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# Alabama

## *Voter Registration & Voter List Maintenance Guide*

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# State Guide to Voter Registration & Voter List Maintenance Statutes

This is a guide to your state's laws relating to voter registration and voter list maintenance.

The statutes/codes cited in this guide may not be the most recent version. States may have more current or accurate information. We make no warranties or guarantees about the accuracy, completeness, or adequacy of the information contained in the individual state guides or the information linked to on the state site.

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# Who can I contact with election related questions?

## Link to Elections Official

<b>Chief Elections Office:</b>	Jeff Elrod, Director of Elections <a href="#">Elections Division</a>
<b>Physical Address:</b>	State Capitol Building Suite E-208 600 Dexter Avenue Montgomery, AL 36130
<b>Mailing Address:</b>	P.O. Box 5616 Montgomery, AL 36103-5616
<b>Phone Number:</b>	334-353-7177
<b>Fax Number:</b>	334-242-2444
<b>Online Contact:</b>	<a href="mailto:jeff.elrod@sos.alabama.gov">jeff.elrod@sos.alabama.gov</a>



## How do I register to vote?



[Link to Register](#)  
[Link to Statutes](#)

[Article VIII, Sec 177. Suffrage and elections.](#)

(a) Only a citizen of the United States who has attained the age of eighteen years and has resided in this state and in a county thereof for the time provided by law, if registered as provided by law, shall have the right to vote in the county of his or her residence. The Legislature may prescribe reasonable and nondiscriminatory requirements as prerequisites to registration for voting. The Legislature shall, by statute, prescribe a procedure by which eligible citizens can register to vote.

(b) No person convicted of a felony involving moral turpitude, or who is mentally incompetent, shall be qualified to vote until restoration of civil and political rights or removal of disability.



## How do I cancel my voter registration?



[Link to Form](#)

To cancel your voter registration, complete a [Voter Removal Request Form](#) and submit it to the [Board of Registrars](#) in your county.

# How is voter list maintenance handled?

## Section 17-4-3 - County board of registrars to purge disqualified electors.

(a) Each county board of registrars shall purge the computerized statewide voter registration list on a continuous basis, whenever it receives and confirms information that a person registered to vote in that county has died, become a nonresident of the state or county, been declared mentally incompetent, been convicted of any offense designated pursuant to Section 17-3-30.1 as a felony involving moral turpitude for the purposes of Article VIII of the Constitution of Alabama of 1901 since being registered, or otherwise become disqualified as an elector. Except as provided below, a person convicted of a disqualifying criminal offense shall be notified by certified mail sent to the voter's last known address of the board's intention to strike his or her name from the list. No person convicted of a disqualifying crime may be stricken from the poll list while an appeal from the conviction is pending.

(b) On the date set in the notice, or at a later date to which the case may have been continued by the board, the board shall proceed to consider the case of the elector whose name it proposes to strike from the registration list and make its determination. Any person whose name is stricken from the list may appeal from the decision of the board without giving security for costs, and the board shall forthwith certify the proceedings to the judge of probate who shall docket the case in the probate court.

(c) An appeal from the judge of probate shall be as appeals set forth in Section 17-3-55.

(d) In the event the Board of Pardons and Paroles is supervising a person convicted of a disqualifying criminal offense on probation or parole, and the person has received face-to-face counseling from the supervising officer regarding voter disqualification and executed documentation explaining the loss and restoration of civil and political rights, upon receipt of the documentation, signed by the disqualified elector, the county board of registrars shall be exempt from providing notice as otherwise required by this section. The document administered by the Board of Pardons and Paroles and to be signed by the disqualified elector shall contain the following statement: "Any person convicted of a disqualifying felony loses his or her civil and political rights, which includes the right to vote. Restoration of these rights may be applied for through the Central Montgomery Office of the Board of Pardons and Paroles, but only upon completion of the requirements of Section 15-22-36.1."

### **Section 17-4-3 Cont.**

(e) The Board of Pardons and Paroles shall provide signed documentation to county boards of registrars to indicate those persons under probation or parole supervision with the board who have been convicted of a disqualifying criminal offense and been counseled regarding voter disqualification and the restoration of civil and political rights, and may otherwise share privileged records and files with county boards of registrars for the limited purpose of implementing the requirements of this section.

(f) When the board has sufficient evidence furnished it that any elector has permanently moved from one precinct to another within the county, it shall change the elector's precinct designation in the voter registration list, and shall give notice by mail to the elector of the precinct in which the elector is registered to vote.

(g) The Secretary of State and the Board of Pardons and Paroles may promulgate rules in accordance with the Alabama Administrative Procedure Act as necessary to implement this section.

### **Section 17-4-4 Information of deaths, incompetency, and convictions to be furnished to boards of registrars; rulemaking authority.**

(a) In addition to all other duties now required by law, the Office of Vital Statistics of the State Department of Public Health shall furnish to the board of registrars of the county in which such district is located, once each month, a report of the death of all persons over 18 years of age who resided in such registration district.

(b) In addition to all other duties now required by law, the judges of probate of the several counties of this state shall furnish to the board of registrars of their respective counties, once each month, a list of all residents of the county, 18 years of age or over, who have been declared mentally incompetent.

(c) In addition to all other duties required by law, the clerks of the circuit and district courts of this state shall furnish to the board of registrars of each county, once each month, a list of all residents of that county who have been convicted of any offense designated pursuant to Section 17-3-30.1 as a felony involving moral turpitude for the purposes of Article VIII of the Constitution of Alabama of 1901. Any person who willfully fails to perform such duties shall forfeit the sum of one hundred dollars (\$100) for each such failure. Such sum may be recovered in an action by law by any citizen of the county in which the officer acts, one half to his or her own use and one half to the use of the state.

(d) The Secretary of State and the Board of Pardons and Paroles may promulgate rules in accordance with the Alabama Administrative Procedure Act as necessary to implement this section.

#### **Section 17-4-5 Notice of previous registration to be given.**

When a person makes application for registration before a county board of registrars, it shall be the duty of that board, if the elector has been previously registered before in any other county or state, to notify the registrar of voters in the county or state of the previous registration that such elector has applied for and been registered as an elector in the county where such application for registration is made. In addition to asking an elector whether he or she has been previously registered before in any other county or state, the board of registrars shall ascertain if an elector has been previously registered before in any other county of this state by conducting a computerized search of the statewide voter registration list, using the elector's name along with any other identifying information provided by the elector.

When the notice required in this section is received by the board of registrars of any county where such person had been previously registered, it shall be the duty of the board of registrars receiving such notice to remove forthwith the name of such person from the list of qualified electors of the county of previous registration, and such person shall thereafter be disqualified to vote in any election held in any county of previous registration unless the person is duly reregistered.

#### **Section 17-4-6 Information to be provided by state departments or agencies.**

(a) To continuously and automatically identify the names of persons to be purged from the voters' list, the appropriate state departments or agencies shall provide to the Secretary of State, as such information is recorded by the departments, the names and identifying information set out below of any person age 18 or older who:

(1) Has died, with date of birth and Social Security number (if such number is known), last known address with county of residence, and date of death, as provided by the Office of Vital Statistics of the State Department of Public Health.

(2) Has been convicted of a felony, with date of birth and Social Security number (if such number is known), last known address with county of residence, and date of conviction, as provided by the Alabama Criminal Justice Information Systems.

(b) The Secretary of State, upon the receipt of the information pursuant to subsection (a), shall disseminate the information to the appropriate board of registrars to facilitate the continuous purgation of the statewide voter registration list.

**Section 17-4-6.1 Investigation of registered voter reported to be deceased or a nonresident of the precinct.**

(a) To facilitate the continuous maintenance of the computerized statewide voter registration list, each county board of registrars shall investigate written reports from a family member of an elector, the inspector of an election precinct, the judge of probate, the sheriff, and the clerk of the circuit court that an elector registered to vote in a precinct has died or become a nonresident of the precinct in which he or she is registered to vote. The inspector, judge of probate, sheriff, or clerk of the circuit court shall provide the board of registrars, on a form to be prescribed by the Secretary of State, sufficient information to identify the elector in the statewide voter file and a statement as to the source and nature of the information upon which he or she believes a person is deceased or has become a nonresident of the precinct in which he or she is registered to vote.

(b) To facilitate the continuous maintenance of the computerized statewide voter registration list, each county board of registrars shall investigate signed, written reports from a member of an elector's family that the elector is deceased. The family member shall complete a form to be prescribed by the Secretary of State identifying the name of the elector who is deceased, the name of the family member reporting the death, the relationship of the family member to the elector, and other identifying information as specified by the Secretary of State to facilitate investigation of the claim that the elector is deceased.

(c) Each county board of registrars, whenever it receives a written report provided in accordance with subsection (a) that an elector has become a nonresident of the precinct in which he or she is registered to vote, shall investigate and determine if the elector should be disqualified from the statewide voter registration list. Upon determining that the elector should be disqualified from the statewide voter registration list, the county board of registrars shall give notice to the elector of the proposed change in status by U.S. mail to the last known mailing address of the elector. The elector shall be provided 30 days to respond to the determination by the county board of registrars and provide the registrars evidence as to his or her qualifications to remain a qualified elector at the residential address as recorded in his or her voter registration record.

(d) Each county board of registrars, whenever it receives a written report provided in accordance with subsection (a) or (b) that an elector is deceased, shall determine if the elector should be disqualified from the statewide voter registration list. If the information regarding the elector's death is based on official records maintained in the office of the judge of probate, sheriff, or clerk of the circuit court, the county board of registrars shall forthwith remove the elector from the statewide voter registration list without the requirement of further investigation. If the information regarding the elector's death is not based on official records maintained in the office of the judge of probate, sheriff, or clerk of the circuit court, the county board of registrars shall investigate to confirm whether the elector is deceased.



### **Section 17-4-6.1 cont.**

(e) To further the implementation of subsection (d), the State Registrar in the Department of Public Health may render a bill to the Department of Finance for any fee required pursuant to subdivision (4) of subsection (a) of Section 22-9A-22 when a county board of registrars requests copies of records as part of its investigation of a report of an elector's death.

(f) The Secretary of State is granted rulemaking authority under the Alabama Administrative Procedure Act for establishing procedures and forms to be used in the implementation of this section.

### **Section 17-4-8 Electors to reidentify themselves; notice of reidentification; when eligible by mail.**

Each voter whose name is to be removed shall reidentify himself or herself by appearing in person before a registrar, or by appearing before the judge of probate, or either of the clerks in the office of the judge of probate, or through his or her representative before the board of registrars in regular session except that the following persons shall be entitled to reidentify by mail if they possess the qualifications of an elector and are not disqualified from voting under the constitution and laws of Alabama: Members of the Armed Forces of the United States, persons employed outside the United States, persons absent because of attendance at an institution of higher learning, and the spouses and children of such persons. The board of registrars shall notify such persons who are eligible for reidentification by mail as to how they can reidentify themselves. Electors eligible to reidentify by mail shall have their eligibility verified before a commissioned officer of the Armed Forces of the United States, or any person authorized to administer oaths and take affidavits, or before two witnesses who are 18 years old or older.

### **Section 17-4-9 Inactive voter list; voter reidentification.**

Any voter who fails to vote for four years in his or her county shall have his or her name placed on an inactive voter list by the local board of registrars. Once on the inactive list, the voter shall reidentify with the local board of registrars in order to again have his or her name placed on the active voter registration list. Notwithstanding the foregoing, if a voter on the inactive list goes to his or her polling place to vote on an election day and identifies himself or herself to the election official responsible for the voter registration list update, such voter shall be permitted to vote provided the voter completes a voter reidentification form.

### **Section 17-4-10 Publication of names to be struck from list.**

The names of persons in the county to be struck from the list of registered voters shall be listed by precinct and in alphabetical order and published in a newspaper of general circulation in the county once a week for two consecutive weeks in November or December of each year in which the statewide voter file maintenance is conducted.

**Section 17-4-11 Only electors disqualified or not reidentified to be removed.**

The board shall not remove the name of any elector, known by any member of the board, or made known to the board by another qualified elector, or duly representative of the elector whose name is to be stricken, to be a legal resident of the county not known to be suffering from any disqualification. In purging the list of qualified electors, the board of registrars shall remove only the names of those persons who have not reidentified in the manner prescribed herein.

**Section 17-3-31 Restoration of right to vote upon pardon or issuance of certificate of eligibility.**

Any person who is disqualified by reason of conviction of any of the offenses mentioned in Article VIII of the Constitution of Alabama of 1901, except treason and impeachment, whether the conviction was had in a state or federal court, and who has been pardoned, may be restored to citizenship with the right to vote by the State Board of Pardons and Paroles when specifically expressed in the pardon.

If otherwise qualified, such person shall be permitted to register or reregister as an elector upon submission of a copy of the pardon document to the board of registrars of the county of his or her residence. In addition, any person who has been granted a Certificate of Eligibility to Register to Vote by the Board of Pardons and Paroles pursuant to Section 15-22-36.1, shall be permitted to register or reregister as an elector upon submission of a copy of the certificate to the board of registrars of the county of his or her residence.

## [The National Voter Registration Act of 1993](#)

Congress enacted the National Voter Registration Act of 1993 (also known as the “NVRA” and the “Motor Voter Act”), to enhance voting opportunities for every American. The Act has made it easier for all Americans to register to vote and to maintain their registration. Section 8 of the NVRA contains requirements with respect to the administration of voter registration by States and requires States to implement procedures to maintain accurate and current voter registration lists.

For more information about the NVRA, please visit the [Department of Justice website](#).

# List of voter registration statuses and their definitions

## [Link to Statutes](#)

Registration Statuses	
<b>Active</b>	A voter whose name appears on the official registration list
<b>Inactive</b>	A voter who is on the rolls but does not vote
<b>Noneligible</b>	A person who is not eligible to vote in the state of Alabama
<b>Removed</b>	A voter that has been removed from the voter rolls
<b>Removable</b>	A voter who could be removed from the voter rolls
<b>Suspense</b>	A voter who is in a standby status
<b>Not Registered</b>	A person who is not registered in the state of Alabama

# **How do I file a HAVA complaint?**

[Link to HAVA Complaint Process](#)

[Link to Form](#)

## [Section 17-2-3 Establishment of complaint review procedures.](#)

The Secretary of State, by administrative rule, shall establish procedures for the review of complaints regarding the administration of Title III of the Help America Vote Act of 2002. These procedures shall meet the following requirements:

- (1) Any person who believes there has been a violation of Title III may file a complaint.
- (2) Any complaint filed shall be in writing and notarized, and signed and sworn by the complaining person.
- (3) The Secretary of State may consolidate complaints.
- (4) At the request of the complainant, there shall be a hearing on the record.
- (5) If it is determined that there has been a violation of Title III, the appropriate remedy shall be provided.
- (6) If it is determined that there has not been a violation of Title III, the complaint shall be dismissed, and the results of the procedures shall be published.
- (7) After a complaint is filed, a final determination shall be made within 90 days.
- (8) If the 90-day deadline is not met, the complaint shall be resolved within 60 days under alternative dispute resolution.

# **How do I file a non-HAVA election complaint?**

[Link to Form](#)

[Link to Webform](#)

## Who can I contact regarding an election related complaint?

<b>Attorney General:</b>	Steve Marshall
<b>Physical Address:</b>	501 Washington Ave. Montgomery, AL 36130-0152
<b>Mailing Address:</b>	P.O. Box 300152 Montgomery, AL 36130-0152
<b>Phone Number:</b>	334-242-7300
<b>Email Address:</b>	<a href="https://www.alabamaag.gov/contact">https://www.alabamaag.gov/contact</a>
<b>Website:</b>	<a href="http://www.ago.state.al.us/">http://www.ago.state.al.us/</a>

<b>Secretary of State:</b>	Wes Allen
<b>Physical Address:</b>	State Capitol Building Suite E-208 600 Dexter Avenue Montgomery, AL 36130
<b>Mailing Address:</b>	P.O. Box 5616 Montgomery, AL 36103-5616
<b>Phone Number:</b>	334-242-7210
<b>Email Address:</b>	<a href="mailto:sos@sos.al.gov">sos@sos.al.gov</a>
<b>Online Contact:</b>	<a href="https://www.sos.alabama.gov/alabama-votes">https://www.sos.alabama.gov/alabama-votes</a>