

House Bill 228

By: Representatives Byrd of the 20th, Powell of the 32nd, Kelley of the 16th, Williamson of the 115th, Gravley of the 67th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 21-2-417 of the Official Code of Georgia Annotated, relating to
2 presentation of identification to poll workers, form of proper identification, swearing of
3 statement when unable to produce proper identification, provisional ballots for those, and
4 penalty for false statement under oath, so as to provide that certain driver's licenses and
5 identification cards shall not be proper identification for presentation to a poll worker; to
6 amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and
7 traffic, so as to require the term "BEARER NOT A U.S. CITIZEN -- NOT VOTER ID" to
8 be included on certain licenses, permits, and identification cards; to require the Department
9 of Driver Services to participate in the Records and Information from DMVs for E-Verify
10 (RIDE) program of the United States Department of Homeland Security; to provide for
11 related matters; to provide for an effective date; to repeal conflicting laws; and for other
12 purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 **SECTION 1.**

15 Code Section 21-2-417 of the Official Code of Georgia Annotated, relating to presentation
16 of identification to poll workers, form of proper identification, swearing of statement when

H. B. 228

17 unable to produce proper identification, provisional ballots for those, and penalty for false
18 statement under oath, is amended by revising subsection (a) as follows:

19 "(a)(1) Except as provided in subsection (c) of this Code section, each elector shall
20 present proper identification to a poll worker at or prior to completion of a voter's
21 certificate at any polling place and prior to such person's admission to the enclosed space
22 at such polling place.

23 (2) Proper identification required under paragraph (1) of this subsection shall consist:

24 (A) Consist of any one of the following:

25 ~~(1)~~(i) A Georgia driver's license which was properly issued by the appropriate state
26 agency, except as provided for in subparagraph (B) of this paragraph;

27 ~~(2)~~(ii) A valid Georgia voter identification card issued under Code Section
28 21-2-417.1 or other valid identification card issued by a branch, department, agency,
29 or entity of the State of Georgia, any other state, or the United States authorized by
30 law to issue personal identification, provided that such identification card contains a
31 photograph of the elector, except as provided for in subparagraph (B) of this
32 paragraph;

33 ~~(3)~~(iii) A valid United States passport;

34 ~~(4)~~(iv) A valid employee identification card containing a photograph of the elector
35 and issued by any branch, department, agency, or entity of the United States
36 government, this state, or any county, municipality, board, authority, or other entity
37 of this state;

38 ~~(5)~~(v) A valid United States military identification card, provided that such
39 identification card contains a photograph of the elector; or

40 ~~(6)~~(vi) A valid tribal identification card containing a photograph of the elector; and

41 (B) Not consist of a driver's license or identification card issued to a noncitizen,
42 including, but not limited to, a driver's license or identification card issued pursuant to
43 Code Section 40-5-21.1."

44 **SECTION 2.**

45 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is
46 amended in Code Section 40-5-21.1, relating to temporary licenses, permits, or special
47 identification cards, foreign licenses or identification cards as evidence of legal presence in
48 the United States, and extensions, by adding a new subsection to read as follows:

49 "(d) A temporary license, permit, or special identification card issued pursuant to this Code
50 section shall include, in a prominent location, the term 'BEARER NOT A U.S. CITIZEN
51 -- NOT VOTER ID'."

52 **SECTION 3.**

53 Said title is further amended by adding a new Code section to read as follows:

54 "40-16-9.

55 On or after July 1, 2021, the department shall participate in the Records and Information
56 from DMVs for E-Verify (RIDE) program of the United States Department of Homeland
57 Security. The commissioner shall promulgate rules and regulations for the department's
58 participation in such program."

59 **SECTION 4.**

60 This Act shall become effective upon its approval by the Governor or upon its becoming law
61 without such approval.

62 **SECTION 5.**

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