

**CERTIFICATION OF EMERGENCY RULES
FILED WITH LEGISLATIVE REFERENCE SERVICE
JERRY L. BASSETT, 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 rule is a correct copy as
promulgated and adopted on the 16th day of April, 2014.

AGENCY NAME: Secretary of State

RULE NO. AND TITLE: 820-2-9-.14-.14ER Definition of the Term
"Positively Identified" as That Term is Used in Code of Alabama
1975, section 17-9-30 (e).

EFFECTIVE DATE OF RULE: April 16, 2014

EXPIRATION DATE (If less than 120 days): _____

NATURE OF EMERGENCY: This emergency rule is necessary to provide
additional guidance to election officials in the implementation
of photo voter ID beginning with the June 3, 2014 primary
election.

STATUTORY AUTHORITY: Code of Alabama, section 17-9-30 (2011)

SUBJECT OF RULE TO BE ADOPTED ON PERMANENT BASIS YES NO

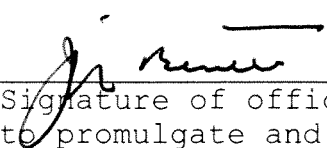
NAME, ADDRESS, AND TELEPHONE NUMBER OF PERSON TO CONTACT FOR COPY
OF RULE:

Jean Brown, Chief Legal Advisor
Office of the Secretary of State
State Capitol
Montgomery, AL 36104

REC'D & FILED

APR 16 2014

LEGISLATIVE REFERENCE SERVICE



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

FILING DATE
(For APA Use Only)

NEW

OFFICE OF THE SECRETARY OF STATE
ADMINISTRATIVE CODE

820-2-9-.14-.14ER **Definition of the Term "Positively Identified" as That Term is Used in Code of Alabama 1975, section 17-9-30 (e) (2011).**

Code of Alabama 1975, section 17-9-30 (e) (2011) provides that "an individual who does not have valid photo identification in his or her possession at the polls shall be permitted to vote if the individual is positively identified by two election officials as a voter on the poll list who is eligible to vote and the election officials sign a sworn affidavit so stating." The term "positively identified" as used in section 17-9-30 (e) means that the election official is able to establish the identity of the voter based on the election official's personal acquaintance with the voter that allows the election official to state with certainty and with no doubt or reservation that the voter is who he/she says he/she is.

Authors: Jean Brown; Ed Packard; William Sutton.

Statutory Authority: Code of Alabama, section 17-9-30 (2011).

History: New Rule: Filed April 16, 2014.