

# VOTER IMPACT SENATE BILL 202

**EFFECTIVE MARCH 2021**

## **THOSE IMPACTED: POLITICAL PARTIES/BODIES/NONPARTISAN CANDIDATES**

### **1. TRAINING OF POLL WATCHERS: 21-2-408, SEC 32, PAGE 73**

- \* Parties, bodies and candidates are now required by law to train Poll Watchers prior to them being appointed.
- \* Secretary of State will provide training to the groups so that they can train their Poll Watchers.
- \* Groups will be required to certify under oath that training was provided to all appointed Poll Watchers.

### **2. IN PARTISAN ELECTIONS - PARTIES/BODIES/NONPARTISAN CANDIDATES TO APPOINT MEMBERS OF THE BALLOT**

**DUPLICATION PANEL: 21-2-483, SEC 39, PAGE 83** – In addition to appointing members to the Vote Review Panel, Parties will also appoint one person to the Ballot Duplication Panel. The duties of this panel is to duplicate those ballots that are torn, bent, or otherwise defective that cannot be processed by the tabulation machine. The panel will consist of: Election Superintendent or designee and one person from each party with candidates on the ballot.

### **3. MAIL ABSENTEE BALLOT APPLICATION - REQUESTING A MAIL BALLOT: 21-2-381, SEC 25, PAGE 37**

#### **See Sample of NEW Absentee By Mail Application on Next Page (pg. 2)**

- \* Everyone must use only the Mail Absentee Application designed and provided by the Secretary of State (SOS).
- \* Prohibits SOS, Election Superintendent, Registrars, other governmental entities from directly sending absentee applications to voters, **except upon request**.
- \* Prohibits sending our Pre-Filled Absentee Applications other than by a relative or personal assisting an illiterate or physically disabled voter.
- \* Third parties must put disclaimer on Absentee Applications “not an official government publication...”.
- Absentee Ballot Applications can only be sent to voters who have not already requested an absentee ballot...Subject to \$100 fine per duplicate application.



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**4. BALLOT DROP BOXES: 21-2-382, SEC 26, PAGE 46**

Reduced Ballot Drop Boxes – Every County must have at least one. However, the requirement to have additional Ballot Drop Boxes are 1 Drop Box Per 100,000 Active Registered Voter or Per Early Voting Location, Whichever is lesser. Majority of the Counties will only be able to have ONE Ballot Drop Box. **Rockdale County will go from 8 Ballot Drop Boxes to One**

**5. NO GIVING OF FOOD OR DRINKS AT POLLING PLACES: 21-2-414, SEC 33, PAGE 73 – CAMPAIGN RESTRICTIONS**

Restrictions - Only Poll Officers will be able to make Self-Service and Unattended Water available at Polling Places. All others are prohibited from passing our Food and Drinks within (a) 150 Feet from the Outer Edge of the building of a Polling Place; (b) Inside of a Polling Place; (c) Within 25 feet of any voter standing in line to vote at a Polling Place.

**6. COUNTY REGISTERED VOTER - PROVISIONAL BALLOT BEFORE 5PM ON ELECTION DAY: 21-2-418, SEC 34, PAGE 74**

Provisional Ballots Cast by County Voters who appear at the Incorrect Voting Precinct on Election Day WILL NOT BE COUNTED UNLESS THEY ARE CAST BETWEEN THE HOURS OF 5PM AND POLL CLOSING TIME and the Voter Sign a Sworn Statement that they are unable to go to their assigned voting precinct prior to the closing of the polls and state the reason.

County Registrars will be required to submit the Statements to the Secretary of State for Review by the State Election Board.

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## **7. STATE ELECTION BOARD MAY SUSPEND COUNTY/CITY ELECTION SUPERINTENDENT FOR CAUSE: 21-2-33.1, SEC 6, PAGE 11**

\* State Election Board May Suspend County/Municipal Election Superintendent after notice and hearing, if at least three members of the SEB find that the Election Superintendent:

- ✓ Has committed at least three violations of Election Law or Election Rules/Regulations in the last two general election cycles; and has not sufficiently remedied the violations or,
- ✓ Has for at least two elections within a two-year period, demonstrated nonfeasance, malfeasance or gross negligence in the administration of elections.

\* State Election Board may appoint a temporary Election Superintendent who shall have the authority to make personnel decisions, including removing Director of Elections, Elections Supervisor, Staff and Poll Officers and authorized to make expenditure decisions.

\* State Election Board cannot suspend more than 4 County/Municipal Election Superintendents.

\* Governing Authority (including State Representatives and State Senators) authority to petition the State Election Board for removal of an Election Superintendent.

## **8. BANS COUNTY/CITY ACCEPTANCE OF PUBLIC GRANT FUNDS, GIFTS OR FUNDS NOT FROM FEDERAL STATE, OR COUNTY GOVERNMENT: 21-2-71, SEC 9, PAGE 17** – Counties and Cities can no longer accept any funding, grants, or gifts from any source other than the governing authority, State of Georgia or the Federal Government.

## **9. POLL OFFICERS (POLL WORKERS) MAY SERVE IN ADJOINING COUNTY: 21-2-92, SEC 11, PAGE 19**

Poll Officers are now allowed to serve in an adjacent county if the Election Superintendent waives the residency requirement and the county of residence has enough Poll Officers.

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## BECAME EFFECTIVE JULY 1, 2021

### 10. MAIL ABSENT BALLOT REQUIREMENTS: 21-2-381, SEC 25, PAGE 37

**SEE PAGE 2 FOR SAMPLE OF BY MAIL ABSENTEE BALLOT APPLICATION**

New Requirements for Voting a Mail Absentee Ballot:

- Request cannot be made earlier than 78 Days before an Election and No Later than 11 Days before an Election.
- Voter must provide GA Driver's License# or GA ID#. If voter does not have a GA DL/ID, provide one of the following IDs required under 21-2-417: (a) Current Utility Bill; (b) Bank Statement; (c) Government Check; (d) Paycheck; (e) or other government document that shows the name and address of such elector. IF NO ID, BECOMES A PROVISIONAL BALLOT WITH CURE PROVISIONS.
- Can Only use the Absentee Ballot Request Application Provided by the Secretary of State

### 11. ADDITIONAL REQUIRMENTS AND RESTRICTIONS REGARDING MAIL ABSENTEE BALLOTING

- Pre-filled Absentee Applications are not permitted unless pre-filled by the voter or a person authorized by law to assist the voter
- County Registrars and Secretary of State must have the Absentee Application Available Online; BUT is prohibited from sending out Absentee Applications unless requested by the voter.
- Mail Absentee Ballot Requests can only be submitted using the Application created by the Secretary of State
- Mail Absentee Ballot Request Applications can only be sent to voters who have not voted. \$100 fine per voter
- Only those Individuals Qualified by Law may handle another voter's Absentee Ballot. Now a Misdemeanor

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**BECAME EFFECTIVE JULY 1, 2021**

## **12. RETURNING A VOTED MAIL ABSENT BALLOT: 21-2-385, SEC 28, PAGE 57**

- Period for the Registrar to Mail the Absentee Ballot – Beginning 29 Days and No Later Than 25 Days before an Election. During Advance Voting Must mail within 3 days of receiving a request (last day a voter may request a mail ballot 11 days before the election.
- On Back of Oath Absentee Envelope – Return Ballot Envelope - Voter must provide GA Driver's License# or GA ID#. If voter does not have a GA DL/ID, provide Last 4 Digits of Social Security Number; If NO GA DL/ID and NO SSN, Provide one of the following IDs required under 21-2-417: (a) Current Utility Bill; (b) Bank Statement; (c) Government Check; (d) Paycheck; (e) or other government document that shows the name and address of such elector. IF NO ID, BECOMES A PROVISIONAL BALLOT WITH CURE PROVISIONS.
- Voter Signs an Oath stating that they marked their own ballot or was Assisted by a Person Authorized by Law.
- Person assisting a Voter to Complete their Ballot, must sign the back of the Oath.