

APA-3

**CERTIFICATION OF ADMINISTRATIVE RULES  
FILED WITH THE LEGISLATIVE REFERENCE SERVICE  
OTHNI LATHRAM, INTERIM DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).  
I certify that the attached is/are correct copy/copies of rule/s  
as promulgated and adopted on the 3rd day of June, 2016, and  
filed with the agency secretary on the 3rd day of June, 2016.

AGENCY NAME: Secretary of State

Amendment  New  Repeal (Mark appropriate space)

Rule No.

(If amended rule, give specific paragraph, subparagraphs, etc.,  
being amended) 820-1-1-.01(4) (a) and 820-1-1-.01(4) (b).

Rule Title: Organization

ACTION TAKEN: State whether the rule was adopted with or without  
changes from the proposal due to written or oral comments: The  
rule was adopted without changes.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XXXIV, ISSUE NO.7,  
AAM, DATED April 29, 2016.

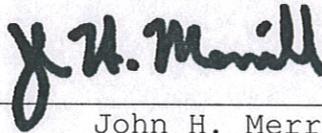
Statutory Rulemaking Authority: Code of Alabama 1975, sections  
41-22-41 36-26-10; 36-14-16; 8-8-15; 13A-9-13.1, and 13A-0-13.2.

(Date Filed) (For LRS Use Only)

**REC'D & FILED**

**JUN 03 2016**

**LEGISLATIVE REF SERVICE**



John H. Merrill  
Secretary of State

(NOTE: In accordance with section 41-22-6(b), as amended, a  
proposed rule is required to be certified within 90 days after  
completion of the notice.)

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

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 of State 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 two 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 Services 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 Alabama 1975, section 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 Alabama 1975, section 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, and 13A-9-13.2.

**History:** New Rule: Filed January 10, 2001; effective February 14, 2001. Amended: Filed July 20, 2015;

Effective October 20, 2015. Amended: Filed April 13, 2016;

Amended: Filed June 3, 2016; Effective Date: July 18, 2016.