

OFFICE OF THE ATTORNEY GENERAL



CHARLES A. GRADDICK

ATTORNEY GENERAL
STATE OF ALABAMA

ADMINISTRATIVE BUILDING
64 NORTH UNION STREET
MONTGOMERY, ALABAMA 36130
AREA (205) 834-5150

JAMES R. SOLOMON, JR.
DEPUTY ATTORNEY GENERAL

H. WARD MCMLIAN, JR.
EXECUTIVE ASSISTANT

WALTER S. TURNER
CHIEF ASSISTANT ATTORNEY GENERAL

JANIE NOBLES
ADMINISTRATIVE ASSISTANT

MAR 29 1984

Honorable Don Siegelman
Secretary of State
The Capitol
Montgomery, Alabama 36130

Elections - Registrars, Boards of - Citizenship - Voter Registration

Board of registrars may request that naturalized citizen present naturalization papers to establish that he or she is eligible to vote.

Dear Mr. Siegelman:

I am responding to your request for an opinion of March 9, 1984, concerning a naturalized American who has been asked to show proof of naturalization prior to registering to vote. You state:

"I would appreciate your formal opinion as to whether the applicant for voter registration must furnish copies of naturalization papers to the Board of Registrars when registering or is it the responsibility of the Board of Registrars to determine each individual's eligibility to vote."

In response to your inquiry, Section 17-4-123, Code of Alabama 1975, provides in part:

"Any person making application to the board of registrars who fails to establish by evidence to the reasonable satisfaction of the board of registrars that he or she is qualified to register, may be refused registration."

As you can see, this section places the burden or responsibility on the applicant to provide information sufficient to

Hon. Don Siegelman
Page 2

reasonably satisfy the members of the board that he or she is qualified to vote. The board may request such things as a drivers license or social security number to establish that a person is a resident or is old enough to vote. Similarly, they may request naturalization papers to establish that a person is a citizen. I find nothing unreasonable or unlawful in this request.

Very truly yours,

CHARLES A. GRADDICK
Attorney General
By-

Linda C. Breland

LINDA C. BRELAND
Assistant Attorney General

LCB/mi