

Senate Bill 26

By: Senators Rahman of the 5th, Au of the 48th, Jones II of the 22nd, Merritt of the 9th, Orrock of the 36th 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 absentee ballot drop boxes at every  
3 advance voting location; to provide for requirements and procedures regarding such drop  
4 boxes; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and  
8 primaries generally, is amended in Code Section 21-2-385, relating to procedure for voting  
9 by absentee ballot and advance voting, by adding a new subsection to read as follows:

10 "(e)(1) The registrars of each county shall establish a drop box location at each advance  
11 voting location in the county as a means for absentee electors to deliver their ballots to  
12 the registrars. The placing of a voted absentee ballot into a drop box shall be deemed  
13 delivery pursuant to this Code section and is subject to the limitations on who may  
14 deliver a ballot on behalf of an elector under this Code section.

15 (2) Drop box locations shall be open beginning 49 days prior to any primary or election  
16 other than a municipal primary or election. For a runoff, other than a municipal runoff,

17 drop box locations shall open on the first day of advance voting for such runoff. On the  
18 day of the primary, election, or runoff, every drop box shall be closed and the ballots  
19 collected at 7:00 p.m. Counties shall provide notice of the location of each drop box by  
20 posting such information on the home page of the county election website no later than  
21 the day the drop boxes are placed in a location.

22 (3) Drop box locations shall have adequate lighting and use a video recording device to  
23 monitor each drop box location. Video recordings of the drop box locations shall be  
24 retained by the registrars for a period of not less than 30 days after the final certification  
25 of the election, or until conclusion of any contest involving an election on the ballot in  
26 the county, whichever is later, and shall be made available to Secretary of State  
27 investigators upon request or to the public, upon request, as soon as possible either free  
28 of charge or at a reasonable charge.

29 (4) A drop box shall be constructed of durable material able to withstand vandalism and  
30 inclement weather. The opening slot of a drop box shall not allow ballots to be tampered  
31 with or removed and shall be designed to minimize the ability for liquid to be poured into  
32 the drop box or rain water to seep in. A drop box shall be securely fastened to the ground  
33 or an immovable fixture. If the drop box utilizes a drop slot into a building, the drop slot  
34 shall be designed so that the ballots drop into a locked container, and both the drop slot  
35 and the container shall be monitored by video recording devices. A drop box shall be  
36 clearly labeled 'OFFICIAL ABSENTEE BALLOT DROP BOX.' Each drop box location  
37 shall clearly display signage developed by the Secretary of State regarding Georgia law  
38 related to absentee ballot harvesting and destroying, defacing, or delaying delivery of  
39 ballots.

40 (5) Prior to the second Monday before a primary, election, or runoff, the registrars shall  
41 arrange for the collection of the ballots from each drop box at least once every 72 hours.  
42 Beginning on the second Monday before a primary, election, or runoff and up until 7:00  
43 p.m. on the day of the primary, election, or runoff, the registrars shall collect the ballots

44 from each drop box location at least once every 24 hours. On the day of the primary,  
45 election, or runoff, every drop box shall be closed and ballots collected at 7:00 p.m.  
46 Collection of ballots from a drop box shall be made by a team of at least two people. Any  
47 person collecting ballots from a drop box shall have sworn an oath in the same form as  
48 the oath for poll officers set forth in Code Section 21-2-95. The collection team shall  
49 complete and sign a ballot transfer form upon removing the ballots from the drop box,  
50 which shall include the date, time, location, and number of ballots. After emptying the  
51 drop box on 7:00 p.m. on the day of the primary, election, or runoff, the collection team  
52 shall close the drop box and indicate on the ballot transfer form that the drop box was  
53 emptied and closed. The ballots from the drop box shall be immediately transported to  
54 the county registrar and processed and stored in the same manner as absentee ballots  
55 returned by mail are processed and stored. The county registrar or a designee thereof  
56 shall sign the ballot transfer form upon receipt of the ballots from the collection team."

57

**SECTION 2.**

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