APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 640

Department or Agency: Alabama Board of Pardons and Paroles

Rule No.: 640-X-7-.02

Rule Title: Certificate Of Eligibility To Register To Vote

Intended Action: Amend

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?	No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule?	NA
Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?	Yes
Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule?	No

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 Services Agency.

Signature of certifying officer: Cam Ward

Cam Ward

Date: Tuesday, May 19, 2026

REC'D & FILED
MAY 20, 2026
LEGISLATIVE SVC AGENCY

APA-2

ALABAMA BOARD OF PARDONS AND PAROLES

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Pardons and Paroles

RULE NO. & TITLE: 640-X-7-.02 Certificate Of Eligibility To Register To Vote

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:
To clarify the language in the rule regarding disqualifying convictions.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:
Written comments may be directed to Alatia R. Midkiff, Alabama Bureau of Pardons and Paroles, 301 South Ripley Street, Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
Monday, July 6, 2026

CONTACT PERSON AT AGENCY:
Alatia R. Midkiff
Attn: Legal Department
301 South Ripley Street
Montgomery, AL 36104

Cam Ward

Cam Ward

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

640-X-7-.02 Certificate Of Eligibility To Register To Vote.

(1) An individual seeking a Certificate of Eligibility to Register to Vote ("CERV") shall file an application on a form approved by the ~~Agency~~agency (Form ABPP-4). All pardon procedures established by Rule 640-X-7-.01 shall generally apply to CERV except that a CERV shall be granted within forty-four (44) days to an applicant who meets all of the following requirements as verified by the Code of Ala. 1975, Section 15-22-36.1 investigation and reporting process:

(2) The person has lost his or her right to vote by reason of conviction in a state or federal court ~~in any case except~~except for a conviction for any of the following offenses: impeachment, murder, rape in any degree, sodomy in any degree, sexual abuse in any degree, incest, sexual torture, enticing a child to enter a vehicle for immoral purposes, soliciting a child by computer, production of obscene matter involving a minor, production of obscene matter, parents or guardians permitting children to engage in obscene matter, possession of obscene matter, possession with intent to distribute child pornography, or treason.

1. The person has no criminal felony charges pending against him or her in any state or federal court.

2. The person has paid all fines, court costs, fees, and victim restitution ordered by the sentencing court at the time of sentencing on disqualifying ~~cases~~convictions.

3. Any of the following are true in the disqualifying convictions:

(a) The person has been released upon completion of sentence.

(b) The person has been pardoned.

(c) The person has successfully completed probation or parole and has been released from compliance by the ordering entity.

(3) Application for CERV shall not affect the right of any person to apply for a pardon with or without restoration of civil or political rights or remission of fine or forfeiture pursuant to Code of Ala. 1975, Section 15-22-36 or Rule 640-X-7-.01 of this Chapter.

Author: Eric Anderson, Meridith H. Barnes, Laura B. Mest, Greg Locklier
Statutory Authority: Code of Ala. 1975, §§15-22-21, 15-22-36.1, 15-22-37.
History: **New Rule:** January 31, 2020; effective March 16, 2020.
Amended: Published _____; effective _____.