

House Bill 132

By: Representatives Mainor of the 56th, Dukes of the 154th, Scott of the 76th, Lim of the 99th,
and Roberts of the 52nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to
2 elections and primaries generally, so as to provide for written operating procedures for
3 elections and voter registration activities in each county; to provide for State Election Board
4 approval; to provide for contents and scope of procedures; to provide for sanctions for failure
5 to submit acceptable operating procedures; to provide for certain reports; to provide for
6 county legislative oversight advisory boards; to provide for membership and duties; to
7 provide for sanctions for violations of oaths of office by election officials and poll managers
8 and clerks; to provide for related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and
12 primaries generally, is amended by adding a new Code section to read as follows:

13 "21-2-31.1.

14 (a) In addition to the duties prescribed in Code Section 21-2-31, the State Election Board
15 shall require each county election superintendent and each board of registrars and all

16 related staff members to develop and adhere to written operating procedures which have
17 been approved by the State Election Board.

18 (b) Not later than January 31 of each odd-numbered year, the State Election Board shall
19 require each county election superintendent and each board of registrars to submit written
20 operating procedures for the conduct of elections and voter registration in each such county
21 to the State Election Board. The State Election Board shall review such operating
22 procedures for compliance with law and best operating practices for elections and
23 registrations. Such review shall be completed by April 1 of each odd-numbered year. If
24 the State Election Board does not approve the operating procedures for a county, the State
25 Election Board shall notify the county in writing of its deficiencies as soon as possible.
26 The county shall then have 30 days from the receipt of the notice of deficiencies to correct
27 its operating procedures and resubmit the plan for approval. Failure to submit an
28 acceptable plan by July 1 of each odd-numbered year shall subject the county to sanctions
29 by the State Election Board pursuant to Code Section 21-2-33.1.

30 (c) At a minimum, the State Election Board shall require such operating procedures to
31 have guidelines for:

- 32 (1) Weekly, quarterly, and pre and post election team meetings with recorded minutes
33 that are open to the public;
34 (2) The processing of absentee ballot applications and absentee ballots;
35 (3) The validation of signatures on absentee ballot applications, absentee ballot
36 envelopes, and other election related documents;
37 (4) Qualifications for election and voter registration staff and officials;
38 (5) Job descriptions for all election and voter registration staff and officials;
39 (6) Procedures regarding the handling of election and voter registration complaints;
40 (7) The referral of complaints involving criminal conduct to the prosecuting attorney for
41 the jurisdiction; and

42 (8) Minimum communication standards for election communications with municipal
43 clerks.

44 (d) Each county shall report on a quarterly basis to the State Election Board and the county
45 legislative oversight advisory board and provide the following information:

46 (1) A summary of all election or voter registration related complaints received by the
47 county during the reporting period;

48 (2) Relevant statistics for the reporting period;

49 (3) Community engagement and community outreach efforts during the reporting period;

50 (4) A listing of all personnel hirings, terminations, and suspensions;

51 (5) A summary of the budget status for the county for elections and voter registration;

52 (6) An explanation of the county's efforts to achieve best practices with regard to
53 elections and voter registration and the outcomes of such efforts; and

54 (7) Such other information as directed by the State Election Board."

55 **SECTION 2.**

56 Said chapter is further amended in Article 2, relating to supervisory boards and officers, by
57 adding a new part to read as follows:

58 "Part 5

59 21-2-105.

60 (a) There is created in each county a legislative oversight advisory board. Each member
61 of the General Assembly who represents all or any portion of the county shall appoint an
62 elector of the county to serve as a member of the legislative oversight advisory board for
63 the county. The members of such legislative oversight advisory board shall serve at the
64 pleasure of the member of the General Assembly who appointed such member.

65 (b) The legislative oversight advisory board shall provide suggestions and feedback to the
66 election and voter registration officials of the county with regard to election and voter
67 registration practices, community engagement and outreach, and other such matters."

68 **SECTION 3.**

69 Said chapter is further amended in Article 15, relating to miscellaneous offenses, by adding
70 a new Code section to read as follows:

71 "21-2-584.1.

72 Any elections official or poll officer who willfully and intentionally violates the terms of
73 his or her oath as prescribed by law shall, upon conviction thereof, be punished by
74 imprisonment for not less than one nor more than five years."

75 **SECTION 4.**

76 All laws and parts of laws in conflict with this Act are repealed.