

APA-4
11/96

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

Pursuant to Code of Alabama 1975, §§41-22-5(b) and 41-22-6(c) (2)a. and b.

I certify that the attached emergency (amendment, new rule, new chapter, repeal or adoption by reference) is a correct copy as promulgated and adopted on the 29th day of February, 2016.

AGENCY NAME: Secretary of State

RULE NO. AND TITLE: 820-2-10-.24ER Counting of Absentee Ballots Returned by Electronic Transmission

EFFECTIVE DATE OF RULE: February 29, 2016.

EXPIRATION DATE (If less than 120 days): _____

NATURE OF EMERGENCY: These emergency rules are necessary to implement secure electronic return of voted UOCAVA ballots by eligible UOCAVA voters.

STATUTORY AUTHORITY: Code of Alabama 1975, sections 17-11-40 et seq.

SUBJECT OF RULE TO BE ADOPTED ON PERMANENT BASIS YES NO

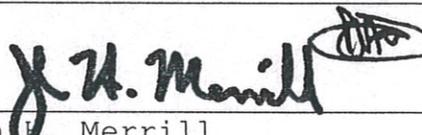
NAME, ADDRESS, AND TELEPHONE NUMBER OF PERSON TO CONTACT FOR COPY OF RULE:

REC'D & FILED

FEB 29 2016

LEGISLATIVE REF SERVICE

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John H. Merrill
Secretary of State

FILING DATE (For APA Use Only)

STATE OF ALABAMA
OFFICE OF THE SECRETARY OF STATE
ADMINISTRATIVE CODE

CHAPTER 820-2-10
PROCEDURES FOR THE SECURE ELECTRONIC RETURN OF VOTED UOCAVA
BALLOTS

**820-2-10-.24ER Counting Of Absentee Ballots Returned by
Electronic Transmission.**

(1) No poll worker or other election official shall count an absentee ballot returned electronically unless the Overseas Voter Certificate has been properly completed and submitted by the voter.

(2) An Overseas Voter Certificate is properly submitted if it is signed and dated by the overseas voter. The absentee election manager shall make the determination as to whether the Overseas Voter Certificate is properly submitted.

Author: Edward Packard; Jean Brown

Statutory Authority: Code of Ala. 1975, §§17-11-40 et seq.

History: Filed February 29, 2016; Effective February 29, 2016