

# **IMPACT SENATE BILL 202 (2021)**



## **STATE OF GEORGIA**

**PRESENTED BY:**

**CYNTHIA WILLINGHAM**

**ELECTIONS SUPERVISOR**

**ROCKDALE COUNTY BOARD OF ELECTIONS/VOTER REGISTRATION**

# ABOUT GEORGIA VOTERS

## Population – 10.7 Million

### GEORGIA'S JANUARY 5, 2021 SPECIAL ELECTION RUNOFF – U.S. SENATE

Party / Candidate	Votes
David A. Perdue (I) (Rep)	2,214,979 49.39%
Election Day Votes: 837741 Provisional Votes: 3148 Absentee by Mail Votes: 350147 Advanced Voting Votes: 1023943	
Jon Osoff (Dem)	2,269,923 50.61%
Election Day Votes: 479157 Provisional Votes: 6889 Absentee by Mail Votes: 733991 Advanced Voting Votes: 1048886	
Votes Cast 4,484,902	
1316898	1084138
Election Day Votes	Absentee by Mail Votes
2073829	10037
Advanced Voting Votes	Provisional Votes

Party / Candidate	Votes
Kelly Loeffler (I) (Rep)	2,195,841 48.96%
Election Day Votes: 830949 Provisional Votes: 3093 Absentee by Mail Votes: 344492 Advanced Voting Votes: 1017307	
Raphael Warnock (Dem)	2,289,113 51.04%
Election Day Votes: 485811 Provisional Votes: 6941 Absentee by Mail Votes: 739529 Advanced Voting Votes: 1056832	
Votes Cast 4,484,954	
1316760	1084021
Election Day Votes	Absentee by Mail Votes
2074139	10034
Advanced Voting Votes	Provisional Votes

### November 2020 Last General Election Turnout

- Number of Precincts – 2,656
- Number of Voters – 7,233,584
- Number of Votes Cast 11/3/20 – 4,998,482

### November 2018 Last General Election Turnout

- Number of Precincts – 2,634
- Number of Voters – 6,428,581
- Voter Turnout 11/6/18 – 3,949,905

# ABOUT ROCKDALE COUNTY

## LOCATED EAST OF ATLANTA

- Population 90,000
- 67,000 Voters
- 16 Precincts
- 1 Congressional District (District 4)
- 4 House Districts (91, 92, 93, and 95)
- 1 Senate District (District 17)
- 3 County Commission Districts (At-Large)
- 7 School Board Districts (At-Large)
- 1 Municipality – Conyers – 10,000 Voters

## Known For:

*Monastery of the Holy Spirit*

*Georgia International Horse Park (built for 1996 Olympics)*



# Election Related Legislative Bills Introduced 2017-2022

**2017-2018 Regular Session**  
**Prior to**  
**2018 Governor's Election**

59 Bills Introduced

5 Passed

○ HB 268

Governor Approved  
5/19/17

**No Major Impact**

**2019-2020 Regular Session**  
**After**  
**2018 Governor's Election**

70 Bills Introduced

5 Passed

○ HB 316 (39 Pages)

Governor Approved  
4/2/19

**Major Impact**

**NEW VOTING SYSTEM**

**BALLOT MARKING DEVICE**

**CURRENT SESSION**

**2021-2022 Regular Session**  
**After**  
**2020 Presidential Election**

128 Bills Introduced

5 Passed

SB 202 (95 pages)

○ Governor Approved  
3/25/21

**Major Impact**

**By Mail Voting**

**In-Person Voting**

**Election Day Voting**

**Provisional Voting**

**Performance Review**

**Drop Boxes & More**

# **MAJOR IMPACT SENATE BILL 202 (2021) ELECTION INTEGRITY ACT 2021**

## **GOAL OF SENATE BILL 202**

**SECTION 1 OF THE BILL LISTED 17 FINDINGS AND DECLARATIONS REGARDING THE 2018 AND 2020 ELECTIONS. HERE ARE A FEW OF THE CONCERNS:**

- ❖ **SIGNIFICANT LACK OF CONFIDENCE IN GEORGIA'S ELECTION SYSTEMS, WITH MANY ELECTORS EXPRESSING CONCERNS ABOUT ALLEGATIONS OF VOTER SUPPRESSION AND VOTER FRAUD. RESTORE VOTER CONFIDENCE.**
- ❖ **THE STRESS OF THE 2020 ELECTIONS, WITH DRAMATIC INCREASE IN ABSENTEE BY MAIL BALLOTING. ADDRESS CONFUSION AND PROBLEMS WITH ABSENTEE BY MAIL BALLOTING**
- ❖ **BRING UNIFORMITY IN THE ADMINISTRATION OF ELECTIONS – Address problems with the variations of how Election Officials carried out laws, policies and rules.**
- ❖ **ADDRESS VOTER FRAUD IN THE 2018 AND 2020 ELECTIONS**
- ❖ **ADDRESS THE NUMEROUS LAWSUITS FROM ALL SIDES OF THE POLITICAL SPECTRUM. INCLUDING CHALLENGES TO THE SIGNATURE MATCHING PROCESS.**
- ❖ **THE BROAD DISCRETION ALLOWED TO LOCAL OFFICIALS FOR ADVANCE VOTING DATES AND HOURS LED TO SIGNIFICANT VARIATIONS ACROSS THE STATE IN THE TOTAL NUMBER OF HOURS OF ADVANCE VOTING.**
- ❖ **DEAL WITH LENGTHY RUNOFF ELECTIONS**
- ❖ **SOME COUNTIES RECEIVING SIGNIFICANT AMOUNTS OF GRANT FUNDING FOR ELECTION OPERATIONS FROM PRIVATE SOURCES, WHILE SOME COUNTIES RECEIVED NO FUNDS.**

# LEGISLATION AFTER THE 2020 GENERAL ELECTION

## HOW DID WE GET THERE?

### HOW DID WE GET THERE?

- ❖ During the 2020 Election Year, the entire world was introduced to Covid-19 and its variants.
- ❖ The Governor declared a Public Health State of Emergency and issued an Executive Order for the State to Shelter in Place to help stop the spread of Covid...EVERYTHING CAME TO A HALT...EXCEPT ELECTIONS!
- ❖ The 2020 Election was to begin with the Presidential Preference Primary (PPP) Election on March 24, 2020; however, on March 14<sup>th</sup>, one week prior to Advance Voting Ending, Voting in the State of Georgia was Ceased as a result of the number of Covid cases. GA Law allows the SOS to delay an election up to 45 days upon the Governor declaring a state of emergency.
- ❖ DELAY IN CONDUCTING ELECTIONS – As the Covid cases continued to rise, the PPP, General Primary/Nonpartisan (GP/NP) Election and the GP/NP Runoff Election were all rescheduled for later dates. The Elections were held on June 9, 2020 and Runoff on August 11 (2 months later).

# LEGISLATION AFTER THE 2020 GENERAL ELECTION

## HOW DID WE GET THERE?

### HOW DID WE GET THERE cont'd?

- ❖ For the JUNE 9, 2020 GENERAL PRIMARY AND NONPARTISAN ELECTIONS AND RUNOFF the SOS on April 20<sup>th</sup> announced that he would mail absentee ballot request forms (APPLICATIONS) to Georgia's 6.9 million active voters (300,000 inactive voters were not mailed a form).
- ❖ GEORGIA COUNTIES EXPERIENCED A DRAMATIC INCREASE IN ABSENTEE BY MAIL BALLOT REQUESTS – All 159 Counties were overwhelmed with the volume of Absentee By Mail Requests. Because of the continued rise in Covid Cases and the State's Shelter in Place Requirements, our State By Mail Absentee Ballot Requests grew exponentially to over 1 million ballots issued for the State, including 14,167 Issued for Rockdale.
- ❖ SHORTAGES IN STAFF – Majority of the Counties began to experience shortage in Poll Workers/Election Workers. We teamed up with several organizations to recruit poll workers and the SOS assisted by providing us a weekly list of persons interested serving.
- ❖ The State Election Board approved several Emergency Rules to assist counties with the conduction of the elections, including Allowing Counties to:
  - ❖ DROP BOXES: TO HAVE ONE OR MORE DROP BOXES AS A MEANS FOR ABSENTEE BY MAIL VOTERS TO DELIVER THEIR BALLOTS TO COUNTY REGISTRARS. THE STATE ASSISTED COUNTIES WITH PURCHASING THE FIRST BALLOT DROP BOX AND SOME COUNTIES ALSO APPLIED FOR AND RECEIVED GRANT FUNDING TO PURCHASE ADDITIONAL DROP BOXES.
  - ❖ EARLY PROCESSING AND TABULATION OF ABSENTEE BY MAIL BALLOTS .
  - ❖ JUNE 9<sup>TH</sup> PPP/GP/NP/ELECTIONS TURNOUT - Absentee By Mail Ballots Issued 1.9 million with over 1.1 million being returned and counted; Early Voting 324,000 ballots were cast and on Election Day 800,000 ballots were cast.7

# VOTER IMPACT

## SENATE BILL 202

### **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. 9)**

- \* 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 out Pre-Filled Absentee Applications other than by a relative or person 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.



# NEW ABSENTEE BY MAIL BALLOT APPLICATION

VOTERS SHALL ONLY USE THIS APPLICATION WHEN REQUESTING A BY MAIL ABSENTEE BALLOT.

FORM CREATED BY THE SECRETARY OF STATE - SEE 2021 SENATE BILL 202

OBTAIN AN ONLINE APPLICATION: [WWW.SOS.GA.GOV](http://WWW.SOS.GA.GOV), VOTER INFO  
OR [ROCKDALECOUNTYGA.GOV](http://ROCKDALECOUNTYGA.GOV), CLICK BOARD OF ELECTIONS UNDER DEPARTMENTS

## YOU MUST COMPLETE BOTH SIDES OF THE APPLICATION

### What's Required on the Application:

- 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.**

**Application for Georgia Official Absentee Ballot**

The information provided in this document is made under oath and penalty of law and will be used for official government purposes. When you sign this application, you affirm that you are a citizen of the U.S., currently reside in Georgia and are eligible to vote in Georgia. Giving false information on this application violates Georgia law and is punishable by a fine up to \$100,000, imprisonment for up to 10 years, or both.

Please print clearly. Be sure to complete all **required** sections.

**1** **Date of Election**  
*Required* Date of Primary, Election, or Runoff (mm/dd/yyyy) \_\_\_\_\_  
The application must be received by your county election office 11 days before the election.

**2** **Print your name**  
*Required* Your name as it appears on your voter registration.  
First \_\_\_\_\_ Middle \_\_\_\_\_ Last \_\_\_\_\_ Suffix \_\_\_\_\_

**3** **Type of ballot**  
*Required in primary*  Democratic  Republican  Non Partisan (will not have ANY party candidates listed)

**4** **Residential address**  
*Required* Your ballot will be sent here unless you provide a temporary mailing address. The residential or mailing address on your voter registration. If you no longer reside at the address where you are registered to vote, contact your county election office prior to submitting this application.  
Address \_\_\_\_\_  
City \_\_\_\_\_ County \_\_\_\_\_ GA Zip \_\_\_\_\_

**5** **Temporary ballot mailing address**  
Only if you are temporarily living outside the county and want your ballot sent to this address. This address must be in a different county than the one where you are registered unless you are physically disabled or detained in jail or other detention facility.  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**6** **Contact information**  
*Recommended* Phone number \_\_\_\_\_ Email address \_\_\_\_\_

**Voter identification**  
*Required* Date of birth (mm/dd/yyyy) \_\_\_\_\_ AND Georgia Driver's License Number or State Identification Card Number \_\_\_\_\_  
OR  
 I do not have a Georgia Driver's License or Identification Card and I am providing a copy of acceptable identification below.

**7** **Instructions:**  
• Make sure your identification on your ID card or document is visible.  
• Take a photo of your full completed application and submit it electronically to your county's election's office (addresses are online: [elections.sos.ga.gov](http://elections.sos.ga.gov) | [elections@countyregistrars.ga](http://elections@countyregistrars.ga)). You may also submit a hard copy of your application via U.S. mail or in person to your county elections office.  
• If your acceptable form of identification does not fit in this box, please attach a copy and submit it with your application.

**8** **Voter oath and signature**  
*Required* I, the undersigned, do swear and affirm that I am eligible to vote in Georgia, am a citizen of the U.S. and the facts presented in this application are true. By signing this oath, you are swearing that you are the voter requesting an absentee ballot.  
**Signing this oath on behalf of another voter violates Georgia law and is punishable by a fine up to \$100,000, imprisonment for up to 10 years, or both.**  
Voter, sign and date here (*Required*) \_\_\_\_\_ Date (mm/dd/yyyy) \_\_\_\_\_

If you received this application with your information pre-filled, received multiple or duplicate copies in the mail, or if an unauthorized person offers to return your absentee ballot application, please report this to [report@sos.ga.gov](mailto:report@sos.ga.gov).

Form continues ► APP-21

**Application for Georgia Official Absentee Ballot**

**Assisting a voter?**  
If yes, the assistant must complete this section. **Voter assistance is only allowed if the voter is illiterate or physically disabled.**  
**9** Assistant's name \_\_\_\_\_ Date (mm/dd/yyyy) \_\_\_\_\_  
Assistant's signature \_\_\_\_\_ X \_\_\_\_\_

**Requesting a ballot on behalf of a voter?**  
If yes, complete this section. The voter must be physically disabled or temporarily residing out of the county and must still be eligible to vote in the county where he or she is registered.  
**10** I swear that the facts contained in this application are true and that I am either the mother, father, grandparent, brother, sister, aunt, uncle, spouse, son, daughter, niece, nephew, grandchild, son-in-law, daughter-in-law, mother-in-law, brother-in-law or sister-in-law of the age of 18 and acknowledge that making a false statement on this application regarding my relationship to the voter violates Georgia law and is punishable by a fine up to \$1,000, 12 months in jail, or both.  
I swear (or affirm) that the above-named voter is: (check one)  
 physically disabled  
 temporarily residing out of the county  
Signature of authorized and eligible requestor \_\_\_\_\_ X \_\_\_\_\_  
Relationship to voter \_\_\_\_\_

**Ballot request opt-in**  
Optional  
If you meet the eligibility criteria, you may opt-in to receive an absentee ballot for the rest of the elections cycle without making another application.  
**11**  I opt-in to receive an absentee ballot for the rest of the election cycle.  
I am eligible for the reason selected below:  
 D - Disabled, I am physically disabled  
 E - Elderly, I am 65 years of age or older  
 U - UOCAVA, I am a uniformed service member, spouse or dependent of a uniformed service member, or other US citizen residing overseas. (Complete the information to the right)  
**UOCAVA Voters only**  
My current status is (check one)  
 MOS - Military Overseas  
 MST - Military Stateside  
 OST - Overseas Temporary Resident  
 OSP - Overseas Permanent Resident (may vote for federal offices only)  
(Optional) By entering my email, I request that my absentee ballot be transmitted to me electronically.  
Email \_\_\_\_\_

**Acceptable forms of identification if you do not have a Georgia Driver's License or State Identification Card Number**  
Identification with your photograph:  
• United States military identification card  
• Employee identification card issued by any branch, department, agency, or entity of the United States government, Georgia state government, or Georgia county, municipality, board, authority, or any other entity of the state of Georgia  
• Georgia voter identification card  
• United States Passport  
• Tribal identification card  
**Documents that show your name and address:**  
• Current utility bill • Paycheck  
• Bank statement • Other government document  
• Government check

**How to return your absentee ballot application**  
Absentee ballot applications must be received 11 days before the date of the election. You can return the form by:  
• mail • email (as an attachment)  
• fax • in-person at your County Board of Registrar's office  
Your County Board of Registrar's Office information can be found online: <https://elections.sos.ga.gov/Elections/countyregistrars.do>  
No person or entity other than the elector, a relative authorized to request an absentee ballot for such elector, a person signing as assisting an illiterate or physically disabled elector with his or her application, a common carrier charged with returning the ballot application, an absentee ballot clerk, a registrar, or a law enforcement officer in the course of an investigation shall handle or return an elector's completed absentee ballot application. **Handling a completed absentee ballot application by any person or entity other than as allowed in this paragraph is a misdemeanor.**

Ballot	Dates	ID Shown	For office use only
Dist. Combo _____	Received _____	GA DL _____	I certify that the above named voter <input type="checkbox"/> is eligible <input type="checkbox"/> is not eligible Registrar signature _____
Precinct _____	ISS _____	Other _____	
Ballot # _____	Certified _____	Voter Reg # _____	
_____	Rejected _____	_____	
_____	_____	_____	
Ballot to be: <input type="checkbox"/> Mailed electronically <input type="checkbox"/> Delivered to voter in hospital by Registrars or Deputy <input type="checkbox"/> Voted in office (municipal only)			

# VOTER IMPACT

## SENATE BILL 202

### **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 TWO Ballot Drop Boxes. **Rockdale County went from 8 Ballot Drop Boxes to One**

### **IMPACT**

**METHODS FOR VOTERS TO RETURN THEIR VOTED MAIL BALLOT**

**ADDITIONAL STAFFING TO CONSTANTLY MONITOR BALLOT DROP BOX.**

**REDUCES THE NUMBER OF BALLOT DROP BOXES: A COUNTY MAY HAVE**

**BALLOT DROP BOXES MUST BE INSIDE OF BUILDINGS RATHER THAN OUTSIDE.** Only during a State declared emergency by the Governor, permits Ballot Drop Boxes to be located outside of an election office or early voting center.

**SHORTENS THE PERIOD WHEN BALLOT DROP BOXES ARE AVAILABLE TO VOTERS:** Ballot Drop Boxes are only available during the periods and hours of Early Voting.

**BALLOT DROP BOXES IN ADVANCE VOTING CENTERS ADDS ADDITIONAL DUTIES TO THE ADVANCE VOTING MANAGER:** Requires Advance Voting Manager daily to confirm Ballot Drop Box is empty daily during the Early Voting Period (must complete a reconciliation form). If not empty, notify election superintendent, who shall notify the Secretary of State.

# VOTER IMPACT

## SENATE BILL 202

**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 out 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 THE BALLOT IS CASTED BETWEEN THE HOURS OF 5PM AND REGULAR 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.

# VOTER IMPACT

## SENATE BILL 202

### **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 ELECTION SUPERINTENDENT ACCEPTANCE OF GRANTS, GIFTS OR FUNDS FROM ANY SOURCE OTHER THAN FROM THE GOVERNING AUTHORITY OF THE COUNTY/CITY, STATE OF GEORGIA, OR FEDERAL GOVERNMENT : 21-2-71, SEC 9, PAGE 17**

– County/City Election Superintendent can no longer directly 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. 12

# VOTER IMPACT

## SENATE BILL 202

### 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. NOTE: Before-no earlier than 180 days, no later than the Friday prior
- 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

# VOTER IMPACT

## SENATE BILL 202

### 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.

# VOTER IMPACT SENATE BILL 202

## 13. ADVANCE VOTING (EARLY VOTING IN-PERSON): 21-2-385, SEC 28, PAGE 59

- Requires MANDATORY In-Person Early Voting on the Second and Third Saturdays prior to each primary or election. Counties has the option to offer Sunday voting on the Second and/or Third Sunday.
- In-Person Early Voting shall be held between the hours of 9am-5pm Monday-Saturday; excluding State observed holidays; however, Counties may offer extended hours as early as 7am- and no later than 7pm each day.
- Requires Counties to Post Notice of the In-Person Early Voting Locations, Dates and Times no later than 14 days prior to beginning and no later than 7 days prior for runoff as follows:
  - Homepage of county/ election website
  - Newspaper
  - Prominent location in county
- Any new location shall be posted/ published in the same manner as soon as possible.

# VOTER IMPACT

## SENATE BILL 202

### **14. CHALLENGING QUALIFICATIONS AND ELIGIBILITY OF ELECTORS: 21-2-33.1/33.2, SECS 15 & 16 PAGES 23 & 25**

- Persons who challenge the qualification OR eligibility of electors shall not be limited in the number of people they want to challenge
- Challenges must have hearings scheduled within 10 business days of filing after giving notice to the challenger and challenge.
- Failure to comply subject county board of registrars to sanctions by SEB

### **15. NOTIFICATION OF POLLING PLACE CHANGE: 21-2-265, SEC 19, PAGE 30**

- During 7 days before and on the day of the first election following a change in polling place, Notice shall be posted at the old polling place (change from just requiring posting on the day of the election)
- Must state where the polling place has been moved to
- Must place at least one notice on a board that is at least 4'x4' in size



# VOTER IMPACT

## SENATE BILL 202

### **16. TYPE BUILDINGS FOR USE DURING ADVANCE VOTING LIMITS USE OF MOBILE VOTING UNITS: 21-2-266, SEC 20**

#### **PAGE 31**

- Buses and other mobile voting units can only be used in emergencies to supplement capacity of polling place Persons who challenge the qualification OR eligibility of electors shall not be limited in the number of people they want to challenge

### **17. REDUCE THE NUMBER OF VOTING UNITS IN ELECTION DAY PRECINCTS FOR CERTAIN ELECTIONS: 21-2-367, SEC 22, PAGE 35**

- Superintendents must continue to provide at least 1 voting booth for every 250 electors for state-wide general elections
- Counties may provide more or less machines in other elections based on turnout expectations and absentee/advance/early voter turnout

# VOTER IMPACT

## SENATE BILL 202

### 18. PROVIDES FOR A SPECIAL (RANK CHOICE) ABSENTEE RUNOFF BALLOT FOR GENERAL PRIMARIES AND GENERAL ELECTION FOR UOCAVA VOTERS: 21-2-384, SEC 27

- ❑ Provides for a Special (Rank Choice) Absentee Runoff Ballot for General Primaries and General Elections for UOCAVA Voters
- ❑ Requires a runoff ballot to be included with the regular ballots mailed to UOCAVA voters. The UOCAVA voter will also mark the runoff ballot, by ranking their choice of each candidate should they make it to a runoff.
- ❑ INCREASE IN COST FOR MAIL BALLOTS IN PRIMARY RUNOFF AND GENERAL RUNOFF ELECTIONS: Will now be required to mail UOCAVA voters a runoff election ballot, to include the races and candidate names on the ballot. Projected cost will be approximately 10% of voters in major elections.

# VOTER IMPACT SENATE BILL 202

## 19. EARLY OPENING AND PROCESSING OF ABSENTEE BY MAIL BALLOTS: 21-2-386, SEC 29, PAGE 61

- May begin processing on the Third Monday prior to the election at 8am. **Must begin no later than the 2<sup>nd</sup> Monday prior to the election.**
- At least 3 registrars, absentee ballot clerks, poll workers or must be present prior to commencing and shall be present at all times during process.
- Shall provide notice to the Secretary of State's office 7 days prior to beginning (rolling calendar)
- Notice shall also be posted: Prominent location in county Website, if applicable
- Produce Absentee Election Results ASAP after Polls Close on Election Day No Later Than 5pm day after the election.
- As soon as possible after the Polls Close on Election Day, Superintendent shall ensure that the returns of the verified and accepted absentee ballots cast are reported to the public as soon as possible.
- Failure to do so can result in sanctions by SEB
- Superintendent must have in the report verified and accepted absentee ballots by 5pm on the day following the election, or be subject to investigation by the SEB who may appoint an independent performance review board (see 21-2-107)

# VOTER IMPACT

## SENATE BILL 202

### 20. POLL WATCHERS OBSERVE ALL TABULATION AREAS : 21-2-408, SEC 32, PAGE 72

- Requires Election Superintendent to ensure Poll Watchers can fairly observe the Tabulation Processes.
- Poll Watchers must be trained by the Political Party, political body or candidate, using materials provided by SOS.
- Instruction shall include duties, applicable laws, rules and regulations.
- Political Party, Body, or Candidate, shall certify under oath that the appointed Poll Watchers have completed the required training.
- Observation Areas are all locations selected by superintendent for monitoring of scanning as follows:
  - Check-In Area
  - Computer Room
  - Duplication Area
  - Any other area designated by the Election Superintendent

# VOTER IMPACT

## SENATE BILL 202

### 21. SOS AUDIT BALLOTS AND ENVELOPES AFTER AN ELECTION: 21-2-390, SEC 30, PAGE 71

- ❑ ALLOWS SOS TO AUDIT ABSENTEE BALLOT APPLICATIONS AND ENVELOPES FOR 24 MONTHS (RETENTION PERIOD).
- ❑ SOS or designee have access to all ballots and envelopes in the custody of the Clerk of Superior Court or City Clerk.
- ❑ At SOS discretion (shall be authorized), may inspect and audit absentee ballot applications and envelopes during the 24 months after the election.
- ❑ Allows for Audit to be conducted State-wide or in selected counties. May audit some or all ballots and envelopes.

### 22. SCANNED BALLOT IMAGES AVAILABLE TO PUBLIC: 50-18-71, SEC 51 PAGE 98

- ❑ Scanned ballot images shall be public records subject to Open Records Requests.
- ❑ ALLOWS SOS TO AUDIT ABSENTEE BALLOT APPLICATIONS AND ENVELOPES FOR 24 MONTHS (RETENTION PERIOD).

### 23. SOS DUTIES ON SEB: 21-2-30, SEC 5, PAGE 8

- ❑ Changes Secretary of State (SOS) to an Ex-Officio Member on the SEB (a Nonvoting Member).
- ❑ Adds an SEB Chair Who is Elected by the General Assembly (By Majority Vote of Both Chambers)
- ❑ Requires SEB Chair to be "Nonpartisan"

### 24. SEB ADOPTION OF EMERGENCY RULES LIMITATION OF AUTHORITY: 21-2-35, SEC 8, PAGE 15

- ❑ SEB may only adopt emergency rules in situations of imminent peril to public health/safety/welfare and must immediately notify: Public, Governor, Lt. Governor, Speaker, Chairs of Committees that deal with elections, legislative counsel, and the heads of the political parties