

House Bill 493

By: Representatives Blackmon of the 146<sup>th</sup>, Kelley of the 16<sup>th</sup>, Taylor of the 173<sup>rd</sup>, Powell of the 32<sup>nd</sup>, Hatchett of the 150<sup>th</sup>, 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 elections and primaries generally, so as to provide for the State Election Board to assume  
3 temporary control over local election and voter registration administration; to provide a  
4 definition; to provide for the appointment of the Secretary of State to carry out such local  
5 election and voter registration duties; to provide for limitations; to provide for the  
6 promulgation of rules and regulations; to provide for related matters; to repeal conflicting  
7 laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

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

12 "21-2-33.2.

13 (a) As used in this Code section the term 'local election official' means:

14 (1) A county board of elections or county board of elections and registration established  
15 pursuant to Code Section 21-2-40;

16 (2) A judge of the probate court fulfilling the role of election superintendent;

17 (3) A county board of registrants; or

18 (4) A municipal election superintendent.

19 (b) After conducting a hearing that investigated the administration of primary and election  
20 laws within a county or municipality as provided for in Code Section 21-2-33 and  
21 following an attempt to enforce this chapter pursuant to Code Section 21-2-33.1, the State  
22 Election Board may conduct a subsequent hearing, pursuant to Code Section 21-2-33, to  
23 determine whether to temporarily assert direct control over the local administration of this  
24 chapter and assume the election or voter registration duties of a local election official.

25 (c) If a majority of the State Election Board votes at a hearing conducted pursuant to  
26 subsection (b) of this Code section to assert direct control over the local administration of  
27 this chapter and assume the election or voter registration duties of the local election  
28 official, it may do so directly, or it may appoint the Secretary of State to assume, any part  
29 or all of the duties and responsibilities of a local election official arising from this chapter  
30 or any applicable local Act.

31 (d) A majority of the State Election Board may vote at any time to terminate its or the  
32 Secretary of State's assumption of the duties of a local election official if the State Election  
33 Board finds that the conditions warranting the direct control of election or voter registration  
34 administration have been resolved.

35 (e) The State Election Board, or the Secretary of State, shall not be authorized to assume  
36 the duties of a local election official pursuant to this Code section for a period exceeding 18  
37 months.

38 (f) At no time shall the State Election Board and the Secretary of State, jointly, administer  
39 local election and voter registration pursuant to this Code Section for more than eight local  
40 election officials.

41 (g) The State Election Board may promulgate rules and regulations so as to enure  
42 uniformity in the application and use of this Code section."

43

**SECTION 2.**

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