

House Bill 176

By: Representatives Shannon of the 84<sup>th</sup>, Bruce of the 61<sup>st</sup>, Nguyen of the 89<sup>th</sup>, McLeod of the 105<sup>th</sup>, and Dreyer of the 59<sup>th</sup>

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 primaries and elections generally, so as to provide that any agency that utilizes applications  
3 to provide services or assistance to persons in this state shall provide voter registration  
4 applications to such individuals; to provide for procedures; to provide for related matters; to  
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and  
9 elections generally, is amended by revising Code Section 21-2-222, relating to designated  
10 voter registration agencies and offices, definitions, and duties of agencies and offices, as  
11 follows:

12 "21-2-222.

13 (a) As used in this Code section, the term:

14 (1) 'Persons with disabilities' means persons who have physical disabilities, including,  
15 but not limited to, any physical or neurological impairment which severely restricts a  
16 person's mobility or manual dexterity; substantial loss of speech, sight, or hearing; or loss  
17 of one or more limbs or use thereof; but such term shall not include nonphysical  
18 disabilities, mental or emotional disabilities, or disabilities based upon substance abuse.

19 (2) 'Public assistance' means the food stamp program; the Medicaid program; the  
20 Women, Infants, and Children program; and the Temporary Assistance for Needy  
21 Families program.

22 (3) 'Recruitment office of the armed forces of the United States' includes both regular  
23 and reserve forces recruitment offices and national guard recruitment offices.

24 (b) Each office in this state:

25 (1) Which provides public assistance;

26 (2) Which provides state funded programs primarily engaged in providing services to  
27 persons with disabilities; and

28 (3) Which is a recruitment office of the armed forces of the United States located within  
29 this state

30 shall be designated voter registration agencies.

31 (c) In addition to the offices listed in subsection (b) of this Code section, the Secretary of  
32 State shall designate all other offices which utilize applications for services within the state  
33 as designated voter registration offices. Such offices may include, but not be limited to:

34 (1) State or local governmental offices such as professional licensing offices, tax offices,  
35 public libraries, public schools, offices of county and municipal clerks, and government  
36 revenue offices; and

37 (2) Federal and nongovernmental offices, with the agreement of such offices.

38 (d) At each designated voter registration agency, the ~~following services shall be made~~  
39 ~~available:~~

40 ~~(1) Distribution of the mail voter registration application provided for in Code Section~~  
41 ~~21-2-223 in accordance with subsection (f) of this Code section;~~

42 ~~(2) Assistance to applicants in completing voter registration application forms, unless the~~  
43 ~~applicant refuses such assistance; and~~

44 ~~(3) Acceptance of completed voter registration application forms for submission to the~~  
45 ~~Secretary of State agency shall, on each form used by the public to apply for services or~~  
46 ~~assistance from the agency, obtain all necessary information as specified by the Secretary~~  
47 ~~of State for voter registration.~~

48 ~~(e) If a designated voter registration agency under paragraph (2) of subsection (b) of this~~  
49 ~~Code section provides services to a person with a disability at the person's home, the~~  
50 ~~agency shall provide the services described in subsection (d) of this Code section at such~~  
51 ~~person's home~~ Reserved.

52 (f) A designated voter registration agency that provides service or assistance in addition  
53 to conducting voter registration shall:

54 (1) ~~Distribute~~ Obtain with each application for such service or assistance and with each  
55 recertification, renewal, or change of address form relating to such service or assistance,  
56 ~~when such application, recertification, renewal, or change of address is made in person,~~  
57 ~~the mail~~ the information for voter registration application form ~~provided for in Code~~  
58 ~~Section 21-2-223~~ specified by the Secretary of State unless the applicant declines in  
59 writing to register to vote;

60 (2) Distribute a form provided by the Secretary of State to accompany the ~~voter~~  
61 ~~registration~~ application form which includes:

- 62 (A) The question '~~If you are not registered to vote where you live now, would~~ Would  
 63 you like to apply to register to vote ~~here~~ today?';
- 64 (B) If the agency provides public assistance, the statement 'Applying to register or  
 65 declining to register to vote will not affect the amount of assistance that you will be  
 66 provided by this agency.';
- 67 (C) ~~Boxes~~ A box for the applicant to ~~check to indicate whether the applicant is~~  
 68 ~~presently registered, would like to register, or declines~~ decline to register to vote with  
 69 the statement 'IF YOU DO NOT CHECK ~~ANY~~ THE BOX, YOU WILL BE  
 70 CONSIDERED TO HAVE DECIDED ~~NOT~~ TO REGISTER TO VOTE AT THIS  
 71 TIME.' in close proximity to the ~~boxes~~ box and in prominent type; and
- 72 ~~(D) The statements 'If you would like help in filling out the voter registration~~  
 73 ~~application form, we will help you. The decision whether to seek or accept help is~~  
 74 ~~yours. You may fill out the application in private.'; and~~
- 75 ~~(E)~~(D) The statement 'If you believe that someone has interfered with your right to  
 76 register or to decline to register to vote or your right to privacy in deciding whether to  
 77 register or in applying to register to vote, you may file a complaint with the Secretary  
 78 of State at (insert address and telephone number).'; and
- 79 (3) Provide to each applicant who does not decline to apply to register to vote the same  
 80 degree of assistance with regard to the completion of the ~~voter registration~~ application  
 81 form as is provided by the office with regard to the completion of its own forms, unless  
 82 the applicant refuses such assistance.
- 83 (g) If an applicant fails to check ~~any~~ the box on the form required by subparagraph  
 84 (f)(2)(C) of this Code section, the applicant shall be deemed to have ~~declined~~ decided  
 85 apply to register to vote.
- 86 (h) No information relating to a declination to apply to register to vote in connection with  
 87 an application made at an office described in subsection (f) of this Code section may be  
 88 used for any purpose other than voter registration and shall not be subject to public  
 89 inspection.
- 90 (i) Each office shall transmit the completed voter registration application forms or  
 91 information to the Secretary of State at least once per week, except that, during the 15 days  
 92 leading up to a registration deadline for a primary or election, such applications shall be  
 93 transmitted to the Secretary of State at the conclusion of each business day. The Secretary  
 94 of State shall forward the applications to the appropriate county board of registrars to  
 95 determine the eligibility of the applicant and, if found eligible, to add the applicant's name  
 96 to the list of electors and to place the applicant in the correct precinct and voting districts.
- 97 (j) Each office shall maintain such statistical records on the number of registrations and  
 98 declinations as requested by the Secretary of State.

99 (k) Persons providing the services described in ~~subsection (d)~~ of this Code section shall  
100 not:

101 (1) Seek to influence an applicant's political preference;

102 (2) Display any such political preference or political party or body allegiance;

103 (3) Make any statement to an applicant or take any action the purpose or effect of which  
104 is to discourage the applicant from applying to register to vote; or

105 (4) Make any statement to an applicant or take any action the purpose or effect of which  
106 is to lead the applicant to believe that a decision to apply to register or not to apply to  
107 register to vote has any bearing on the availability of services or benefits.

108 (l) The Secretary of State shall have the authority to promulgate rules and regulations to  
109 provide for the transmission of voter registration applications and signatures electronically  
110 from ~~public assistance offices, offices which provide state funded programs primarily~~  
111 ~~engaged in providing services to persons with disabilities, and recruitment offices of the~~  
112 ~~armed forces of the United States located within this state~~ such designated voter  
113 registration agencies. Such electronically transmitted signatures shall be valid as signatures  
114 on the voter registration application and shall be treated in all respects as a manually  
115 written original signature and shall be recognized as such in any matter concerning the  
116 voter registration application."

117 **SECTION 2.**

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