

House Bill 561

By: Representatives Carter of the 93rd, Mitchell of the 88th, Kendrick of the 95th, and Oliver of the 82nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 11 of Chapter 2 of Title 21 of the Official Code of Georgia
2 Annotated, relating to general provisions regarding preparation for and conduct of primaries
3 and elections, so as to provide that the election superintendent of a county may permit any
4 elector of the county to vote in any precinct of the county which such elector chooses in a
5 primary, election, or runoff under certain conditions; to provide for certain notices; to
6 provide for rules and regulations; to provide for related matters; to repeal conflicting laws;
7 and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Part 1 of Article 11 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated,
11 relating to general provisions regarding preparation for and conduct of primaries and
12 elections, is amended by adding a new Code section to read as follows:

13 "21-2-422.

14 (a) Notwithstanding any provision of this chapter to the contrary, the election
15 superintendent of a county may permit any elector of the county to vote in any precinct of

16 the county which such elector chooses in a primary, election, or runoff, provided that the
17 conditions of this Code section are met.

18 (b) Prior to choosing to implement subsection (a) of this Code section, the election
19 superintendent shall ensure that:

20 (1) Sufficient safeguards are in place to protect against an elector voting more than once
21 in the same primary, election, or runoff;

22 (2) A sufficient number of ballots of each ballot style used in the county are available at
23 each precinct polling place to accommodate electors who may choose to vote at such
24 polling place;

25 (3) If DRE voting equipment or ballot marking devices are to be used at such polling
26 places, a sufficient number of DRE voting units or ballot marking devices, as appropriate,
27 are available at each polling place to accommodate the potential number of electors who
28 may vote at such polling place; and

29 (4) Sufficient poll workers are available at each polling place to accommodate the
30 potential number of electors who may vote at such polling place.

31 (c) The election superintendent shall make the determination of whether to allow the
32 electors of the county to vote in any precinct of the county at least 30 days prior to a
33 primary or election and shall notify the Secretary of State in writing of such decision at
34 least 30 days before the primary or election. The election superintendent shall notify the
35 electors of such decision by posting prominent notices in the election superintendent's
36 office and on each polling place in the county. In addition, the election superintendent
37 shall advertise the decision in the legal organ of the county once a week for two weeks
38 immediately preceding the primary or election. If the election superintendent decides to
39 allow the electors of the county to vote in any precinct of the county in a primary or
40 election, such decision shall also apply to any runoff of such primary or election.

41 (d) The State Election Board shall be authorized to promulgate rules and regulations to
42 implement the provisions of this Code section."

43

SECTION 2.

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