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

CHAPTER 820-2-12 PERMANENT DISABILITY ABSENTEE VOTING

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820-2-12-.01 Purpose.

The purpose of this chapter is to provide for implementation of the Disabled Citizens Absentee Voting Act (2019-359) for citizens with a permanent disability which prevents attendance at the polls requesting to vote by absentee ballot pursuant to Act 2019-359. The procedures in this chapter are promulgated under authority granted for Secretary of State as Chief Elections Official pursuant to Act 2019-359 and 17-1-3(a).

Author: Jeff Elrod, Ed Packard, Clay Helms

Statutory Authority: Act 2019-359.

History: New Rule: Published November 29, 2019; effective January 13, 2020.

820-2-12-.02 Applicability.

This chapter applies to absentee ballots for all elections for individuals with permanent disabilities which prevent attendance at the polls pursuant to the Disabled Citizens Absentee Voting Act (2019-359).

Author: Jeff Elrod, Ed Packard, Clay Helms

Statutory Authority: Act 2019-359.

History: New Rule: Published November 29, 2019; effective January 13, 2020.

820-2-12-.03 Procedures For Applying For Absentee Ballot.

- (1) The absentee ballot application for a permanently disabled voter shall be valid for all elections in the calendar year in which the application is submitted. For election cycles that span multiple calendar years, the application shall be valid for the whole election cycle. Voters voting pursuant to Act 2019-359 must resubmit the absentee application on an annual basis.
- (2) When applying to vote absentee in county, state and federal elections, the permanently disabled voter shall submit the application to the county absentee election manager. When applying to vote absentee in municipal elections, the permanently disabled voter shall submit the application to the municipal absentee election manager.
- (3) When a voter submits a valid application to vote absentee pursuant to Act 2019-359, the absentee election manager shall add that voter's name to a list of permanently disabled absentee voters.

Author: Jeff Elrod, Ed Packard, Clay Helms

Statutory Authority: Act 2019-359.

History: New Rule: Published November 29, 2019; effective January 13, 2020.

820-2-12-.04 Application And Procedures For Issuance Of Absentee Ballots.

- (1) Individuals voting by absentee ballot pursuant to Act 2019-359 may apply for an absentee ballot by utilizing an application adopted by the State of Alabama pursuant to 17-11-4 and Act 2019-359. The application must be submitted by the voter by U.S. mail, commercial carrier, or hand-delivery to the absentee election manager in the county in which the prospective absentee voter is registered to vote.
- (2) The application prescribed by the Secretary of State shall provide a space to be signed and notarized by the applicant's primary physician in order to verify the applicant's status as a permanently disabled citizen.
- (3) The applicant must submit the application to the absentee election manager no later than five (5) days prior to the election.

Author: Jeff Elrod, Ed Packard, Clay Helms

Statutory Authority: Act 2019-359.

History: New Rule: Published November 29, 2019; effective January 13, 2020.

820-2-12-.05 Procedures For Sending Absentee Ballots.

At the beginning of the absentee voting period, the absentee election manager shall issue an absentee ballot to any registered voter who has an up-to-date permanently disabled citizen absentee application. Any voter who submits an absentee application pursuant to Act 2019-359 during the absentee voting period shall be issued an absentee ballot upon verification that the voter is registered and eligible to vote in that election.

Author: Jeff Elrod, Ed Packard, Clay Helms

Statutory Authority: Act 2019-359.

History: New Rule: Published November 29, 2019; effective January

13, 2020.

820-2-12-.06 Forms For Absentee Voting By Permanently Disabled Citizens.

This rule is intended to provide any form by which an absentee election manager shall administer the Disabled Citizens Absentee Voting Act (2019-359). The forms shall appear as follows:

ABSENTEE BALLOT FOR USE ONLY BY INDIVIDUAL PERMANENT DISABILITY Please note only one application of Please note that a copy of your General Voter Information - Last Name (Please print) First Name Street Address (address where you are if requesting mail delivery of a ballot, properties of the prop	COUNTY, AL may be placed in the sam valid photo identificatio Please provide complete is Middle or Malden Nan registered to vote; do not use P rovide a mailing address, if differ location of your polling place) Day Year rix Telephone Number) Preference Primary by	PORM AV- ABAMA e envelope. on must be subm information so the ne E-mail Addition O box) ent from the street ad Driver's Licens STATE Reason for A By signing permanenti	nitted along with this app at we may verify your eligibless City Iddress provided above See Number IF NO DRIVE! Lest 4 digits of Social Security number ADJUNEER ADJUNEER	ZIP
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Title of Tit	t is known (or made known e claims to be. e of Notarizing Official f Notarizing Official llot, I understand that my understand that I will not	n) to me to name will be stric be entitled to vote	e at my regular polling plac	d electors and,
Voter's Signature	Complete this section if voter signs by mark		Signature tness Name	

READ PENALTIES ON BACK

PENALTIES

§17-17-24, Code of Alabama, 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 a 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.

APPLICATION FOR MUDISABILITY ABSENTE	E BALLOT			pplication to:		
PERMANENT DISABILITY	COUNTY, ALABAMA	FORM A	IV-02			
Please note that only one application	n may be placed in the s		decad alama mid	ah ahir amaliasa		
General Voter Information - Pil Last Name (Please print) First Name		nformation so th	at we may veri			
Street Address (address where you are re	gistered to vote; do not use PC	D box)	Cit	y	ZIP	
if requesting mail delivery of a ballot, prov	ide a mailing address, if differe	ent from the street a	ddress provided a	bove		
Precinct where you vote (name and/or loc	ation of your polling place)					
Date of Birth Month	Day Year	Driver's Licer	nse Number	IF NO DRIVER'S	LICENSE NUMBER	
Home Telephone Number Work	Telephone Number			Last 4 digits of Social Security		
Type of Ballot (select one)	,	STATE Duration of	NUMBER Absentee Ball	ot Application		
		By signing this application, I am attesting that I am permanently disabled and unable to attend the polls. I am eligible to vote absentee pursuant to Act 2019-359. I understand that this application will be valid for all municipal elections to be held during this calendar year. For election cycles that span multiple calendar years, this application will be valid for the entire election cycle. I further understand that annual renewal of this application will be required.				
Physician's Report (Please note to Physician shall of	that the physician's sig describe and certify the o			the voter's condi	tion.	
Sworn to and subscribed befo 20 I certify that the affiant be the identical party he or sh	is known (or made know					
Signature of	of Notarizing Official		Physic	ian's Signature	Date	
Title of N	Notarizing Official					
When I apply for this absentee ballo when I cast this absentee ballot, I ur					lectors and,	
Voter's Signature	Complete this section if voter signs by mark	_	s Signature litness 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 or commercial carrier [§17-11-3 and §17-11-4, Code of Alabama, 1975].

READ PENALTIES ON BACK

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§17-17-24, Code of Alabama, 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 a regular ballot at any election shall be similarly punished.
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