

Senate Bill 189

By: Senators Burns of the 23rd, Dolezal of the 27th, Brass of the 28th, Anavitarte of the 31st,
Moore of the 53rd 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 the text portions of ballots produced
3 by ballot marking devices shall be counted for vote tabulation and recounts purposes instead
4 of any machine coding; to provide for related matters; to repeal conflicting laws; and for
5 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 in Code Section 21-2-379.23, relating to requirements for
10 ballot display, role of Secretary of State, and printed paper ballot controls during recount, by
11 revising subsection (d) as follows:

12 "(d) The text portion of the paper ballot marked and printed by the electronic ballot marker
13 indicating the elector's selection shall constitute the official ballot and shall ~~be used for, and~~
14 ~~govern the result in, constitute the official vote for purposes of vote tabulation,~~ any recount
15 conducted pursuant to Code Section 21-2-495, and any audit conducted pursuant to Code
16 Section 21-2-498. The official tabulation count of any ballot scanner shall be based upon

17 the text portion of such ballots and not any machine coding that is also printed on such
18 ballots."

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SECTION 2.

20 All laws and parts of laws in conflict with this Act are repealed.