

House Bill 366

By: Representatives Momtahan of the 17th, Gullett of the 19th, Ridley of the 6th, Ehrhart of the 36th, Williams of the 145th, 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 that persons desiring to register to vote or
3 update their voter registration through an application for a driver's license or identification
4 card shall be required to affirmatively indicate such desire on such application; to provide
5 for related matters; to 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 21-2-221, relating to driver's
10 license or identification card application as application for voter registration, forms and
11 procedure, and electronic transmission of applications and signatures, as follows:

12 "21-2-221.

13 (a) Each application to obtain, renew, or change the name or address on a driver's license
14 or identification card issued by the Department of Driver Services pursuant to Chapter 5
15 of Title 40 made by an applicant who is within six months of such applicant's eighteenth
16 birthday or older shall also serve as an application for voter registration ~~unless~~ if the

17 applicant ~~declines~~ affirmatively and specifically on such application indicates his or her
18 desire to register to vote ~~through specific declination or by failing to sign~~ and signs the
19 voter registration application.

20 (b) The commissioner of driver services and the Secretary of State shall agree upon and
21 design such procedures and forms as will be necessary to comply with this Code section.

22 (c) The forms designed by the commissioner of driver services and the Secretary of State:

23 (1) Shall not require the applicant to duplicate any information required in the driver's
24 license portion of the application with the exception of a second signature;

25 (2) Shall include such information as required on other voter registration cards issued by
26 the Secretary of State;

27 (3) Shall contain a statement that states each eligibility requirement contained in Code
28 Section 21-2-216, that contains an attestation that the applicant meets each such
29 requirement, and that requires the signature of the applicant under penalty of perjury; and

30 (4) Shall include, in print that is identical to that used in the attestation, the penalties
31 provided by law for submission of a false voter registration application; and a statement
32 that, if an applicant declines to register to vote, the fact that the applicant has declined to
33 register will remain confidential and will be used only for voter registration purposes.

34 (d) Any change of address submitted to the Department of Driver Services for the purpose
35 of changing the information contained on a driver's license or identification card issued by
36 the Department of Driver Services shall serve as a notification of change of address for
37 voter registration ~~unless~~ if the registrant affirmatively states that at the time of submitting
38 the change of address that the change of address is ~~not~~ also for voter registration purposes.

39 (e) The Department of Driver Services shall transmit the completed applications for voter
40 registration to the Secretary of State at the conclusion of each business day. The Secretary
41 of State shall forward the applications to the appropriate county board of registrars to
42 determine the eligibility of the applicant and, if found eligible, to add the applicant's name
43 to the list of electors and to place the applicant in the correct precinct and voting districts.

44 (f) The Department of Driver Services shall maintain such statistical records on the
45 number of registrations and declinations as requested by the Secretary of State.

46 (g) No information relating to the failure of an applicant for a driver's license or
47 identification card issued by the Department of Driver Services to choose to register to vote
48 or to sign a voter registration application may be used for any purpose other than voter
49 registration.

50 (h) The Secretary of State and the commissioner of driver services shall have the authority
51 to promulgate rules and regulations to provide for the transmission of voter registration
52 applications and signatures electronically. Such electronically transmitted signatures shall
53 be valid as signatures on the voter registration application and shall be treated in all
54 respects as a manually written original signature and shall be recognized as such in any
55 matter concerning the voter registration application."

56

SECTION 2.

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