

House Bill 250

By: Representatives Alexander of the 66th, Trammell of the 132nd, Oliver of the 82nd, Shannon of the 84th, Nguyen of the 89th, and others

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 for procedures for processing voter
3 registration applications; to provide for additional voter registration agencies; to provide for
4 electronic submission of forms from certain agencies; to provide for the date of registration
5 when application is made to agencies; to provide for certain notices to applicants; to provide
6 for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and
10 elections generally, is amended by revising subsections (c) and (d) of Code
11 Section 21-2-220.1, relating to required documentation for voter registration, as follows:

12 "(c) The authenticity of an applicant's Georgia driver's license number, identification card
13 number of an identification card issued pursuant to Article 5 of Chapter 5 of Title 40, or
14 the last four digits of the social security number may be verified by:

15 (1) The board of registrars matching the Georgia driver's license number, identification
16 card number of an identification card issued pursuant to Article 5 of Chapter 5 of
17 Title 40, or the last four digits of the social security number provided by the applicant
18 with the applicant's record on file with the Department of Driver Services or the federal
19 Social Security Administration; or

20 (2) The applicant providing sufficient evidence to the board of registrars to verify the
21 applicant's identity, which sufficient evidence includes, but is not limited to, providing
22 one of the forms of identification listed in subsection (a) of Code Section 21-2-417.

23 Prior to notifying an applicant that his or her identity cannot be verified pursuant to this
24 Code section, the board of registrars shall review the application to confirm that the failure
25 to verify is not the result of a data entry error or other fault of the board of registrars and
26 to confirm that the applicant did not provide sufficient evidence of his or her identity with

27 the application. The board of registrars shall notify the applicant by mail, email, and
28 telephone that his or her application lacks sufficient information to verify such applicant's
29 identity and shall provide information to the applicant regarding how the applicant can cure
30 such insufficiency. Insignificant typographical errors or inconsequential differences in
31 information or signatures shall not constitute a basis for the rejection of an application.
32 Such determination of whether a typographical error is insignificant or a difference is
33 inconsequential shall be made by agreement of at least three members of the board of
34 registrars or at least three staff members of the board of registrars.

35 (d)(1) If a completed voter registration application has been received by the registration
36 deadline set by Code Section 21-2-224 but the Georgia driver's license number, the
37 identification card number of an identification card issued pursuant to Article 5 of
38 Chapter 5 of Title 40, or the last four digits of the social security number provided by the
39 applicant cannot be verified, the applicant shall be notified by mail and email within five
40 days that the number cannot be verified and that the applicant must provide sufficient
41 evidence to the board of registrars to verify the applicant's identity in order to have his
42 or her application processed by the board of registrars. The board of registrars shall also
43 notify the applicant by telephone.

44 (2) If the applicant provides such sufficient evidence on or before the date of a primary
45 or election to the board of registrars, the absentee ballot clerk, or a poll manager, and if
46 the applicant is found eligible to vote, the applicant shall be added to the list of electors
47 and shall be permitted to vote in the primary or election and any runoff resulting
48 therefrom and subsequent primaries and elections.

49 (3) If the applicant has not provided such sufficient evidence or such number has not
50 otherwise been verified on or before the date of a primary or election, the applicant
51 presenting himself or herself to vote shall be provided a provisional ballot. The
52 provisional ballot shall be counted only if such number is verified by the end of the time
53 period set forth in subsection (c) of Code Section 21-2-419 or if the applicant presents
54 sufficient evidence to the board of registrars to verify the applicant's identity, by the end
55 of the time period set forth in subsection (c) of Code Section 21-2-419.

56 (4) The voter application shall be rejected if the Georgia driver's license number,
57 identification card number of an identification card issued pursuant to Article 5 of
58 Chapter 5 of Title 40, or last four digits of the social security number provided by the
59 applicant is not verified and the applicant fails to present sufficient evidence to the board
60 of registrars to verify the applicant's identity within 26 months following the date of the
61 application. Within 60 days prior to the rejection of the application, the board of
62 registrars shall send a final notice by mail and email to the applicant stating that the
63 applicant must provide sufficient evidence to the board of registrars verifying the

64 applicant's identity in order to have his or her application processed by the board of
 65 registrars. In addition, the board of registrars shall also contact the applicant by telephone
 66 to provide the applicant with such notice.

67 (5) This subsection shall not apply to an electronic voter registration application
 68 submitted pursuant to Code Section 21-2-221.2."

69 **SECTION 2.**

70 Said chapter is further amended by revising Code Section 21-2-222, relating to designated
 71 voter registration agencies and offices, definitions, and duties of agencies and offices, as
 72 follows:

73 "21-2-222.

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

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

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

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

86 (b) Each office in this state:

87 (1) Which provides public assistance;

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

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

92 shall be designated voter registration agencies.

93 (c) In addition to the offices listed in subsection (b) of this Code section, the Secretary of
 94 State shall designate other offices within the state as designated voter registration offices
 95 if such offices request to be so designated. Such offices may include, but not be limited
 96 to:

97 (1) State or local governmental offices such as public libraries, public schools, offices
 98 of county and municipal clerks, and government revenue offices; and

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

100 (d) At each designated voter registration agency, the following services shall be made
101 available:

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

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

106 (3) Acceptance of completed voter registration application forms for submission to the
107 Secretary of State.

108 (e) If a designated voter registration agency under paragraph (2) of subsection (b) of this
109 Code section provides services to a person with a disability at the person's home, the
110 agency shall provide the services described in subsection (d) of this Code section at such
111 person's home.

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

114 (1) Distribute with each application for such service or assistance and with each
115 recertification, renewal, or change of address form relating to such service or assistance,
116 when such application, recertification, renewal, or change of address is made in person,
117 the mail voter registration application form provided for in Code Section 21-2-223 unless
118 the applicant declines in writing to register to vote;

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

121 (A) The question 'If you are not registered to vote where you live now, would you like
122 to apply to register to vote here today?';

123 (B) If the agency provides public assistance, the statement 'Applying to register or
124 declining to register to vote will not affect the amount of assistance that you will be
125 provided by this agency.';

126 (C) Boxes for the applicant to check to indicate whether the applicant is presently
127 registered, would like to register, or declines to register to vote with the statement 'IF
128 YOU DO NOT CHECK ANY BOX, YOU WILL BE CONSIDERED TO HAVE
129 DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.' in close proximity to the
130 boxes and in prominent type;

131 (D) The statements 'If you would like help in filling out the voter registration
132 application form, we will help you. The decision whether to seek or accept help is
133 yours. You may fill out the application in private.'; and

134 (E) The statement 'If you believe that someone has interfered with your right to register
135 or to decline to register to vote or your right to privacy in deciding whether to register

136 or in applying to register to vote, you may file a complaint with the Secretary of State
137 at (insert address and telephone number).'; and

138 (3) Provide to each applicant who does not decline to apply to register to vote the same
139 degree of assistance with regard to the completion of the voter registration application
140 form as is provided by the office with regard to the completion of its own forms, unless
141 the applicant refuses such assistance.

142 (g) If an applicant fails to check any box on the form required by subparagraph (f)(2)(C)
143 of this Code section, the applicant shall be deemed to have declined to apply to register to
144 vote.

145 (h) No information relating to a declination to apply to register to vote in connection with
146 an application made at an office described in subsection (f) of this Code section may be
147 used for any purpose other than voter registration and shall not be subject to public
148 inspection.

149 (i) Each office shall transmit the completed voter registration application forms to the
150 Secretary of State at least once per week, except that, during the 15 days leading up to a
151 registration deadline for a primary or election, such applications shall be transmitted to the
152 Secretary of State at the conclusion of each business day. The Secretary of State shall
153 forward the applications to the appropriate county board of registrars to determine the
154 eligibility of the applicant and, if found eligible, to add the applicant's name to the list of
155 electors and to place the applicant in the correct precinct and voting districts.

156 (j) Each office shall maintain such statistical records on the number of registrations and
157 declinations as requested by the Secretary of State.

158 (k) Persons providing the services described in subsection (d) of this Code section shall
159 not:

- 160 (1) Seek to influence an applicant's political preference;
- 161 (2) Display any such political preference or political party or body allegiance;
- 162 (3) Make any statement to an applicant or take any action the purpose or effect of which
163 is to discourage the applicant from applying to register to vote; or
- 164 (4) Make any statement to an applicant or take any action the purpose or effect of which
165 is to lead the applicant to believe that a decision to apply to register or not to apply to
166 register to vote has any bearing on the availability of services or benefits.

167 (l) The Secretary of State shall have the authority to promulgate rules and regulations to
168 provide for the transmission of voter registration applications and signatures electronically
169 from ~~public assistance offices, offices which provide state funded programs primarily~~
170 ~~engaged in providing services to persons with disabilities, and recruitment offices of the~~
171 ~~armed forces of the United States located within this state~~ designated voter registration
172 agencies under this Code section. Such electronically transmitted signatures shall be valid

173 as signatures on the voter registration application and shall be treated in all respects as a
174 manually written original signature and shall be recognized as such in any matter
175 concerning the voter registration application."

176 **SECTION 3.**

177 Said chapter is further amended in Code Section 21-2-224, relating to registration deadlines,
178 restrictions on voting in primaries, official list of electors, and voting procedure when portion
179 of county changed from one county to another, by adding a new subsection to read as
180 follows:

181 "(c.2) Applications for voter registration submitted at any designated voter registration
182 agency under Code Section 21-2-222 shall, if found eligible, be deemed to have been made
183 as of the date the application was submitted to such agency."

184 **SECTION 4.**

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