Senate Bill 68
By: Senators Mullis of the 53rd, Miller of the 49th, Gooch of the 51st, Walker III of the 20th, Albers of the 56th and others

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and primaries generally, so as to revise the manner of delivery of voted absentee ballots; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.
Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and primaries generally, is amended by revising subsection (a) of Code Section 21-2-385, relating to procedure for voting by absentee ballot and advance voting, as follows:

"(a) At any time after receiving an official absentee ballot, but before the day of the primary or election, except electors who are confined to a hospital on the day of the primary or election, the elector shall vote his or her absentee ballot, then fold the ballot and enclose and securely seal the same in the envelope on which is printed 'Official Absentee Ballot.' This envelope shall then be placed in the second one, on which is printed the form of the oath of the elector; the name and oath of the person assisting, if any; and other required identifying information. The elector shall then fill out, subscribe, and swear to the oath printed on such envelope. Such envelope shall then be securely sealed and the elector..."
shall then personally mail or personally deliver same to a registrar, deputy registrar, or clerk of the board of registrars or the absentee ballot clerk or clerk in the office of the absentee ballot clerk, provided that mailing or delivery as provided in this subsection may be made by the elector's mother, father, grandparent, aunt, uncle, brother, sister, spouse, son, daughter, niece, nephew, grandchild, son-in-law, daughter-in-law, mother-in-law, father-in-law, brother-in-law, sister-in-law, or an individual residing in the household of such elector. The absentee ballot of a disabled elector may be mailed or delivered as provided in this subsection by the caregiver of such disabled elector, regardless of whether such caregiver resides in such disabled elector's household. The absentee ballot of an elector who is in custody in a jail or other detention facility may be mailed or delivered as provided in this subsection by any employee of such jail or facility having custody of such elector. An elector who is confined to a hospital on a primary or election day to whom an absentee ballot is delivered by the registrar or absentee ballot clerk shall then and there vote the ballot, seal it properly, and return it to the registrar or absentee ballot clerk as provided in this subsection. If the elector registered to vote for the first time in this state by mail and has not previously provided the identification required by Code Section 21-2-220 and votes for the first time by absentee ballot and fails to provide the identification required by Code Section 21-2-220 with such absentee ballot, such absentee ballot shall be treated as a provisional ballot and shall be counted only if the registrars are able to verify the identification and registration of the elector during the time provided pursuant to Code Section 21-2-419. Absentee ballots shall not be delivered to the office of the board of registrars or absentee ballot clerk through drop boxes or other receptacles but shall be mailed or delivered personally to a registrar or absentee ballot clerk or other appropriate staff member of the office of the board of registrars or absentee ballot clerk.”

SECTION 2.

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

S. B. 68
- 2 -