 10, 2001; effective February 14, 2001.

820-2-3-.02 **Completion Of The Ballot Style And Serial Number Blanks On The Affidavit Envelope.** The Absentee Election Manager shall identify on the affidavit envelope in writing both the ballot style designation and the ballot serial number for the associated ballot prior to providing the affidavit envelope and ballot to the voter. Where absentee envelopes and ballots are provided to election officials for on-site absentee voting, the election officials shall be responsible for writing-in the ballot style designation and the ballot serial number of the associated ballot on the affidavit envelope prior to providing the affidavit envelope and associated ballot to the voter.

Author: Charles E. Grainger, Jr.

Statutory Authority: Code of Ala. 1975, §17-10-22.

History: New Rule: Filed January 10, 2001; effective February 14, 2001.

Ed. Note: Formerly Rule 820-X-10-.02, as per certification filed January 10, 2001; effective February 14, 2001.

820-2-3-.03 **List Of Qualified Voters.** The list of qualified voters shall identify the correct ballot style designations for each voter. In the case of a primary election, ballot style designations for each party participating in the primary and a non-partisan ballot style designation shall be printed on the list of qualified voters. The absentee election manager and on-site absentee election officials shall use the ballot style designations printed on the list of qualified voters to identify the correct ballot style to provide a voter in an election. A voter claiming to qualify for a ballot style in conflict with the ballot style designation printed on the list of qualified voters may vote by challenged ballot.

Author: Charles E. Grainger, Jr.

Statutory Authority: Code of Ala. 1975, §17-10-22.

History: New Rule: Filed January 10, 2001; effective February 14, 2001.

Ed. Note: Formerly Rule 820-X-10-.03, as per certification filed January 10, 2001; effective February 14, 2001.

820-2-3-.04 Forms For Overseas And Military Absentee Voting.

(1) This rule is intended to provide any form or ballot by which an absentee election manager or registrar shall administer the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §20301. Any form or ballot described in this rule may be used in any primary or general election.

(2) The State of Alabama adopts any form or ballot issued or promulgated by the federal government to implement the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §20301. Any form or ballot issued or promulgated by the federal government in the future to implement the Act is adopted prospectively. Any form or ballot described in this rule may be used by a voter covered by the Act in lieu of any form or ballot issued or promulgated by the State of Alabama for absentee voting, such as the Standard State Application Form for Absentee Voting described in Paragraph 4 of this rule. The scope of this paragraph shall include, but is not limited to, the Federal Write-In Absentee Ballot, FWAB SF-186.

(3) Absentee ballot material sent to a voter by an absentee election manager pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §20301, to vote in a primary election shall include a Federal Write-In Absentee Ballot, FWAB SF-186, to vote for any federal candidate in a second primary election. Absentee ballot material sent to a voter by an absentee election manager pursuant to this paragraph shall also be accompanied by an instruction provided by the Secretary of State explaining that the Federal Write-In Absentee Ballot, FWAB SF-186, may be used to vote in a second primary election.

(4) The State of Alabama adopts a Standard State Application Form for Absentee Voting; which may be used by a voter covered by the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §20301. The form may also be used by any other voter who applies to vote absentee. The form shall appear as follows:

Front Side of Application

APPLICATION FOR ABSENTEE BALLOT FORM AV-R1

Return this application to:

_____ COUNTY, ALABAMA

General Voter Information - Please provide complete information so that we may verify your eligibility to vote.

Last Name (Please print)		First Name		Middle or Maiden Name		E-mail Address	
If you have moved since registering to vote, please update your voter registration record with the county board of registrars before proceeding with this application.							
Street Address (address where you are registered to vote; do not use PO box)						City	ZIP
Mail my ballot to the address where I regularly receive mail, if different from the street address provided above							
Precinct where you vote (name and/or location of your polling place)							
Date of Birth		Month	Day	Year		Driver's License Number	
Home Telephone Number		Work Telephone Number		STATE		NUMBER	
()		()		[] []		IF NO DRIVER'S LICENSE NUMBER	
						Last 4 digits of Social Security number	
						[] [] [] []	

For all registered voters | **For Military and U.S. Citizens Residing Overseas ONLY**

I hereby make application for an absentee ballot so that I may vote in the following election(s):

Absentee ballots for elections more than 30 days apart must be requested on separate applications. See note below.

Primary Election or Presidential Preference Primary Election
 Select one: Democratic Party
 Republican Party
 Other _____
 Proposed Constitutional Amendments Only

Primary Runoff Election
 Select one: Democratic Party
 Republican Party
 Other _____
 Proposed Constitutional Amendments Only

General Election
 Special Election _____
 Municipal Election
 Municipal Runoff Election

This section is for individuals voting pursuant to the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).

By checking this box, I am attesting that I am a member of the United States Armed Forces or I am a United States citizen residing overseas, or a spouse or dependent of such person.
 I understand that this application will be valid for all elections to be held during the next two regularly scheduled general election cycles for federal offices.

If I wish to waive this right and have this application expire earlier, I am providing an expiration date below. For example, I might choose an earlier expiration date if I expect a change of duty station effective after the next election but before the end of the next two general election cycles.

This application should expire on _____
 Month / Day / Year

Unless you are a member of the armed forces or you are a United States citizen residing overseas, or a spouse or dependent of such person, please note that for elections to be held more than thirty (30) days apart, you must submit a separate application for absentee voting for each election.

I am applying for an absentee ballot because (check one box):

I will be out of the county or the state, or the municipality for municipal elections, on election day.

I have a physical illness or infirmity which prevents my attendance at the polls.

I work a shift which has at least ten (10) hours that coincide with the polling hours at my regular polling place.

I am enrolled as a student at an educational institution located outside the county of my personal residence, attendance at which prevents my attendance at the polls.

I am a member of, or a spouse or dependent of a member of, the Armed Forces of the United States or am otherwise similarly qualified to vote absentee pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. 1973ff.

I have been appointed as an election officer at a polling place which is not my regular polling place.

When I apply for this absentee ballot, I understand that my name will be stricken from the list of qualified electors and, when I cast this absentee ballot, I understand that I will not be entitled to vote at my regular polling place.

Voter's Signature	Complete this section if voter signs by mark →	Witness Signature
		Print Witness Name

The voter may hand this application to the Absentee Election Manager. The voter may also forward this application to the Absentee Election Manager by U.S. Mail [§17-11-3 and §17-11-4, Code of Alabama, 1975].

READ PENALTIES ON BACK

Back Side of Application

PENALTIES

§17-17-24, Code of Ala. 1975, as amended

(a) Any person who willfully changes an absentee voter's ballot to the extent that it does not reflect the voter's true ballot, any person who willfully votes more than once by absentee ballot in the same election, any person who willfully votes for another voter or falsifies absentee ballot applications or verification documents so as to vote absentee, or any person who solicits, encourages, urges, or otherwise promotes illegal absentee voting, shall be guilty, upon conviction, of a Class C felony. Any person who willfully aids any person unlawfully to vote an absentee ballot, any person who knowingly and unlawfully votes an absentee ballot, and any voter who votes both an absentee and regular ballot at any election shall be similarly punished.

(b) Upon request by the local District Attorney or the Secretary of State, the Attorney General shall provide investigating assistance in instances of absentee ballot or voting violations.

(c) Nothing in this section shall be construed to impede or inhibit organized legal efforts to encourage voter participation in the election process or to discourage a candidate from encouraging electors to lawfully vote by absentee ballot.

Authors: Adam L. Bourne, William Sutton, Jean Brown, Ed Packard, Brent Beal, David Brewer

Statutory Authority: Code of Ala. 1975, §§17-11-4, 17-11-5(d).

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