# TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

ControlDepartment or Agency Rule No. 820-2-224	Secretary of	State
Rule Title: Agency-Based Voter Registrat	ion Form	
		Adopt by
Reference		
77.7.1		
Would the absence of the proposed rule s	ignificantly	
harm or endanger the public health, welf	are, or safety?	No
Is there a reasonable relationship betwe police power and the protection of the p safety, or welfare?	en the state's public health,	No
Is there another, less restrictive metho	d 05	
regulation available that could adequate	ly protect	
the public?	Ty procees	No
·-		
Does the proposed rule have the effect o	f directly	
or indirectly increasing the costs of an	y goods or	
services involved and, if so, to what de	gree?	No
Is the increase in cost, if any, more ha	rmful to the	
public than the harm that might result f	rom the	
absence of the proposed rule?		No
Are all facets of the rulemaking process	designed	
solely for the purpose of, and so they h	ave, as	
their primary effect, the protection of	the public?	Yes
Does the proposed action relate to or af	fect in any	
manner any litigation which the agency i	s a party to	
concerning the subject matter of the pro-	posed rule?	Yes
***		
*************	*******	*******
Does the proposed rule have an economic	impact?	No
T6 11		
If the proposed rule has an economic impared in the required to be accompanied by a fiscal named by a fixed	ote prepared in a	ccordance with
***		
**************************************	******	********
Certification of Authorized Official		
I certify that the attached proposed rule compliance with the requirements of Chapt 1975, and that it conforms to all applica Administrative Procedure Division of the	ter 22, Title 41, able filing requi	Code of Alabama
		- 4
Signature of certifying officer	N. Menil REC'D	& FILEO
Date Manh 18,2019	2019 MAR 2	I PH 12: 56
•	LEGISLATIV	E SVC AGENCY

(DATE FILED)

# (Agency Name) (Agency Division, if applicable)

## NOTICE OF INTENDED ACTION

#### AGENCY NAME:

Alabama Secretary of State

RULE NO. & TITLE: 820-2-2-24 Agency Based Voter Registration Form

## INTENDED ACTION:

Amend Rule

## SUBSTANCE OF PROPOSED ACTION:

Added a link to the Voter Registration Form for people to find additional information on Moral Turpitude felonies.

## TIME, PLACE, MANNER OF PRESENTING VIEWS:

Views may be presented orally or in writing and should be addressed to Hugh Evans, Office of the Secretary of State, P.O. Box 5616, Montgomery, AL 36130; (334) 242-4298.

## FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

May 3, 2019

### CONTACT PERSON AT AGENCY:

Hugh Evans, Office of the Secretary of State, State Capitol Suite E-201, 600 Dexter Avenue, Montgomery, AL 36130; (334) 242-4298.

Secretary of State

(a) Pursuant to 52 U.S.C. 20504, the following form shall be used in all offices in the State that issue driver's licenses and nondriver's identification cards and all state-designated voter registration agencies designated in Rule 820-2-2-.03.



# State of Alabama Voter Registration Application Instructions Regarding Proof of Citizenship for the Purpose of Registering to Vote

You must provide satisfactory evidence of U.S. citizenship when registering to vote in the State of Alabama.

You do not need proof of citizenship if you are registered to vote and you are using this form to update your registration record.

- Proof of U.S. citizenship is established by providing an original or legible photocopy or a copy in digital
  or other electronic format of ONE of the following documents:
  - Driver's license or nondriver's ID card issued by division of motor vehicles or equivalent
    governmental agency of any state within the U.S. provided that the governmental agency of
    another state within the U.S. requires proof of lawful presence (i.e., U.S. citizenship) as a condition
    of issuance of the driver's license or nondriver's ID card and that the driver's license or nondriver's
    ID card contains appropriate indicia showing proof of U.S. citizenship. Alabama driver's license or
    nondriver's ID card must be a "Star" license or ID.
  - Birth certificate indicating birth in the U.S. or one of its territories.
  - Pertinent pages of a valid or expired U.S. passport identifying applicant and applicant's passport number, or presentation of U.S. passport to Board of Registrars.
  - U.S. naturalization documents or the number of certificate of naturalization. If only number of
    certificate of naturalization is provided, applicant shall not be registered until number of certificate
    of naturalization is verified with U.S. Bureau of Citizenship and Immigration Services by Board of
    Registrars pursuant to 8 U.S.C. §1373(c).
  - Other documents or methods of proof of U.S. citizenship issued by federal government pursuant to Immigration and Nationality Act of 1952 and amendments thereto.
  - Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.
  - Consular report of birth abroad of U.S. citizen.
  - Certificate of citizenship issued by U.S. Citizenship and Immigration Services.
  - Birth certificate issued by U.S. State Department.
  - American Indian card with KIC classification issued by U.S. Dept. of Homeland Security.
  - Final adoption decree showing applicant's name and U.S. birthplace.
  - Official U.S. military record of service showing applicant's place of birth in the U.S.
  - Extract from U.S. hospital birth record created at time of birth showing applicant's U.S. place of birth.
  - Federal confirmation of U.S. citizenship under 8 U.S.C. §1373.
- 2) If you were born in Alabama and do not have one of the documents listed in section 1, the Alabama Department of Public Health will send a birth certificate to your county Board of Registrars at no cost to you. Please fill out the attached Form HS-89, "Affidavit and Application for a Certification of an Alabama Birth Record for Alabama Voter Registration Use," and submit it to your county Board of Registrars.
- 3) If you believe you have proof of U.S. citizenship that is not listed in section 1, you may apply to your county Board of Registrars for a hearing to determine your U.S. citizenship for voting purposes. Please fill out the attached Form C-4 and submit it to your county Board of Registrars.

#### State of Alabama Agency-Based Voter Registration Form NVRA-1B FOR USE BY U.S. CITIZENS ONLY . FILL IN ALL BOXES ON THIS FORM . PLEASE USE INK . PRINT LEGIBLY To register to vote in the State of Alabama, you must: FOR USE BY AGENCY OFFICIAL ONLY Be a difficen of the United States. Check one (1) box: Live in Alabama. ☐ Registrars Be at least 18 years of age on or before election day. Signature of Agency Representative ☐ Motor Voter Not have been convicted of a disqualifying falony, or if you have been State Designated Agency convicted, you must have had your civil rights restored. ☐ Agency-Based Business Phone of Agency Representative Not have been declared "mentally incompetent" by a court. Disabilities Services Office ID requested: You may send with this application a copy of valid photo identification. You will be required to present valid photo identification when you vote at your polling place or by absentee ballot, unless exempted by law. For more information, go to www.AlabamaVoterID.com or call the Elections Divisions 800-274-8693. ① Are you a citizen of the United States of America? Yes No ATTENTION! If you answer "No" to either of these questions, do not complete this application. ② Will you be 18 years of age on or before election day? Yes No ③ Print Your Name: Alabama Driver's License or Non-Driver ID Number: Driver ID Number: STATE NUMBER IF YOU HAVE NO ALABAMA DRIVER'S LICENSE OF ALABAMA NON DRIVER IN WINDER (4) Print Maiden Name / Former Name (if reporting a change of name) OR ALABAMA NON-DRIVER ID NUMBER Last four digits of Social (5) Date of Birth (wwithlyyy) (6) Primary Telephone (7) Email Address Security number: I do not have an Alabama driver's license or Alabama non-driver ID or a social security number. Home Address (include apartment or other unit number if applicable) Address where you live: (Do not use post office box) Matting Applicase, if different from Home Address Address where you T receive your mail: Address where you were Farmer Address last registered to vote: (Do not use post office box) Sex (check one) Place of Birth County State Country ☐ Female ☐ Male ( Race (check one) @Map / Diagram ①Did you receive assistance? it your name has no street number or name, please draw a map of where your house is located, Please include roads and landmarks. ☐ White Black it you are unable to sign your pame, who helds you fill out this application? Give name, address. ☐ Aslan ☐ American Indian nd phone number (phone number is optional). ☐ Hispanic ☐ Other REGISTRARS USE ONLY DATE APPROVED DENIED Voter Declaration - Read and Sign Under Penalty of Perjury County Pct \_ I am a U.S. citizen I solemnly swear or affirm to support and I live in the State of Alabama defend the constitution of the United States City Pct I will be at least 18 years of age on or before and the State of Alabama and further disavow election day I am not barred from voting by reason of a any belief or affiliation with any group which disqualifying felony conviction (The list of disqualifying felonies is available on the Secretary of State's web site at: advocates the overthrow of the governments Board member of the United States or the State of Alabama sos.alabama.gov/mtfelonies) by unlawful means and that the information I have not been judged "mentally incompetent" Board member contained herein is true, so help me God. in a court of law YOURSIGNATURE DATE If you falsely sign this statement, you can be convicted and imprisoned for up to five years. The decision to register to vote is yours. If you decide to register to vote, the office at which you are submitting this application will remain confidential and will be used only for voter registration purposes. If you decline to register to vote, your decision will remain confidential and will be used only for voter registration purposes. John H. Merrill - Secretary of State Questions? Call the Elections Division at 1-800-274-8683 or 334-242-7210

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In comp	der ooth that I am assa	5-28 of the Alaba	ama Code (Bea	son-Hammon Alaban	na Taxpayer and Citizen Pro	tection Act), I
to registe	er to vote in the State of	Alchama and the	least 18 years of	age or, if not, will be	18 on or before the next ele	ction and I plan
of U.S. c	itizenship:	Alabama and m	iat I do <u>NOI</u> p	ossess any of the follo	wing documents that consti	tute evidence
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2	or nondriver's 1D mus	st be a "Star" ho	ense or ID.			
2. 3.	Birth certificate indication	ig birth in the U.	S. or one of its to	rritories.	#1	
3. 4.	Pertinent pages of a vali	d or expired U.S.	passport, or one	inal passport.		
5.	U.S. naturalization docu	ments or the num	nber of the certif	icate of naturalization.		v .
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6.	Bureau of Indian Affairs	card number, tri	ibal treaty card n	ımber, or tribal enrolln	nent number.	
7.	Consular report of birth	abroad of U.S. c	itizen.			
8. 9.	Certificate of citizenship	issued by the U.	S. Citizenship an	d Immigration Services	•	
9. 10.	Certification of report o	I DITTH ISSUED by t	the U.S. State De	partment.		
11.	American Indian card, w	ALLI KIU CIASSIFICA	ation, issued by t	ne U.S. Department of	Homeland Security.	
12.	Final adoption decree sh Official U.S. military rec	ord of sarries sh	U.S. Difthplace.	-1 : .1 TIC		
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14.	Copy of declaratory judg	ment hya TIC a	ourt confirming	uitie of birth indicating	place of birth in the U.S.	
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Date						
INFORM	on to Locate Birth Reco ATION COULD DELAY as Listed on Birth Record	THE PROCES	EARLY PRINT SING OF THIS	ALL INFORMATION REQUEST	N. FAILURE TO PROVIDE	ACCURATE
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ADPH-HS-89.1.20.2012

## APPLICANT'S CITIZENSHIP FOR VOTING PURPOSES (Form C-4)

Co	omplete and submit only if applicant has not submitted satisfactory documentary proof of citizenship.
Ι, _	, hereby request a hearing with the county Board of Registrars. In support thereof, I affirm as follows:
	I am a United States citizen but do not possess or have access to any of the following documents showing United States Citizenship:
	(1) A driver's license or nondriver's identification card issued by the division of motor vehicles or the equivalent governmental agency of any state within the United States provided that the governmental agency of another state within the U.S. requires proof of lawful presence (i.e., U.S. citizenship) in the U.S. as a condition of issuance of the driver's license or nondriver's identification card. Alabama driver's license or nondriver's ID card must be a "Star" license or ID.
	(2) A birth certificate indicating birth in the U.S. or one of its territories.
	(3) Pertinent pages of a valid or expired passport identifying me and my passport number, or presentation of my U.S. passport.
	(4) United States naturalization documents or the number of the certificate of naturalization.
	(5) Other documents or methods of proof of United States citizenship issued by the federal government pursuant to the Immigration and Nationality Act of 1952, and amendments thereto.
	(6) A Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.
	(7) A consular report of birth abroad of a citizen of the United States of America.
	(8) A certificate of citizenship issued by the United States Citizenship and Immigration Services.
	(9) A certification of report of birth issued by the United States Department of State.
	(10) An American Indian card, with KIC classification, issued by the United States Department of Homeland Security.
	(11) A final adoption decree showing my name and United States birthplace.
	(12) An official United States military record of service showing my place of birth in the United States.
	(13) An extract from a United States hospital record of birth created at the time of my birth indicating my place of birth in the United States.
	(14) Federal confirmation of U.S. citizenship under 8 U.S.C. § 1373.

I believe that I am a United States citizen based upon the following information:

(Provide the details as to why or how you became a citizen of the United States.)

I submit herewith the following documentation that proves that I am a United States citizen:

(Attach copies of any documentation that you believe demonstrates citizenship, such as newspaper birth announcements, family Bible entries, certificate of foreign birth if it reflects U.S. citizenship, affidavits signed by three U.S. citizens who know you are a U.S. citizen and have known you for 10 years or more, etc.)

### NOTICE OF RIGHT TO HEARING BEFORE THE COUNTY BOARD OF REGISTRARS

I understand that I am entitled to a hearing before the Board of Registrars and an opportunity to testify and to present witnesses and additional evidence of citizenship if the Board does not determine that I have provided satisfactory evidence of citizenship based upon the information that I have supplied above. I understand that I have the right to have counsel, provided at my own expense, present at said hearing. I understand that notice of the hearing will be mailed to the address that I have provided at least five days prior to the hearing date.

Signature of applicant

Mail completed form and attached documents to your local Board of Registrars.

(b) Pursuant to 52 U.S.C. 20506, the following form shall be used in all offices in the State that provide public assistance and all offices in the State that provide State-funded programs primarily engaged in providing services to persons with disabilities.



# STATE OF ALABAMA AGENCY-BASED VOTER REGISTRATION APPLICATION

APPLY TO REGISTERED TO VOTE WHERE YOU LIVE NOW, WOULD YOU LIKE TO APPLY TO REGISTER TO VOTE HERE TODAY?
☐ I want to apply to register to vote today.
☐ I want to change my address for voting purposes by use of this form.
I do not want to apply to register to vote today.
IF YOU DO NOT CHECK ANY BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.
Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.
If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application in private.
Name Date Signaure
Please detach lower portion and give to applicant
IF YOU DECIDE TO APPLY TO REGISTER TO VOTE, THE OFFICE WHERE YOU ARE SUBMITTING

IF YOU DECIDE TO APPLY TO REGISTER TO VOTE, THE OFFICE WHERE YOU ARE SUBMITTING YOUR APPLICATION WILL REMAIN CONFIDENTIAL AND WILL BE USED FOR VOTER REGISTRATION PURPOSES ONLY.

IF YOU DECLINE TO REGISTER TO VOTE, YOUR DECISION WILL REMAIN CONFIDENTIAL AND WILL BE USED FOR VOTER REGISTRATION PURPOSES ONLY.

IF YOU BELIEVE THAT SOMEONE HAS INTERFERED WITH YOUR RIGHT TO REGISTER OR TO DECLINE TO REGISTER TO VOTE OR YOUR RIGHT TO PRIVACY IN DECIDING WHETHER TO REGISTER OR IN APPLYING TO REGISTER TO VOTE, YOU MAY FILE A COMPLAINT WITH THE SECRETARY OF STATE AT STATE CAPITOL, 600 DEXTER AVENUE, SUITE E-208, MONTGOMERY, ALABAMA, 36130 OR BY CALLING 334-242-7210 OR 1-800-274-VOTE (1-800-274-8683).

#### State of Alabama Agency-Based Voter Registration Form FOR USE BY U.S. CITIZENS ONLY ♦ FILL IN ALL BOXES ON THIS FORM ♦ PLEASE USE INK ♦ PRINT LEGIBLY To register to vote in the State of Alabama, you must: FOR USE BY AGENCY OFFICIAL ONLY Be a diizen of the United States. Check one (1) how Live in Alabama. Registrars Be at least 18 years of age on or before election day. Signature of Agency Representative Motor Voter Not have been convicted of a disqualifying felony, or if you have been ☐ State Designated Agency ☐ Agency-Based ☐ Disabilities Services Office ☐ Business Phone of Agency Representative convicted, you must have had your civil rights restored. Not have been declared "mentally incompetent" by a court. ID requested: You may send with this application a copy of valid photo identification. You will be required to present valid photo identification when you vote at your polling phace or by absented ballot, unless exempted by law. For more information, go to www.AlabamaVetorID.com or cell the Elections Director 80/0-274-8889. ① Are you a citizen of the United States of America? Yes No + ATTENTION! If you answer "No" to either of these ② Will you be 18 years of age on or before election day? Yes No questions, do not complete this application. 3 Print Your Name: License or Non-Driver ID Number: Print Maiden Name / Former Name (if reporting a change of name) IF YOU HAVE NO ALABAMADRIVER'S LICENSE OR ALABAMA NON-DRIVER ID NUMBER Last four digits of Social (5) Date of Birth (muldityyy) (6) Primary Telephone (7) Email Address Security number: I do not have an Alabama driver's ficense or Alabama non-driver ID or a social security number. ricane Address (include acadment or other unit autober if armicable) Address where you live: (Do not use post office box) Current Making Address, if different from Home Address Address where you receive your mail: Address where you were Former Address last registered to vote: (Do not use post office box) Place of Birth County State Country ☐ Female ☐ Male Race (check one) Map / Diagram ODid you receive assistance? ☐ White Il your nome has no street number or rame, please draw a map or where your house is lecated. Please include roads and landmarks. ☐ Black if you are unacle to sign your earne, who helped American Indian you fill out this application? Give name, address ☐ Asian and phone number (phone number is optional). Hispanic Other REGISTRARS USE ONLY DATE APPROVED DENIED Voter Declaration - Read and Sign Under Penalty of Perjury I am a U.S. citizen County Pct \_ I solemnly swear or affirm to support and I live in the State of Alabama defend the constitution of the United States City Pct I will be at least 18 years of age on or before election day and the State of Alabama and further disavow I am not barred from voting by reason of a any belief or affiliation with any group which disqualifying felony conviction (The list of disqualifying felonies is available on the advocates the overthrow of the governments Board member Secretary of State's web site at: of the United States or the State of Alabama sos, alabama gov/mtfefonies) by unlawful means and that the information I have not been judged "mentally incompetent" Board member contained herein is true, so help me God. in a court of law DATE YOUR SIGNATURE If you falsely sign this statement, you can be convicted and imprisoned for up to five years. The decision to register to vote is yours. If you decide to register to vote, the office at which you are submitting this application will remain confidential and will be used only for voter registration purposes. If you decline to register to vote, your decision will remain confidential and will be used only for voter registration purposes. John H. Merrill - Secretary of State Questions? Call the Elections Division at 1-800-274-8683 or 334-242-7210

emear and	ler oath that I am ove	or the acc of 16 am	ma Code (Beason	-Hammon Alabama	Taxpayer and Citizen Protection Ac	t), I
swear und	fattam mat I am ove	er the age of 16 an	I plan to register	to vote in the State of	of Alabama and that I do NOT posse	ess
any of the	following document	s that constitute e	vidence of U.S. cit	izenship:		1
1.	Driver's license or no	ndriver's ID card is	sued by division or	motor vehicles or equi	valent governmental agency of any state	:
	within the U.S. provid	led that the govern	nental agency of and	other state within the I	J.S. requires proof of lawful presence in	the
	U.S. (i.e., U.S. citizens	ship) as a condition	of issuance of the d	nver's license or nondi	iver's ID card. Alabama driver's lice	nse
	or nondriver's ID m	ust be a "Star" lic	ense or ID.			
2.	Birth certificate indica	ating birth in the U.	S. or one of its territ	ories.		- 1
3.	Pertinent pages of a v	alid or expired U.S.	passport, or origina	l passport.		- 1
4.	U.S. naturalization do	cuments or the nur	ber of the certificat	e of naturalization		- 1
5.	Other documents issu	ed by the Federal C	Sovemment proving	U.S. citizenship purs	uant to the immigration and Nationality	- ^
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10.	Certification of report	with KIC -1'C	ne U.S. State Depar	unent.	1 10 1	
10.	American Indian card	, with Ki Classifica	uion, issued by the l	J.S. Department of He	omeland Security.	
11.	Final adoption decree	snowing name and	U.S. birthplace			
12.	Official U.S. military r	ecord of service she	owing place of birth	in the U.S.		
13.	Extract from a U.S. ho	ospital record of bir	th created at the tim	e of birth indicating pl	ace of birth in the U.S.	1
14.	Copy of declaratory ju	idgment by a U.S. c	ourt confirming citiz	enship under 8 U.S.C.	§1373.	- 1
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## APPLICANT'S CITIZENSHIP FOR VOTING PURPOSES (Form C-4)

Complete and submit only if applicant has not submitted satisfactory documentary proof of citizenship. I, hereby request a hearing with the county Board of Registrars. In support thereof, I affirm as follows: I am a United States citizen but do not possess or have access to any of the following documents showing United States Citizenship: (1) A driver's license or nondriver's identification card issued by the division of motor vehicles or the equivalent governmental agency of any state within the United States provided that the governmental agency of another state within the U.S. requires proof of lawful presence (i.e., U.S. citizenship) in the U.S. as a condition of issuance of the driver's license or nondriver's identification card. Alabama driver's license or nondriver's ID card must be a "Star" license or ID. (2) A birth certificate indicating birth in the U.S. or one of its territories. (3) Pertinent pages of a valid or expired passport identifying me and my passport number, or presentation of my U.S. passport. (4) United States naturalization documents or the number of the certificate of naturalization. (5) Other documents or methods of proof of United States citizenship issued by the federal government pursuant to the Immigration and Nationality Act of 1952, and amendments thereto. (6) A Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number. (7) A consular report of birth abroad of a citizen of the United States of America. (8) A certificate of citizenship issued by the United States Citizenship and Immigration Services. (9) A certification of report of birth issued by the United States Department of State. (10) An American Indian card, with KIC classification, issued by the United States Department of Homeland Security. (11) A final adoption decree showing my name and United States birthplace. (12) An official United States military record of service showing my place of birth in the United States. (13) An extract from a United States hospital record of birth created at the time of my birth indicating my place of birth in the United States. (14) Federal confirmation of U.S. citizenship under 8 U.S.C. § 1373.

I believe that I am a United States citizen based upon the following information: (Provide the details as to why or how you became a citizen of the United States.)

I submit herewith the following documentation that proves that I am a United States citizen:

(Attach copies of any documentation that you believe demonstrates citizenship, such as newspaper birth announcements, family Bible entries, certificate of foreign birth if it reflects U.S. citizenship, affidavits signed by three U.S. citizens who know you are a U.S. citizen and have known you for 10 years or more, etc.)

## NOTICE OF RIGHT TO HEARING BEFORE THE COUNTY BOARD OF REGISTRARS

I understand that I am entitled to a hearing before the Board of Registrars and an opportunity to testify and to present witnesses and additional evidence of citizenship if the Board does not determine that I have provided satisfactory evidence of citizenship based upon the information that I have supplied above. I understand that I have the right to have counsel, provided at my own expense, present at said hearing. I understand that notice of the hearing will be mailed to the address that I have provided at least five days prior to the hearing date.

Signature of applicant

Mail completed form and attached documents to your local Board of Registrars.

Authors: Jean Brown, Edward Packard, William Sutton, <u>David Brewer</u>, and Brent Beal

Statutory Authority: Code of Ala. 1975, §§ 31-13-28 (2012), 17-13-1 (2006).

History: New Rule: Filed September 31, 2013; effective March 7, 2013. Repealed and New Rule: Filed April 13, 2015; effective May 18, 2015.

Ed. Note: Rule .23 was renumbered .24 as per certification filed March 4, 2016; effective April 18, 2016.