

Senate Bill 79

By: Senators Jones II of the 22nd, Anderson of the 43rd, Harrell of the 40th, Parent of the 42nd, Butler of the 55th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 6 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated,  
2 relating to registration of voters, so as to enumerate the felonies involving moral turpitude  
3 whereby a person being convicted of such shall not register to, remain registered to, or vote;  
4 to provide for a definition; to provide that any person convicted of a felony and serving a  
5 term of incarceration, during such incarceration, shall not register to, remain registered to,  
6 or vote; to provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 6 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to  
10 registration of voters, is amended in Code Section 21-2-216, relating to qualifications of  
11 electors generally, reregistration of electors purged from list, eligibility of nonresidents who  
12 vote in presidential elections, retention of qualification for standing as elector, evidence of  
13 citizenship, and check of convicted felons and deceased persons databases, by revising  
14 subsection (b) as follows:

15 "(b)(1) As used in this subsection, the term 'felony involving moral turpitude' means the  
16 following felony offenses:

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- 17 (A) Murder in violation of Code Section 16-5-1;  
18 (B) Voluntary manslaughter in violation of Code Section 16-5-2;  
19 (C) Aggravated assault in violation of Code Section 16-5-21;  
20 (D) Battery in violation of subsection (e), (i), or (k) of Code Section 16-5-23.1;  
21 (E) Aggravated battery in violation of Code Section 16-5-24;  
22 (F) Female genital mutilation in violation of Code Section 16-5-27;  
23 (G) Kidnapping in violation of Code Section 16-5-40;  
24 (H) False imprisonment in violation of Code Section 16-5-41 or 16-5-42;  
25 (I) Malicious confinement of a sane person in an asylum in violation of Code Section  
26 16-5-43;  
27 (J) Hijacking an aircraft in violation of Code Section 16-5-44;  
28 (K) Hijacking a motor vehicle in violation of Code Section 16-5-44.1;  
29 (L) Trafficking a person for labor or sexual servitude in violation of Code Section  
30 16-5-46;  
31 (M) Aggravated stalking in violation of Code Section 16-5-91;  
32 (N) Trafficking a disabled adult, elder person, or resident in violation of Code Section  
33 16-5-102.1;  
34 (O) Rape in violation of Code Section 16-6-1;  
35 (P) Aggravated sodomy in violation of Code Section 16-6-2;  
36 (Q) Child molestation in violation of Code Section 16-6-4;  
37 (R) Enticing a child for indecent purposes in violation of Code Section 16-6-5;  
38 (S) Sexual battery in violation of subsection (d) or (e) of Code Section 16-6-22.1;  
39 (T) Burglary in violation of Code Section 16-7-1;  
40 (U) Smash and grab burglary in violation of Code Section 16-7-2;  
41 (V) Home invasion in violation of Code Section 16-7-5;  
42 (W) Armed robbery in violation of Code Section 16-8-41;  
43 (X) Violation of oath by public officer in violation of Code Section 16-10-1;

- 44 (Y) Bribery in violation of Code Section 16-10-2;  
45 (Z) Influencing of legislative action by state and local government officers and  
46 employees in violation of Code Section 16-10-4;  
47 (AA) Aiding or permitting another to escape lawful custody or confinement in  
48 violation of Code Section 16-10-53;  
49 (BB) Assailing, opposing, or resisting an officer of the law in a penal institution in  
50 violation of Code Section 16-10-54;  
51 (CC) Persuading, enticing, instigating, aiding, or abetting a person in a penal institution  
52 to commit mutiny in violation of Code Section 16-10-55;  
53 (DD) Unlawful acts of violence in a penal institution in violation of Code Section  
54 16-10-56;  
55 (EE) Treason in violation of Code Section 16-11-1;  
56 (FF) Insurrection in violation of Code Section 16-11-2;  
57 (GG) Inciting to insurrection in violation of Code Section 16-11-3;  
58 (HH) Domestic terrorism in violation of Code Section 16-11-221;  
59 (II) Sexual exploitation of children in violation of Code Section 16-12-100;  
60 (JJ) Obscene telephone contact in violation of Code Section 16-12-100.3; and  
61 (KK) Bus or rail vehicle hijacking and boarding with a concealed weapon in violation  
62 of Code Section 16-12-123.
- 63 (2) In addition to the qualifications in subsection (a) of this Code section, no person who  
64 has been convicted of a felony involving moral turpitude may register to, remain  
65 registered to, or vote except upon completion of the sentence and no person who has been  
66 judicially determined to be mentally incompetent may register to, remain registered to,  
67 or vote unless the disability has been removed.
- 68 (3)(A) In addition to the qualifications in subsection (a) of this Code section, no person  
69 who has been convicted of a felony and who is serving a period of incarceration for

70 such felony may, during such period of incarceration, register to, remain registered to,  
71 or vote.

72 (B) Subparagraph (A) of this paragraph shall not apply to a person who:

73 (i) Has completed the period of incarceration for the felony for which he or she was  
74 incarcerated;

75 (ii) Is on probation pursuant to Chapter 8 of Title 42;

76 (iii) Is on parole pursuant to Chapter 9 of Title 42;

77 (iv) Is subject to a drug abuse treatment and education program regulated by the  
78 Department of Community Health; or

79 (v) Is subject to a residential treatment program, outpatient drug treatment program,  
80 or day treatment program regulated under Title 37."

81 **SECTION 2.**

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