

Georgia Voter Protection Laws in a Nutshell, 2016





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INTRODUCTION

This publication is intended to distill complex election law for lawyers, advocates, voter registration campaigns and “Get Out the Vote” campaigns. It combines state election law with state regulations, rules, attorney general opinions and other election materials to provide a comprehensive interpretation of the law and practices that impact elections. While this publication does not cover every provision of state election laws, it highlights those provisions which in our experience have most impacted the voting rights of minority voters.

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VOTER REGISTRATION

Who may register to vote?

To be eligible to register to vote in Georgia (GA), a person must be:

- At least 18 years of age by the next general election day;
- A citizen of the United States; and
- A resident of Georgia and of the county or municipality in which he or she seeks to vote.¹

Determining Residency: Residency is defined as a person's "fixed habitation," from which that person has no *present* intention to leave.² For students' purposes, under GA law, an intention to leave GA at some future time does not prohibit students from proving residency for the purposes of voting.³

Registering Prior to 18: A citizen may register to vote at age 17.5, or as long as the citizen will be 18 and otherwise qualified to vote within six months after registering. However, that citizen may not vote in any primary or election until officially turning 18.⁴

Felony Re-Enfranchisement: In Georgia, felons previously convicted of a crime of "moral turpitude" may not register, remain registered, or vote until the completion of all parts of his or her sentence (including probation and parole).⁵ In general, the state has advised that murder and all felonies constitute crimes involving moral turpitude.⁶ Conversely, a misdemeanor conviction generally will not mean that a person loses their voting rights.⁷

When will the primary and general election be held in 2016?

- Primary: Tuesday March 1st, 2016
- General Election: Tuesday November 8, 2016

What is the voter registration deadline?

- Primary: Monday February 1st, 2016, if applying online, mail, or in person
- General Election: Tuesday October 11, 2016, if applying online, mail, or in person

An application for registration is considered to have met the deadline if it is submitted as follows:

- Submitted in person at the local county board of registrars or additional offices for registration designated by the board of registrars.⁸
- Submitted by mail to the Secretary of State or the local board of registrars of the person's county of residence, provided that the mailing/express package is postmarked by the registration deadline (i.e. October 11, 2016), or where the postmark is missing or unclear, the application is received by the Secretary of

State no later than the close of business on the fourth Friday prior to the election.⁹

- On Georgia's [Online Voter Registration](https://registertovote.sos.ga.gov/GAOLVR/welcome.do#no-back-button) internet page by the registration deadline, (October 11, 2016) at <https://registertovote.sos.ga.gov/GAOLVR/welcome.do#no-back-button>. (Note: Online voter registration can be used only if the person registering is a citizen, has a valid Georgia driver's license or Georgia state-issued identification card. Also, the number for that driver's license or identification card must match the number that is on file with the Department of Driver Services, and the date of birth provided by the applicant must match the date of birth that is on file with the Department of Driver Services.)¹⁰

Where can a person apply for voter registration?

A person may register to vote by applying in person at any of the following locations:

- Board of registrar's office for the applicant's resident county;¹¹
- Offices of any state agency that provides public assistance or disability services (i.e. WIC, food stamps, Medicaid, Disability Services).¹² If an agency provides services to a person with a disability at his or her home, the agency must also provide voter registration service at the person's home;¹³
- Military recruitment centers;¹⁴
- Georgia Department of Driver Services (DDS) when you apply for or renew your Georgia driver's license;¹⁵
- Additional registration places designated by the county's board of registrars, provided that these places are open to the general public and frequented by the general public. This includes, but is not limited to: churches; synagogues; governmentally funded and managed public housing facilities; public social agencies; public child care centers; public recreation centers; public buildings and shopping centers; multifamily apartment complexes; child care centers; and educational facilities.¹⁶ A student of a public or private high school, college, university, or technical institute may register at the school, college, university, or institute they attend, even if they are not residents of the county in which the school, college, university, or institute is located;¹⁷
- Note: A person can also print a hard copy of the Georgia voter registration application at [Online Voter Registration](https://registertovote.sos.ga.gov/GAOLVR/welcome.do#no-back-button);
- Third Party Organizations – Individuals may also register to vote with third party organizations, conducting voter registration drives, such as the GA NAACP or New Georgia Project.

How does a person register to vote online?

A person who is qualified to vote and has a valid Georgia driver's license or state-issued identification card can register online at the [Online Voter Registration](https://registertovote.sos.ga.gov/GAOLVR/welcome.do#no-back-button) page, if the number for that person's driver's license or identification card matches the number that is on file with the

Department of Driver Services (DDS) and the date of birth provided by that person matches the date of birth that is on file with the Department of Driver services.¹⁸ If any of the requisite information does not match or the application is incomplete, the application will be rejected and the person should be notified of such rejection either electronically or by mail within five days after the application is rejected.¹⁹

If a person does not have a valid Georgia driver's license or state-issued identification card, they can print out the paper application from [Online Voter Registration](#), and either mail it or deliver it in person to the Secretary of State, board of registrar's office, or other designated voter registration location.

What information is provided on a voter registration application? (What Information MUST be provided?)

An applicant should provide the following information, on the requisite application form, to register to vote (**required information in bold**):

- **Legal Name**
- **Residence address and, if different, a mailing address**
- Telephone Number
- Date of Birth
- Gender and race, and ethnicity, but no application may be denied because an applicant does not provide such information.
- **Voter Identification Number, i.e. GA driver's license or GA ID number, or, if the applicant does not have a driver's license number, the last four digits of the applicant's social security number.** However, if a person does not have a Driver's License/ID or a Social Security Number has not been issued, the board of registrars must assign a unique identifier number to an applicant for voter registration. That unique identifier number shall serve to identify that applicant for voter registration purposes.
- **Oath: an applicant must attest by signature to their voter qualifications, i.e. citizenship, age, residency.** If a person cannot sign the application due to physical disability or illiteracy, they can make a mark on the signature line, and have the person assisting sign on another line. The applicant must attest to their qualifications (by signature/mark) that he or she meets each eligibility requirement, under penalty of a felony.²⁰
- Poll Officer Question concerning whether the registrant would be willing to serve as a poll worker
- Change of Name or Address: Applicants may re-register under a different name or address²¹

In addition, an application form may include the following:

- A statement that if the applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes (i.e. on a driver's license or ID application).²²

- Statement that if the applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes.²³

How do homeless people register to vote?

Homeless people are entitled to register to vote in Georgia, if they are otherwise eligible. The registration application form requires that a person put a “residential address” so that the appropriate voting precinct can be identified, but permits the applicant to include a drawing of their location, if they do not have a house number or street name. Additionally, a person can list a mailing address that is different from their residence, if needed.²⁴

Can students register to vote in Georgia while attending college?

Yes. Students can register to vote using their address in Georgia, so long as that student has a *present* intent to remain at their Georgia address for the time being.²⁵ Students do not have to plan to reside at their current address permanently but they cannot simultaneously be registered to vote and vote in another state.²⁶

May people register to vote by mail? If so, are there any special requirements for first-time voters who register to vote by mail?

Yes. A person who is registering to vote by mail must provide, prior to voting for the first time, photo identification, either the actual ID, or a legible copy of it, as part of their registration application or the actual photo ID, in person, when they appear to vote.²⁷ Acceptable forms of photo identification include:²⁸

- A Georgia driver’s license, even if expired;
- Any valid state or federal government-issued photo ID, including a Voter ID Card issued by the Department of Driver Services (DDS) or your county’s board of registrar;
- A valid U.S. passport;
- Valid employee photo ID from any branch, department, agency, or entity of the U.S. government, Georgia, or any county, municipality, board, authority, or other entity of Georgia;
- Valid U.S. military photo ID;
- Valid tribal photo ID.

Note: Federal law actually permits a first-time registrant who does not possess one of the forms of ID listed above to alternatively provide a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter, when registering to vote.²⁹ However, those alternative forms of ID can only be used for purposes of *verifying voter registration*. Georgia state law now requires that all voters show photo identification (using only the forms of identification listed in the above bullet list) in order to be permitted to *actually vote*.³⁰ (More below at pg. 11)

So, a first-time registrant may prove their identity for the purposes of *verifying voter registration* with a form of identification such as a photo ID OR utility bank statement; however, they may only show ID from the bulleted list above to *actually vote*. For practical purposes, a first-time voter who did not already mail a copy of photo identification with their voter registration form, could show a photo ID from the bulleted list above, for both registration verification and to vote. If that first time registrant is unable to provide photo identification from the above bulleted list when they appear to vote, they will be permitted to vote by provisional ballot, which will be counted if they bring photo identification from the bullet listed above to their county board of registrar's office within three days of the election.³¹

Will mail-in voter registration applications be accepted if they are received by the registrar's office after the registration deadline?

Yes, if the application is postmarked before the deadline. If the postmark is missing or unclear, the application is validly submitted if received in the mail no later than the close of business on the fourth Friday prior to the election.³²

May a person correct or complete a form after the deadline for voter registration if it was submitted before the deadline?

Yes. If a person fails to provide any of the required information on the voter registration application form, but the application was received prior to the registration deadline and the person supplies the necessary information on or prior to Election Day and is found eligible to vote at that time, that person will be allowed to vote.³³ This is true, even if the information missing is proof of citizenship.³⁴

The person will be notified by the board of registrars, in writing, of the missing information, unless the voter registration form was missing a copy of photo identification, which may be given in physical form at the time voting.³⁵ If the person does not respond to the request for the missing information, including proof of citizenship, within **30** days, the application will be rejected.³⁶

How many voter registration applications may individuals or groups conducting voter registration drives receive from the state or county boards of elections?

Georgia law requires that the Secretary of State make voter registration applications available for distribution through governmental and private entities, with particular emphasis on making them available for organized voter registration programs.³⁷ Georgia does not specify a limit on the number of registration applications an individual or group conducting voter registration drives may receive. However, with each transmittal of completed voter registration applications the individual or group must include a summary sheet of information, including the total number of applications being submitted.³⁸

May individuals or groups conducting voter registration drives copy completed voter registration applications before delivering them to the appropriate registration authorities?

Georgia law prohibits copying a registration application without the express written permission of the applicant and requires that copies be securely discarded no later than 90 days after the application has been transmitted to the Secretary of State or board of registrars.³⁹ Groups should always mail or deliver all originals to the appropriate registration authorities prior to the registration deadline.

Copies are useful for “get out the vote” (GOTV) activities or to assist with voter registration verification efforts. It is a good idea to note on the copy when and to which registration authority the original application was transmitted.

Are individuals or groups conducting voter registration drives required to submit completed voter registration applications to registration officials within a certain time limit?

Individuals or groups conducting voter registration must transmit all completed registration applications to the Secretary of State or county board of registrar within **ten days** after receiving the application or by the close of registration, whichever is earlier.⁴⁰ If it is fourteen days or less before the close of registration, the individual or group must transmit the application within seventy-two hours of the date of the execution of the application or by midnight on the close of registration, whichever is earlier.⁴¹

How long will it take to process voter registration applications that are mailed or delivered to the Secretary of State or local board of registrars?

Georgia law does not provide a specific time frame within which boards of registrars must process registration applications. However, the National Voter Registration Act of 1993 (NVRA) requires state election officials to provide notice to each person who submits a completed voter registration form of whether his or her application was accepted or denied.⁴² Georgia state law requires that each person who submits a voter registration application be notified of the disposition of their application, and if found ineligible, provided with the reason for the ineligibility.⁴³ The notices are to be sent to the person in writing by first-class mail at the mailing address they provided on their registration application.⁴⁴ If found eligible, the person should be issued a card with their name and address, a space for their signature, the date of their registration, the name and location of their polling place, and other election information.⁴⁵

A person can also check their registration status online at: <https://www.mvp.sos.ga.gov/MVP/mvp.do>, “My Voter Page,” even if they did not register online.⁴⁶

What are the time limits for the Department of Driver Services (DDS) and other public agencies to process voter registration applications?

Georgia law does not provide a specific timeframe within which the registration applications must be processed. However, DDS must transmit the completed voter registration applications to the Secretary of State at the conclusion of each business day.⁴⁷ Each designated registration agency must transmit the completed voter registration application forms to the Secretary of State at least once per week, except that, during the 15 days leading up the registration deadline such applications shall be transmitted at the conclusion of each business day.⁴⁸

What can a person do if his or her registration application is denied?

Each person submitting an application for voter registration shall be notified, and if found ineligible shall be notified of the reason for ineligibility, by mail at the mailing address listed on the voter registration application, so that they may provide the missing information.⁴⁹ Applicants that are found ineligible to vote should immediately provide missing information and/or contact their local board of registrars with any questions.

IDENTIFICATION REQUIREMENTS

What identification is required at the voting place?

Since 2007, photo identification has been required of all voters to vote at the polls in Georgia. Georgia requires all voters to show a government-issued photo identification, including:

- Any valid photo ID issued by Georgia or the federal government
- Free Voter ID Card issued by the county registrar's office or the Georgia Department of Driver Services (DDS)
- Georgia Driver's License, including expired Georgia driver's licenses
- Student Identification card from a GA state college or university
- Valid employee photo ID from any branch, department, agency, or entity of the U.S. Government, Georgia, or any county, municipality, board, authority or other entity of GA
- Valid U.S. passport ID
- Valid U.S. military photo ID
- Valid tribal photo ID⁵⁰

If a voter cannot produce any of these forms of ID at the polls, he or she can vote provisionally, and their ballot will be counted if they bring photo identification from the bullet listed above to their county board of registrar's office within **three days** of the election.⁵¹

What identification is required for voter registration?

Identification for First Time Voters Who Register to Vote by Mail: Under the federal Help America Vote Act of 2002 (HAVA),⁵² first-time voters in the state who register to vote by mail (including those who register through a privately-sponsored voter registration drive) must send proof of identification, or a legible copy of that ID, with their mail-in application. Alternatively, the first time voter can present ID at the polls on Election Day.⁵³ That type of proof may include a copy of current and valid photo identification (driver's license or state ID), a current utility bill, a bank statement, or government documentation that shows the applicant's name and current address.⁵⁴

However, this proof of identification is NOT required from: (1) registrants who submit identifying information with their applications that registrars can match to state data containing the same number, name, and date of birth as contained in their application i.e., Georgia driver's license or GA state-issued identification card (2) registrants who vote by absentee ballot under the federal Uniformed and Overseas Citizen Absentee Voting Act; or (3) persons entitled to vote in a manner other than in person under federal law.⁵⁵ Also, since GA voters already must bring a photo ID to the polls to vote, first-time voters may use that same form of photo ID to provide the necessary identification for voter verification purposes.

HAVA Identification Number on the Voter Registration Application: HAVA also requires an applicant to include, on the actual voter registration application, a current and valid driver's license number, if the applicant has one, or the last four digits of his or her social security number.

If the applicant has neither a driver's license nor a social security number, then the state must assign the applicant a unique identification number for voter registration purposes.⁵⁶

GA's New Proof of Citizenship Requirement: In Georgia, as of January 1, 2010, a voter registration application will not be processed unless the applicant has submitted satisfactory evidence of proof of citizenship, including:

- **Georgia driver's license or identification card number** from the Department of Driver Services (DDS), if the applicant has provided satisfactory evidence of US citizenship to DDS, **OR a legible photocopy of a driver's license or identification card issued from another state**, if that driver's license or identification card indicates that the applicant has provided satisfactory evidence of US citizenship;
- **A legible photocopy of the applicant's birth certificate** that verifies citizenship to the satisfaction of the board of registrars;
- **A legible photocopy of pertinent pages of the applicant's United States passport** identifying the registrant and the registrant's passport number or **presentation to the board of registrars of the applicant's United States passport;**
- **A presentation to the board of registrars of the applicant's United States naturalization documents or the alien registration number** from the applicant's naturalization documents. If only the applicant's alien registration number is provided, the applicant shall not be found eligible to vote until the applicant's alien registration number is verified with the United States Citizenship and Immigration Services by the board of registrars;
- Other documents or methods of proof that are established pursuant to the federal Immigration Reform and Control Act of 1986 (P. L. 99-603);
- The applicant's Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number;
- Any other documents or methods of proof for establishing evidence of United States citizenship which shall be promulgated by rule and regulation of the State Election Board.⁵⁷

***Any person who registered on or before December 31, 2009, need not submit evidence of citizenship.⁵⁸**

Can election officials delay the processing of a voter registration application or deny registration, based on their inability to match the applicant's HAVA identification number (driver's license number or last four digits of SSN) with a record in the Social Security Administration or state driver license database?

Yes. Georgia law instructs boards of elections to obtain any needed additional information on voter registration applications that are not completed properly.⁵⁹ An applicant with an incomplete application must be notified and given the opportunity to complete the form. The board of registrars cannot determine if the applicant is otherwise eligible to vote until and unless the identification is received. The applicant should respond prior to the voter registration deadline. However, if the initial application is received without the specified identification and prior to the close of voter registration preceding an election, but the applicant then provides the identification on or prior to the date of the election and the applicant is found eligible to vote, the applicant can vote in the election and any run-off elections.⁶⁰

If the applicant does not respond to the request for the missing information within 30 days following the sending of notification to provide the identification, the application shall be rejected.⁶¹ Nevertheless, under HAVA, an individual who has not supplied HAVA identification may still vote by mail (and the ballot shall be counted as a provisional ballot if all eligibility requirements are met)⁶² or under GA law an individual may vote in person, with a provisional ballot.⁶³

Can election officials delay the processing of a voter registration application or deny registration, based on the applicants' failure to provide proof of citizenship?

Yes. However, if the board of registrars receives an application without satisfactory proof of citizenship, the board should notify the applicant that she must provide such proof. The board of registrars cannot determine if the applicant is otherwise eligible to vote until and unless the proof of citizenship is received. The applicant should respond with the proof of citizenship prior to the voter registration deadline. However, if the initial application is received without evidence of citizenship prior to the close of voter registration preceding an election, but the applicant then provides the proof citizenship on or prior to the date of the election and the applicant is found eligible to vote, the applicant shall be permitted to vote in the election and any run-off elections.

If the applicant does not respond to the request for the missing information within 30 days following the sending of notification to provide satisfactory evidence of citizenship, the application shall be rejected.⁶⁴

What identification is required to obtain or cast an absentee ballot?

Georgia does not require registered voters to present ID to obtain an absentee ballot by mail. If requesting an absentee ballot by mail, the registrar or absentee ballot clerk will compare the identifying information contained on the absentee ballot request form with any identifying

information on file at the registrars' office; also, if the application is signed by the voter, the registrar or absentee ballot clerk will compare the signature or mark of the voter on the absentee ballot request form to the signature or mark of the voter's registration card.

Casting an absentee ballot: Georgia does not require registered voters to provide copies of identification when casting an absentee ballot by mail.⁶⁵ However, to cast an absentee ballot in person (also known as "early voting"), the individual must show one of the forms of photo identification listed above under the heading, "Identification Requirements," such as a Georgia's driver's license or state-issued ID card (expired or unexpired), U.S. passport, military ID, valid government employee ID, etc..⁶⁶

VOTER REGISTRATION LIST MAINTENANCE

For what reasons can a person's name be removed from a list of registered voters?

Georgia law permits boards of registrars to remove a voter's name from the voter registration rolls in the following circumstances: (1) the Secretary of State, or, in some instances, the local board of registrars learns the voter has committed a felony⁶⁷, declared he or she is a non-citizen during the jury selection process⁶⁸, been adjudicated mentally incompetent⁶⁹, or is deceased⁷⁰; (2) the voter has been placed on the inactive list and since being placed on that list, has not made contact with election officials for two general election cycles⁷¹; (3) the voter requests to be removed from the rolls⁷²; (4) registration officials of another county or state have sent a notice of cancellation reflecting a voter has moved to another county or state⁷³; (5) the voter confirms that they have moved outside of the state of Georgia during the Secretary of State's change of address verification process with the United States Postal Service (USPS)⁷⁴; or, (6) the voter's right to register, remain registered, or vote is successfully challenged.⁷⁵

(1) Removal for Felony, Lack of Citizenship, Adjudication of Mental Incompetence, or Death

Under Georgia law, the Secretary of State should receive, on a monthly basis:

- **Felony:** a list of all persons who were convicted of a felony in the state according to the Georgia Crime Information Center, another state (if such information is available), or the federal courts⁷⁶
- **Lack of Citizenship:** a list from the clerk of each superior court of all individuals who identified themselves as non-citizens during their qualification to serve as a juror⁷⁷
- **Adjudicated Mentally Incompetent:** a list from the judge of the probate court in each county of all persons who were declared mentally incompetent during the preceding calendar month⁷⁸
- **Death:** a list from the local registrar of vital statistics of all persons who died during the preceding month⁷⁹

If any individuals from the first three lists above (felony, lack of citizenship, adjudication of mental incompetence) also appear on the list of electors, the Secretary of State's office will notify their local board of registrars to remove that individual from their list; after removal, the local board of registrars should then notify the voter by first-class mail to the voter's last known address.⁸⁰

The Secretary of State's office will directly remove the individuals who appear on the list of deceased persons and then notify the local registrar in the county in which the individual died.⁸¹ Additionally, the local county registrar may obtain information about persons who died from obituaries in the local newspapers, death certificates, confirmable knowledge, or written and signed information from a family member. If any of those individuals appeared on the list of electors, then the county registrar should remove them and send a notification by first-class mail.⁸²

(2) Removal for Inactivity

Once a voter has been placed on the “inactive list”, the voter will subsequently be removed from the list of electors if the inactive voter has made no contact with the Division of Elections or local board of registrars and two general election cycles have occurred since the voter was placed on the inactive list.⁸³ Additionally, a voter will be removed if, immediately after being placed on the inactive list, when the local Board of Registrars sends a confirmation notice to electors, an elector voluntarily indicates they have moved outside of the county or municipality. In that instance, that voter will be removed from the local board of registrars’ rolls and will need to re-register in their new county, if they still live in Georgia.⁸⁴

(3) Voter’s Request for Removal

A voter can request in writing that their name be removed from a list of voters and the local board of registrars should remove their name and confirm the removal by notice by first-class mail.⁸⁵

(4) Cancellation Notice from Outside Registrars

When a voter moves to another county or state, and re-registers there, registration officials may send a notice of cancellation that reflects the voter’s re-registration, and the Secretary of State or board of registrars in the voter’s previous county may subsequently remove the voter from their list of electors.⁸⁶

(5) Confirmed Move Outside of Georgia through the SOS Change of Address Process: At their discretion, **but not within 90 days of a federal primary or general election**, the Secretary of State’s office may compare the official list of voters against change of address information provided by the United States Postal Service (USPS).⁸⁷ If it appears a voter has moved outside of the county, a confirmation notice is sent to the voter’s old address, and maybe their new address.⁸⁸ The confirmation notice is a forwardable first class postage prepaid, addressed return card, which the voter can complete and return to the local election officials, and provide their current address on it.⁸⁹ If the voter confirms to the Secretary of State’s office that he or she has moved outside of the state of Georgia, she is removed from the list of electors. **If the voter does not respond to the change of address confirmation within 30 days, she is moved to the inactive list.**⁹⁰

Under what circumstances will an individual’s name be placed on a list of inactive voters?

There are two, list maintenance activities that may result in a voter being placed on a list of inactive voters:

- (1) **Electors have not “made contact” with the Elections Division in three years:** Under Georgia law, during the first six months of each odd-numbered year, the Secretary of State’s office identifies all voters whose name is on the rolls but have made “no contact” with election officials during the last **three** years and who have not

changed addresses, according to the change of address process initiated by the Secretary of State's office.⁹¹ Those individuals are sent a confirmation notice.⁹² **If the voter does not return the confirmation card within 30 days, their name will be transferred to the inactive list.**⁹³ (And eventually, if the voter remains on the inactive list for two, general November elections, they will ultimately be removed from the list of electors.)⁹⁴

Alternatively, if the voter returns the card but indicates he or she has moved within the state and outside of the county in which they were previously registered, they will be removed immediately from the local board of elections' rolls but also given information about how to reregister.⁹⁵ If the voter returns the card and indicates they have moved within the county, the voter will remain on the elections rolls and be reregistered at their new address.⁹⁶ Finally, if the voter returns the card and indicates they have not moved, they will simply remain on the election rolls.⁹⁷

Importantly, none of the list maintenance activity can be conducted within 90 days of a general primary or general election for a federal office.⁹⁸

“**No contact**” means the voter has NOT done any of the following: (1) filed an updated voter registration card; (2) filed a change of name or address; (3) signed a petition which is required by law to be verified by the election superintendent of a county or municipality; (4) signed a voter's certificate;⁹⁹ or (5) in response to a confirmation notice sent by election officials, confirmed that the voter has been living at the same address during the last three years.¹⁰⁰

- (2) **Secretary of State's Change of Address Verification Process:** The Secretary of State's Office may, at its discretion, but not within 90 days of a federal primary or general election, compare the official list of voters against change of address information provided by the United States Postal Service (USPS). The Secretary of State's office will send forwardable confirmation cards to voters who purportedly have changed addresses outside of the county; the confirmation cards will be sent to their old address (and if the local board of registrars elects to mail to their new address).¹⁰¹ If the voter does not respond within 30 days, he or she will be directly placed on the inactive list.¹⁰²

Alternatively, if the voter confirms to the Secretary of State's office that he or she has moved outside of the state of Georgia, she is removed from the list of electors.¹⁰³ If the voter confirms she has moved within Georgia but to a different county or municipality, then the voter will be automatically reregistered in the new county and should be notified by their former local board of registrars of the change.¹⁰⁴ Finally, if the voter confirms that he has not moved, he will remain on their local board of registrars' rolls.¹⁰⁵

How do voters get their names restored to the active list?

Any voter currently on the inactive list can sign a petition stating their current address and then be placed back on the active list of voters, if the voter still resides at the same address on the registration records. However, if the voter has moved, signing the certificate will initiate the same confirmation of address process described directly above.¹⁰⁶ Therefore, if the voter has changed addresses to a residence in GA, a confirmation notice will be sent to their new address, which if returned, will lead to the voter's return to the list of active voters.¹⁰⁷

If a voter who is on the inactive list actually shows up to the polling place to vote, he or she may vote if they have not changed residences and goes to vote at the precinct for their last address, as long as they affirm in writing they still live at the same address.¹⁰⁸ If an inactive voter shows up to vote, but has moved within the same county *and* not changed precincts, they may vote at their precinct for their prior address as long as they affirm the change of address in writing and update their address at the polls.¹⁰⁹ If an inactive voter shows up to vote, but has moved within the county and to a different precinct, they also may vote at the precinct for their prior address for that election (and any runoffs) as long as they affirm the change of address, in writing, and update their registration record with the new address.¹¹⁰ An inactive voter who has changed counties may not vote at the polling places and must re-register.

What should voters do if they change their address?

If a voter has moved within Georgia and has not already updated their address with a third party voter registration organization or through the Department of Drivers Services, then he or she can update their registration records in the following ways:

New Address within the Same County

A voter changing his or her address within the same county should update his or her registration address by completing and mailing or delivering a written, change-of-address letter to the local board of registrars prior to the registration deadline, which is the fifth Monday prior to the primary or election. An absentee ballot application may also serve as written notification of a voter's change of address within the same county.¹¹¹ Nonetheless, a voter who has moved their address within the same county, but has failed to notify their county board of registrars prior to the registration deadline, may still vote at their former precinct if the move occurs after the fifth Monday prior to the primary or election.¹¹² Voters who move from their current precinct more than 30 days prior to the primary or election are not permitted to vote in precinct associated with the address where they previously resided.¹¹³ That same voter should complete a form at the polls which shows their new, legal address and serves to update their address in the voter registration records for that county.¹¹⁴ The voter should subsequently receive a first-class mail notification of their new polling place, if their polling place has changed due to their move within the county.¹¹⁵

New Address Outside of County but within the State:

A voter who has moved within Georgia but to a new county may only vote at the polling place for their former address if they moved after the registration deadline, which is the fifth Monday prior to the primary or election. Otherwise, that voter must register before the deadline to vote in a new county for the next primary or election.¹¹⁶

May individuals whose names have been removed because of a felony conviction have their right to vote restored?

Yes. Georgia restores the citizenship rights, including the right to vote, of persons previously convicted of a felony after the completion of all parts of a sentence (including probation and parole).¹¹⁷

In order to vote, however, a person previously convicted of a felony who has completed all of his or her sentence must reregister to vote by:

- Completing a regular voter registration application form. By signing the form, the applicant attests to the completion of all parts of his or her sentence; and
- Submitting the regular voter registration application form to the local board of registrars

What may voters do if they learn that their names have been removed from the registered voters' list in error?

If the registration deadline has not passed and the erroneously-removed voter is otherwise eligible under Georgia law to vote, he or she should simply complete a new voter registration application, mail or deliver it to the appropriate local board of registrars, and confirm that it has been received, successfully processed, and that the board has added the voter to the rolls. (The voter should receive a voter identification card with their assigned precinct.)¹¹⁸

If the voter registration deadline has passed, the erroneously-removed voter should attempt to vote in the upcoming election by provisional ballot.¹¹⁹ In addition, the voter should contact her board of registrars and, if she needs further assistance, the Georgia Secretary of State Elections Division.

Who may obtain a list of registered voters?

Any person may obtain from the Secretary of State a list of registered voters with all information included EXCEPT: bank statements, birth dates, social security numbers, e-mail addresses, and driver's license numbers, as well as the location at which the electors applied to register to vote. (However, some of that confidential information may be supplied to other state or federal agencies.) Requestors may be asked to reimburse the Secretary of State's office for the actual cost incurred in preparing a list.¹²⁰

Additionally, registration applications of individuals rejected by election offices, and all related materials and records, or copies, must remain on file for two years after rejection. Plus, all records of list maintenance activities must be maintained for two years after the activity occurred and should be available for some public inspection and copying.¹²¹

What can voters do if they do not appear on their precinct's voter registration list?

A voter who goes to his or her proper voting place, but does not appear on the voter registration list, may vote by provisional ballot if she believes that she was registered to vote in time for the election.¹²² (See Section on "Provisional Ballots").

ABSENTEE AND EARLY VOTING

Who is permitted to vote by absentee ballot?

Any qualified Georgia voter may vote by absentee ballot without a specified excuse or reason.¹²³

How can individuals request an absentee ballot?

A qualified voter may request an absentee ballot by submitting by mail, fax, electronic transmission, or in person at the registrar's office, a written request for an official ballot, up to 180 days before the election.¹²⁴ If the person is temporarily residing outside of the county or municipality or is physically disabled, the application for an absentee ballot may be made by a designated relative of the person who is at least 18 years old, upon satisfactory proof of the relationship.¹²⁵ The application for the absentee ballot must be in writing, contain "sufficient information for proper identification," including the following information:

- The voter's name and residence address
- The address the voter would like the ballot sent to, if different from the residence address
- The voter's date of birth
- Signature of the voter or the person preparing the application if the voter is disabled or illiterate.¹²⁶

Only those age 65 or older, with a physical disability, or entitled to request an absentee ballot under the Uniform and Overseas Citizens Absentee Voting Act (UOCAVA) can make a single request for absentee ballots for multiple elections, including a primary, any run-off primary, election, and any run-off election in a given year.¹²⁷ Any other voter must indicate the election for which they are requesting an absentee ballot (primary, election, or runoff) and cannot complete one application and receive ballots for all.¹²⁸ Moreover, all voters must request a separate absentee ballot for the Presidential primary.¹²⁹

The board of registrars or absentee ballot clerk will mail or issue the absentee ballot to eligible voters no more than 49 days, but not less than 45 days, before non-municipal primaries or elections.¹³⁰ The board of registrars will immediately issue absentee ballots for additional ballot requests that come in within 45 days of the election.¹³¹

When is the deadline for requesting an absentee ballot?

There is no explicit deadline for requesting an absentee ballot. However, an absentee ballot cannot be mailed or issued by the registrars or absentee ballot clerks the day before the election or on Election Day.¹³² The only exception is if the person is confined to the hospital and the registrar or absentee ballot clerk is delivering the absentee ballot, in-person, to the voter on Election Day and they are casting their ballot then and there.¹³³

May a first time voter cast an absentee ballot?

Yes. However, a first-time voter who registers to vote by mail and does not provide HAVA identification with their registration application must include acceptable HAVA identification with their application for an absentee ballot or with their absentee ballot, including a photo ID or utility bill.¹³⁴ If that HAVA identification is not provided with the first time voter's application for an absentee ballot or their absentee ballot, their absentee ballot will be treated as a provisional ballot and will be counted only if the person provides the appropriate identification within three days of the election.¹³⁵

What steps must voters take if they request but do not receive an absentee ballot?

If a voter does not receive their absentee ballot, they may notify their local board of registrars and sign an affidavit stating that the ballot has not been received.¹³⁶ The board of registrars or absentee ballot clerk must then issue a second absentee ballot to the applicant and cancel the original ballot that was issued.¹³⁷ A second application for an absentee ballot does not have to be completed.¹³⁸

In the alternative, the voter can appear in person before the registrar or absentee ballot clerk and request in writing that the envelope containing the ballot be marked "canceled" and, after satisfying the registrar or absentee ballot clerk as to their identity,¹³⁹ they will notify the managers of the voter's precinct to allow the voter to vote, in person, in the precinct on election day.¹⁴⁰

How must voters cast their absentee ballots to ensure they are counted?

When the voter receives their absentee ballot by mail, they will receive two envelopes, in addition to the ballot and instructions.¹⁴¹ After voting their absentee ballot the voter must put the ballot into the smaller of the two envelopes with the words "Official Absentee Ballot" printed on the front.¹⁴² That envelope must then be placed in the second, larger envelope, on which is printed the oath of the elector; the name, relationship, and oath of the person assisting the voter, if any; and other identifying information.¹⁴³ The voter must fill out, subscribe, and swear to the oath and then securely seal the envelope and mail or personally deliver it to the board of registrars or absentee ballot clerk.¹⁴⁴

When can a person receive assistance with filling out their absentee ballot?

A physically disabled or illiterate voter may receive assistance in preparing their ballot from anyone who is qualified to vote in the same county or municipality, an attendant care provider, or specific relatives.¹⁴⁵ The person assisting the disabled or illiterate voter must sign the oath printed on the same envelope as the oath to be signed by the voter.¹⁴⁶ No person may assist more than ten such voters in any election in which there is no federal candidate on the ballot.¹⁴⁷

Under what circumstances can another person deliver the voter's absentee ballot?

If the voter is physically disabled, they may also have specific relatives deliver the ballot for them, upon satisfactory proof of that person's relationship to the voter.¹⁴⁸ Additionally, if the voter is

confined to a hospital and the absentee ballot has been delivered to them by the registrar or absentee ballot clerk, then the voter will vote then and there, seal it properly, and return it to the registrar or absentee ballot clerk.¹⁴⁹

When is the deadline for casting an absentee ballot to ensure it is counted?

The county registrar must receive the absentee ballot by close of business on Election Day (November 8, 2016, for the general election). Ballots received after that time, regardless of when they were sent, will not be counted, and the voter will be informed by first class mail that the ballot was not counted.¹⁵⁰

When will absentee ballots be counted?

Absentee ballots will not be counted until the close of the polls on Election Day, unless the county election superintendent exercises his/her discretion to begin counting the absentee ballots before the close of the polls.¹⁵¹ If the county election superintendent chooses to begin counting the ballots before the close of the polls they may not start before 7:00 a.m. on the day of the election, they must notify the Secretary of State in writing at least seven days in advance, and they must publishes a written notice in their office at least one week prior to the election.¹⁵²

What are the procedures for determining if an absentee ballot will be counted?

Upon receiving the absentee ballot, a registrar or clerk will first compare the person's identifying information on the oath with their information on file. Then, the registrar or clerk will compare the voter's signature or mark on the oath with the signature or mark on the person's voter registration card, or most recent update to their voter registration card and application for absentee ballot. If the identifying information and signature appear to be valid, he or she will certify the ballot.¹⁵³ If the voter fails to sign the oath, their signature does not appear to be valid, they have failed to provide required information, or they are otherwise found disqualified to vote, the registrar or clerk will write across the face of the envelope "rejected," with the reason.¹⁵⁴ The voter should be promptly notified of the rejection by the board of registrars or absentee ballot clerk, and the board of registrars must retain a copy of that rejection notification.¹⁵⁵

What should individuals do if they requested an absentee ballot but want to vote in person on Election Day?

If a voter has requested to vote by absentee ballot and has not received the ballot, has the ballot in his/her possession and has not mailed or delivered it yet, or has mailed the ballot, but it has not yet been received by the board of registrars, the voter may have the absentee ballot canceled and vote in person, by either surrendering the absentee ballot to the poll manager of the precinct in which they are a registered voter or, if they do not have the ballot in their possession, by appearing in person in the registrar or absentee ballot clerk's office and requesting in writing that the envelope containing their absentee ballot be marked "canceled."¹⁵⁶ However, if a person votes by absentee ballot and that ballot is returned and received by the board of registrars, no other ballot can be issued to that voter.¹⁵⁷

Is there early voting? If so, describe.

Yes. Any registered voter may vote in-person at their county's board of registrars' office, and other designated locations, usually starting on the Fourth Monday prior to the election (October 17, 2016) and ending on the Friday immediately preceding the election (November 4, 2016).¹⁵⁸ Early voting is conducted during normal business hours on weekdays.¹⁵⁹ Additionally, if there is a federal or state candidate on the ballot, then early voting is also conducted on the second Saturday prior to the election, during the hours of 9:00 a.m. through 4:00 p.m.¹⁶⁰ Officially, there are 21 days of early voting, but counties and municipalities may extend the hours for early voting, if needed, and registrars and absentee ballot clerks must provide reasonable notice to the voters in their jurisdiction of the availability of early voting, including the times, dates, and locations at which advance voting will be conducted.¹⁶¹ Some counties have that information listed on the Georgia Secretary of State's website.¹⁶²

What if a person is overseas and wants to register to vote by absentee ballot?

Pursuant to the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), the following individuals who are legal residents of Georgia and U.S. citizens and will be absent from their county of residence until after the time for registering to vote may register and request an absentee ballot at the same time, using the Federal Post Card Application ("FPCA"):

- A member of the armed forces or the merchant marine
- A spouse or dependent of either of those members
- A person who is temporarily or permanently residing overseas¹⁶³

They may choose to receive their absentee ballot by mail or electronically by requesting electronic ballot delivery ("EBD").¹⁶⁴

Permanent overseas citizens are only allowed to vote for Presidents and U.S. senators or representatives in Congress and shall be deemed residents of the precinct in which the county courthouse is located.¹⁶⁵ A permanent overseas citizen who has never lived in the United States, may register and vote in Georgia in the county of residence of their parent, if their parent is registered to vote in Georgia.¹⁶⁶

An absentee ballot cast by an eligible overseas voter that is postmarked by the date of the election and is received within the three-day period following the election, if proper in all other respects, is deemed valid and will be counted.¹⁶⁷

What if individuals do not request an absentee ballot, but cannot reach their voting place on Election Day because of unforeseen emergency circumstances?

If an eligible voter is confined to a hospital they may request that an absentee ballot be delivered to them.¹⁶⁸ The absentee ballot can be delivered to a person confined in a hospital by the registrar or clerk on the day of the election, or during a five-day period immediately preceding Election Day.¹⁶⁹ If the voter is confined to a hospital and the absentee ballot is delivered to them in-person

by the registrar or absentee ballot clerk the voter will vote their ballot then and there and then properly seal the envelope and return it to the registrar or absentee ballot clerk.¹⁷⁰

Otherwise, if an eligible voter has not requested an absentee ballot by the day prior to Election Day, and the voter cannot reach their voting place on Election Day, they will be unable to vote.¹⁷¹

VOTING PLACE LOCATIONS AND PROCEDURES

What hours are the polls open on Election Day?

Polls must open at 7:00 a.m. and close at 7:00 p.m. In cities having a population of 300,000 or more according to the United States census, the polls shall remain open continuously until 8:00 p.m.¹⁷² All voters who are standing in line and qualified to vote when the polls close will be permitted to vote.¹⁷³

How are decisions about precincts and voting place locations made?

Voting Precincts: Each election district constitutes a voting precinct.¹⁷⁴ Voting precincts are determined by boundaries including:

- Visible features which are readily distinguishable and are indicated upon official Department of Transportation maps, current census maps, city or county planning maps, official municipal maps, official county maps
- The boundaries of public parks
- The boundaries of public school grounds
- Boundaries of churches
- Boundaries of counties and incorporated municipalities
- The boundaries of restricted access residential communities.¹⁷⁵

In Georgia, the superintendent of a county election board or the governing authority of a municipality may alter a precinct by, for example, consolidating adjoining precincts, or forming a precinct out of two or more adjoining precincts, or parts of a precinct.¹⁷⁶

Voting or Polling Place Locations: Voters in each precinct are assigned to a certain polling place based on their precinct. (One polling place may serve voters from one or more precincts in vote centers). In selecting polling places, the superintendent of a county or the governing authority of a municipality usually selects a facility such as a schoolhouse, municipal building, room or other public buildings to serve as the voting location.¹⁷⁷ Consideration must be given to the comfort and convenience of both voters and poll officers.¹⁷⁸ A school, or municipal or county building must make its facility available for elections, but the superintendent or governing authority may not substantially interfere with the ordinary use of such properties when using them to facilitate elections.¹⁷⁹ The superintendent may establish the polling place for a precinct outside the boundaries of the precinct if there is no suitable facility within the precinct which could be used as a polling place, and if by doing so, such polling place would better serve the needs of the voters.¹⁸⁰

The superintendent of a county or the governing authority of a municipality may, either on his own motion or on petition of ten electors of a precinct, change the polling place within any precinct.¹⁸¹

How can a voter identify their voting precinct and voting or polling place location?

The voter should contact the Secretary of State's website, <https://www.mvp.sos.ga.gov/MVP/mvp.do> to check the status of their registration in advance of an election and her correct polling place.¹⁸²

How close to an election may voting precincts be altered?

The bounds of a precinct cannot be altered on a day in which a primary or election is held. Boundaries also may not be altered 60 days prior to any general primary or election, or 30 days prior to any special primary or election. The superintendent of a county or the governing authority of a municipality should promptly notify the board of registrars of any change in the boundaries of precincts.¹⁸³

How close to an election may a voting place location be altered and how will voters be notified about voting place changes?

The superintendent of a county election board or the governing authority of a municipality may only change the polling place location if the change has been published locally in the "legal organ" (i.e., local newspaper in which the precinct is located) once a week for at least two, consecutive weeks before the Election.¹⁸⁴ Additionally, any change of polling place location that has been proposed by petition of electors, will not be ordered if at least 20% of electors in the same precinct object by petition on or before the hearing about the petition change.¹⁸⁵ A voting place location may be changed if, within ten days of a primary or election, an emergency or unavoidable event, which renders the original location unusable, occurs.¹⁸⁶

On the first Election Day following a change of a polling place location, a notice of the change must be posted on the previous polling place and at three other places in the immediate vicinity.¹⁸⁷

Are there specific guidelines on how large precincts can be?

No. However, if at the previous general election a precinct contained more than 2,000 voters and voting was not concluded one hour after the polls closed, the superintendent should either reduce the precinct so that it contains no more than 2,000 voters or provide more poll workers, more voting equipment, or both before the next general election.¹⁸⁸

What activities are not permitted at voting places on Election Day?

An individual or group may not campaign—either by distributing or displaying any campaign literature, newspaper, booklet, pamphlet, card, sign, paraphernalia, or any other written or printed material—solicit votes, solicit signatures for any petition or conduct an exit poll or public opinion vote on Election Day and:

- Within 150 feet of any building within which a polling place is established;
- Within any polling place; or
- Within 25 feet of any voter standing in line to vote at any polling place."¹⁸⁹

No person whose name appears as a candidate on the ballot being voted upon, except a judge of the probate court, shall physically enter any polling place other than the polling place where he or she is authorized to cast a ballot for the election. Additionally, that candidate may not return to the polling place until the polls have closed and voting has ceased, unless he or she is carrying out official business with the board of registrars.¹⁹⁰

What activities are permitted at voting places on Election Day?

Poll officers may distribute materials which are necessary for the purpose of instructing voters. Materials will be prepared by the Secretary of State and designed solely for the purpose of encouraging voter participation.¹⁹¹

Can voters request assistance with voting equipment at the voting place?

Voters are not permitted to receive any assistance in voting during any primary or election unless he or she is:

- Unable to read the English language,
- Has a disability which renders him or her unable to see or mark the ballot, or operate the voting equipment,
- Has a disability that renders him or her unable to enter the voting compartment or booth without assistance.¹⁹²

The individual assisting the voter must identify himself or herself to a poll worker so the poll worker may record their name on the elector's voter certificate.¹⁹³

Can a child/minor enter the voting booth with the voter?

Yes, any child under age 12 (and under 18 if the child's parent is the voter) may enter with a voter, unless they are causing a disturbance or interfering with the voting process.¹⁹⁴

What accommodations must be made for non-English speakers or individuals unable to read?

If non-English and individuals with low literacy are voting in an election in which there is a federal candidate, the voter may select any person for assistance unless it is an employer, an agent of an employer, or agent of a union. In all other elections the voter may select any voter who is a non-poll worker and resident of the precinct in which the voter is requiring assistance to vote, relative, or care provider.¹⁹⁵

Will there be central polling locations where voters, regardless of where they live, can vote?

During the early voting period, any registered voter may vote in-person at their county board of registrars' office and other designated locations within the county. Early voting begins on the 4th Monday prior to the election (October 17, 2016) and ends on the Friday immediately preceding the election (November 4, 2016).¹⁹⁶

On Election Day, voters must vote in their county/municipality and assigned voting precinct. However, if a voter moves from one county or municipality to a new county or municipality after the fifth Monday prior to the election, the voter may vote in the precinct where their former residence is located.¹⁹⁷

What accommodations must be made for voters with disabilities?

If voters with disabilities are voting in an election in which there is a federal candidate, a voter who has a disability that renders them unable to see or mark a ballot may select any person for assistance unless it is an employer, an agent of an employer, or agent of a union. In all other elections the voter may select any voter who is a non-poll worker and resident of the precinct in which the voter is requiring assistance to vote, or a relative, or care provider.¹⁹⁸

Additionally, on Election Day between the hours of 9:30am and 4:30pm each voter who is 75 years of age or older or who is disabled and requires assistance in voting, shall upon request to a poll officer, be authorized at any election to vote immediately at the next available voting compartment or booth without having to wait in line.¹⁹⁹

How much time do voters have to cast their ballot?

No exact time limit is prescribed; however, no voter shall remain in a voting compartment or voting machine booth an “unreasonable length of time.”²⁰⁰

If a voter is in line to vote at poll closing time but has not reached the voting machine, may the voter still vote?

Yes. At the exact hour the polling place is scheduled to closed, all voters who are standing in line and qualified to vote shall be permitted to do so.²⁰¹

May voters who have moved within the county to a new address in another precinct but who have not registered at their new address be allowed to vote at the precinct for their old address?

Yes. If a person moves within a county to a new address in another precinct (or even to a new residence within the same precinct) they should attempt to notify in writing the Board of Registrars by the Registration deadline, which is the fifth Monday prior to the election primary or election. Nonetheless, if that voter does not notify the Board of Registrars of their change of address by the Registration deadline, they may still vote at their former precinct.²⁰²

Also, if a person moves from one county or municipality to a new county or municipality after the fifth Monday prior to the election the voter may still vote in their former precinct.²⁰³

Are poll watchers or other non-voters permitted inside the voting place?

Poll watchers, who are usually submitted by political parties, are permitted behind the enclosed space for the purpose of observing the conduct of the election and the counting and recording of

votes. The poll watcher shall in no way interfere with the conduct of the election, and the poll manager may make reasonable regulations to avoid such interference. Poll watchers are prohibited from talking to voters, checking electors' lists, using photographic or other electronic monitoring or recording devices, using cellular phones, or participating in any form of campaigning while they are behind the enclosed space. If a poll watcher persists in interfering with the election, after being duly warned, he or she may be removed.²⁰⁴

Otherwise, only the following nonvoters may enter the enclosed space in a polling place: poll officers; poll watchers; persons actually voting and their children under the age of 18 or any child under 12 accompanying that person; persons lawfully giving assistance to voters, State Election Board investigators; and any enforcement officers necessary to maintain order.²⁰⁵

CHALLENGES AND VOTER INTIMIDATION

Can a person's right to vote be challenged at the polls?

Yes. In Georgia, a person's right to register, remain registered, or vote²⁰⁶ can be challenged based on one or more of the following:

- The person is not registered to vote in Georgia;
- The person is not a Georgia state citizen;
- The person is not a United States citizen;
- The person is not at least 18 years of age or will not turn 18 within six months after registering to vote;
- The person is not a Georgia resident;
- The person is not a resident of the county or municipality where the person seeks to vote;
- The person is serving a sentence for a felony;
- A judge has declared the person mentally incompetent; or
- The person is deceased.²⁰⁷

Who can challenge a person's right to vote at the polls and when can that challenge be made?

Any other voter in the county or municipality can challenge a person's right to vote. The challenge must be in writing and must state the specific grounds for the challenge. The challenge can be made at the polling place or any time before a person votes. For an absentee ballot challenge, the person must go to the office of the registrars or the absentee ballot clerk on the day before the election prior to 5:00 P.M. and prior to the absentee ballot being counted.²⁰⁸

Once the challenge is received, the Board of Registrars should consider if probable cause exists to sustain the challenge. Without probable cause, the challenge will be denied. If probable cause to sustain the challenge is found, the registrars must notify the poll officer at the challenged voter's precinct or if the voter voted by absentee ballot, any poll workers counting absentee ballots. The challenged voter will only be notified "if practical," and the elector may be afforded an opportunity to answer.²⁰⁹

When the person being challenged does not vote (cast an absentee ballot or appear at the polling place to vote), and the challenge is based on the grounds that the voter is not qualified to remain on the list of electors, then the board of registrars must set a challenge hearing.²¹⁰

When the person being challenged does not vote (cast an absentee ballot or appear at the polling place to vote), and the challenge is not based on the grounds that the voter does not meet the qualifications to remain on the list of voters, then the registrars do not have to act on the challenge.²¹¹

Alternatively, the Board of Registrars itself may initiate a challenge against the voter's eligibility. From "time to time," the Board of Registrars must examine the eligibility of voters on its lists of

electors, and if a voter's eligibility is questioned, the Board of Registrars must give the voter written notice by first-class mail of a hearing, including the date and time. If the Board of Registrars determines that the voter is no longer eligible to remain on the list of electors, that voter must be notified. That voter may still appeal the Board of Registrars' decision in the superior court within 10 days of the registrars' decision.²¹²

What can individuals do if they are challenged while at the polls?

If an individual is challenged at the polls, they must be given an opportunity to answer the challenge, and the individual can ask for a same-day hearing on the challenge with the Board of Registrars. If the registrars do not find probable cause for the challenge at that hearing, the challenge will be denied and the individual can vote that day even if the polls have already closed, provided they vote immediately after the challenge has been decided. However, if the registrars uphold the challenge, the challenged voter may not be able to vote, and if the challenge is based on the elector's eligibility to remain on the rolls, the challenged elector may also be removed from the rolls.²¹³

If the individual cannot get a same-day hearing or if the board of registrars cannot decide the challenge on Election Day, the individual can cast a provisional ballot. Election results will not be certified until the challenge hearings are resolved. If the challenge is ultimately upheld, the challenged ballot will NOT be counted. Both the challenged elector and the elector who made the challenge have a right to appeal.²¹⁴ If the board of registrars side with the challenger, the voter can appeal the decision in the superior court within 10 days of the registrars' decision.²¹⁵

What is the process for challenging individuals' registration on days other than Election Day?

Any voter in the county or municipality can challenge a person's right to become or remain a registered voter. The challenge must be in writing and must state the reasons for the challenge. The board of registrars must set a hearing on the challenge once the challenge is filed. The challenger will receive notice of the date, time, and place of the hearing. The person whose right to register or remain registered has been challenged must also receive notice of the date, time, and place at least three days before the hearing served by the sheriff or by first-class mail (to the mailing address shown on the person's voter registration records).²¹⁶

The challenger has the burden of proving that the person being challenged is not qualified to remain on the list of electors. If the registrars uphold the challenge, the person's application for registration will be rejected or the person's name will be removed from the list of electors. The person who has been rejected or removed must be notified of the registrars' decision in writing served by the sheriff or by first-class mail (to the mailing address shown on the person's voter registration records).²¹⁷

The challenger and the person being challenged can appeal the registrars' decision by filing a petition with the clerk of the superior court within ten days of the date of the registrars' decision. The petition must be served upon the other parties and the registrars. The registrars' decision will remain intact unless the superior court reverses it.²¹⁸

What constitutes illegal intimidation of voters at the polls?

Illegal intimidation occurs when a person uses or threatens to use force and violence, or acts in a way to cause another person to fear for his safety or the safety of another and attempts to influence that person's decision to:

- Vote or not vote in a primary or an election;
- Vote or not vote for any particular candidate or initiative;
- Vote or not vote against any particular candidate or initiative; or
- Register to vote or not register to vote.²¹⁹

Illegal intimidation is a felony. Those that illegally intimidate voters at the polls can be sentenced to up to 10 years in prison or be fined up to \$100,000.00, or both.²²⁰

Can a challenger challenge a voter simply because he or she does not have photo identification or did not bring it to the polls?

No, a challenger cannot challenge a voter simply because he or she does not have the required photo identification to vote or did not bring it to the polls. The voter ID law is enforced by poll workers, not other individual voters (or challengers).²²¹

Are law enforcement officers allowed in a voting place during voting hours?

Georgia does not prohibit law enforcement officers from being in a voting place during voting hours. Law enforcement officers may be called upon to assist in protecting the voting machines, if such assistance is requested by the superintendent.²²² Additionally, an officer is guilty of a misdemeanor offense if the officer neglects or refuses to clear obstacles that obstruct voters from entering, fails to maintain order and quell disturbances if called upon to do so by any poll officer or voter of the precinct, or hinders a poll officers from doing his or her job.²²³

To whom should a person report acts of intimidation?

A person should report acts of intimidation to the chief manager of the polling place. However, if the chief manager is intimidating voters, a person should tell a poll watcher or an officer at the polling place, or call the county elections office.

Additional sources to contact include:

- Georgia State Elections Division: (404) 656-2871,
<http://sos.georgia.gov/elections>
- Election Protection: 866-OUR-VOTE (866-687-8683)
- US Department Of Justice Voting Section: (800) 253-3931

PROVISIONAL BALLOTS

What is a provisional ballot?

Georgia law does not define provisional ballot,²²⁴ but an individual traditionally receives a provisional ballot if the voter believes she has timely registered but her names does not appear on the voter rolls or when her eligibility to vote in the precinct has not been determined or verified.²²⁵

Who may request or usually receives a provisional ballot at the polls?

- A registered voter who does not have proper identification. If a voter is unable to produce any forms of photo identification required to vote he or she is allowed to vote a provisional ballot after swearing or affirming their identity. Their provisional ballot will only be counted if the voter provides the Registrars' office with the proper identification within three days of the election.²²⁶ This also applies to voters who were required to provide proper HAVA identification when he or she registered to vote by mail for the first time.²²⁷
- A registered voter who does not appear on the list of registered voters. If an individual presents himself or herself at a polling place, absentee polling place, or registrars' office for the purpose of casting a ballot in a primary or election believing that he or she has timely registered to vote in such primary or election and the person's name does not appear on the list of registered electors, he or she can cast a provisional ballot.²²⁸
- A registered voter who appears on the list of registered voters, but is in the wrong precinct. If a voter is in the wrong polling location, he or she may either go to the proper location or complete a provisional ballot. The votes for all candidates or issues the voter is not entitled to vote for shall be void. Only the candidates or issues that appear on the voter's correct precinct's ballot will be counted.²²⁹
- A challenged voter. If a challenged voter appears at the polls to vote, and it is not practical to conduct a hearing prior to the close of the polls or if the registrars begin a hearing and subsequently find that a decision on the challenge cannot be rendered within a reasonable time, the challenged voter can cast a challenged, provisional ballot.²³⁰ If the challenge is based on the individual's eligibility to register or vote, and the registrars uphold the challenge in a hearing, the individual's voter registration application is rejected or their name will be removed from the list of electors. The ballot will not be counted.²³¹
- All voters voting in a primary or election for a federal candidate after poll hours have been extended. In primaries and elections where there is a federal candidate on the ballot, and the time for closing the poll place is extended by court order, all electors who vote during that extended time period will vote by provisional ballot only.²³² Those ballots will be separated and held apart from other provisional ballots cast by electors during normal poll hours.²³³

What must a voter do to complete a provisional ballot?

A voter using a provisional ballot must:

- Complete an official voter registration form;
- Sign a provisional ballot voting certificate which includes information about the place, manner, and approximate date on which the person registered to vote;
- Swear or affirm in writing that he or she:
 - Previously registered to vote in such primary or election;
 - Is eligible to vote in such primary or election;
 - Has not voted previously in such primary or election;
 - Meets the criteria for registering to vote in such primary or election; and
- Present one of the forms of photo ID required to vote.²³⁴

What can voters do if they request but do not receive a provisional ballot?

Voters who ask for a provisional ballot and are refused can report the incident to the Office of the Secretary of State, Brian Kemp, at (404) 656-2871, or here, <http://sos.ga.gov/cgi-bin/emailelectionscomplaint.asp>. These incidents can also be reported to the national Election Protection hotline – 1-866-OURVOTE.

How do election officials determine whether a provisional ballot will be counted?

The Board of Registrars must immediately examine the information contained on the documents to make a good faith effort to determine whether the person casting the provisional ballot was entitled to vote in the primary or election.²³⁵

If the registrars determine after the polls close, but not later than three days following the primary or election, that the person casting the provisional ballot timely registered to vote and was eligible to vote in such primary or election, the registrars will notify the election superintendent and the provisional ballot will be counted.²³⁶ If the registrars determine after the polls close, but not later than three days following the primary or election, that the person voting the provisional ballot timely registered and was eligible and entitled to vote in the primary or election *but voted in the wrong precinct*, then the board of registrars will let the superintendent know that he or she should count that person's votes, but only for the candidates the voter was entitled to vote for in his or her assigned precinct.²³⁷ Finally, if the registrars determine that the person casting the provisional ballot did not timely register to vote, was not eligible or entitled to vote in the primary or election, or if the registrars are unable to make this determination within three days after the primary or election, the registrars will notify the election superintendent that the ballot will not be counted.²³⁸ The board of registrars will notify in writing those persons whose provisional ballots were not counted.²³⁹

When will provisional ballots be counted?

The Election Superintendent must transfer the provisional ballot materials to the Board of Registrars no later than 9:00 a.m. on the day following the day of the primary, election, or runoff.²⁴⁰ Then, no later than the close of business on the third business day following the day of

the primary, election, or runoff, the registrars must return to the election superintendent the list of provisional ballot voters and indicating whether the provisional ballot was accepted or rejected.²⁴¹

How can voters find out whether their provisional ballots have been counted? (Georgia)

Whenever there is a federal candidate on the ballot, the state is required to provide a toll-free telephone number or Internet website so those who casted a provisional ballot in a primary or election, or runoff of either, can determine if their ballot was counted and, if it was not counted, the reason why it was not counted.²⁴² Only the individual who cast the provisional ballot may access such information.²⁴³ Failure to establish such a free access system will result in State Election Board sanctions for the local registrars and the county in which the registrars are employed.²⁴⁴

Additionally, the registrars must promptly notify individuals by first-class mail at the address shown on the provisional ballot that his or her ballot was not counted and the reason. If the person's voter registration card (which is typically filled out alongside a provisional ballot when the individual's name does not appear on the list of electors in the state) was approved, the registrars must also notify the person that his or her name will be added to the electors' list and the person will be eligible to vote in future primaries and elections.²⁴⁵ If an individual voted a provisional ballot in the wrong precinct or on the wrong ballot style, the registrars must also send a voter notification or precinct card by first-class mail to provide the voter with the correct precinct and election district information.²⁴⁶

Do voters have a right to appeal the determination of whether their provisional ballots will count?

Voters who have cast a provisional ballot because their eligibility to vote has been challenged may file an appeal from the decision of the registrars to the superior court by filing a petition with the clerk of the superior court within ten days after the date of the registrars' decision.²⁴⁷ A copy of the petition will be served upon the other parties and the registrars.²⁴⁸ Unless and until the decision of the registrars is reversed by the court, the decision of the registrars will stand and the provisional ballot will not be counted.²⁴⁹ Also, voters may file a complaint to the Office of Secretary of State Elections Division on its web site.²⁵⁰

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- ¹ Ga. Code Ann. § 21-2-216 (2015).
- ² Ga. Code Ann. § 21-2-217(a) (2015).
- ³ *Clark v. Hammock*, 228 Ga. 157 (Ga. 1971).
- ⁴ Ga. Code Ann. § 21-2-216(c) (2015).
- ⁵ Ga. Code Ann. § 21-2-216(b) (2015).
- ⁶ 1983 Op. Att’y Gen. 83-33 (1983); *Rehberger v. State*, 502 S.E.2d 222, 269 Ga. 576 (1998).
- ⁷ 1983 Op. Att’y Gen. 83-33 (1983).
- ⁸ Ga. Code Ann. §§ 21-2-215, -224(c) (2015).
- ⁹ Ga. Code Ann. §§ 21-2-223, -224(c) (2015).
- ¹⁰ Ga. Code Ann. § 21-2-221.2 (2015).
- ¹¹ Ga. Code Ann. § 21-2-215(a) (2015).
- ¹² Ga. Code Ann. § 21-2-222(b) (2015).
- ¹³ Ga. Code Ann. § 21-2-222(e) (2015).
- ¹⁴ Ga. Code Ann. § 21-2-222(b) (2015).
- ¹⁵ Ga. Code Ann. § 21-2-221 (2015).
- ¹⁶ Ga. Code Ann. § 21-2-215(d) (2015).
- ¹⁷ Ga. Code Ann. § 21-2-215(g) (2015); Ga. Comp. R. & Regs. 183-1-6-.05 (2003).
- ¹⁸ Ga. Code Ann. § 21-2-221.2 (2015).
- ¹⁹ Ga. Code Ann. § 21-2-221.2(c) (2015).
- ²⁰ Ga. Code Ann. §§ 21-2-221(c)(3), -561 (2015).
- ²¹ Georgia Secretary of State website, http://sos.ga.gov/admin/files/Voter_Registration_Application_8-10.pdf (last visited Mar. 24, 2016).
- ²² Ga. Code Ann. § 21-2-221(c)(4) (2015).
- ²³ Ga. Code Ann. § 21-2-225(b) (2015).
- ²⁴ Georgia Secretary of State website, http://sos.ga.gov/admin/files/Voter_Registration_Application_8-10.pdf (last visited Mar. 24, 2016).
- ²⁵ Ga. Code Ann. § 21-2-217(a)(1) (2015).
- ²⁶ Ga. Code Ann. § 21-2-217(a)(13) (2015).
- ²⁷ Ga. Code Ann. § 21-2-220(c) (2015).
- ²⁸ Ga. Code Ann. §§ 21-2-417(c), -417.1 (2015).
- ²⁹ 52 U.S.C.S. § 21083(b)(2) (2015); Ga. Code Ann. § 21-2-417(c) (2015).
- ³⁰ Ga. Code Ann. § 21-2-417 (2015).
- ³¹ Ga. Code Ann. § 21-2-417(b) (2015).
- ³² Ga. Code Ann. § 21-2-224(c) (2015).
- ³³ Ga. Code Ann. § 21-2-220(d) (2015).
- ³⁴ Ga. Code Ann. § 21-2-216(g) (2015).
- ³⁵ Ga. Code Ann. § 21-2-220(d) (2015).
- ³⁶ Ga. Code Ann. §§ 21-2-220(d), -216(g) (2015).
- ³⁷ Ga. Code Ann. § 21-2-223(c) (2015).
- ³⁸ Ga. Comp. R. & Regs. 183-1-6-.02. (2009).
- ³⁹ *Id.*; Ga. Code Ann. § 10-15-2 (2015).
- ⁴⁰ Ga. Code Ann. § 21-2-224(c.1) (2015); Ga. Comp. R. & Regs. 183-1-6-.02 (2009).
- ⁴¹ *Id.*
- ⁴² 52 U.S.C.S. § 20507 (2015).
- ⁴³ Ga. Code Ann. § 21-2-226(d) (2015).
- ⁴⁴ *Id.*
- ⁴⁵ Ga. Code Ann. § 21-2-226(e) (2015).
- ⁴⁶ Georgia Secretary of State website at: <http://www.mvp.sos.ga.gov/MVP/mvp.do> (last visited July 1, 2016).
- ⁴⁷ Ga. Code Ann. § 21-2-221(e) (2015).
- ⁴⁸ Ga. Code Ann. § 21-2-222(i) (2015).
- ⁴⁹ Ga. Code Ann. § 21-2-226(d) (2015).
- ⁵⁰ Ga. Code Ann. § 21-2-417(a) (2015).

⁵¹ *Id.*

⁵² 52 U.S.C.S. § 21083(b) (LexisNexis 2016).

⁵³ *Id.*

⁵⁴ *Id.*; Ga. Code Ann. §§ 21-2-220(c), -417(c)(2015).

⁵⁵ Ga. Code Ann. § 21-2-220(c)(1-3) (2015); *see also* 52 U.S.C.S. § 21083(b) (LexisNexis 2016).

⁵⁶ 52 U.S.C.S. § 21083(a)(5)(A)(i-ii) (2015).

⁵⁷ Ga. Code Ann. § 21-2-216(g)(2) (2015).

⁵⁸ Ga. Code Ann. § 21-2-216(g)(3)(2015).

⁵⁹ Ga. Code Ann. § 21-2-220(d) (2015).

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² 52 U.S.C.S. § 21083 (LexisNexis 2016).

⁶³; Ga. Code Ann. § 21-2-417(c) (2015).

⁶⁴ Ga. Code Ann. § 21-2-216(g)(1) (2015).

⁶⁵ Ga. Code Ann. § 21-2-381(b)(1) (2015).

⁶⁶ *Id.*

⁶⁷ Ga. Code Ann. §§ 21-2-231(a), (d) (2015).

⁶⁸ Ga. Code Ann. §§ 21-2-231(a.1), (d) (2015).

⁶⁹ Ga. Code Ann. §§ 21-2-231(b), (d) (2015).

⁷⁰ Ga. Code Ann. §§ 21-2-231(c)-(d) (2015).

⁷¹ Ga. Code Ann. § 21-2-235(b) (2015).

⁷² Ga. Code Ann. § 21-2-232 (a) (2015).

⁷³ Ga. Code Ann. § 21-2-232(b) (2015).

⁷⁴ Ga. Code Ann. § 21-2-233(c) (2015).

⁷⁵ Ga. Code Ann. § 21-2-230(h); *see also* Ga. Code Ann. §§ 21-2-230(a)-(g).

⁷⁶ Ga. Code Ann. § 21-2-231(a) (2015).

⁷⁷ Ga. Code Ann. § 21-2-231(a.1) (2015).

⁷⁸ Ga. Code Ann. § 21-2-231(b) (2015).

⁷⁹ Ga. Code Ann. § 21-2-231(e) (2015).

⁸⁰ Ga. Code Ann. § 21-2-231(c) (2015).

⁸¹ Ga. Code Ann. § 21-2-231(e) (2015).

⁸² Ga. Code Ann. § 21-2-231(e.1) (2015).

⁸³ Ga. Code Ann. § 21-2-235(b) (2015).

⁸⁴ Ga. Code Ann. § 21-2-234(d) (2015).

⁸⁵ Ga. Code Ann. § 21-2-232(a) (2015).

⁸⁶ Ga. Code Ann. § 21-2-232(b) (2015).

⁸⁷ Ga. Code Ann. §§ 21-2-233(a), -234(i) (2015).

⁸⁸ Ga. Code Ann. § 21-2-233(c) (2015).

⁸⁹ Ga. Code Ann. § 21-2-234(c) (2015).

⁹⁰ Ga. Code Ann. § 21-2-233(c) (2015).

⁹¹ Ga. Code Ann. § 21-2-234(a)(2) (2015).

⁹² *Id.*

⁹³ Ga. Code Ann. § 21-2-234(g) (2015).

⁹⁴ Ga. Code Ann. § 21-2-235(b) (2015).

⁹⁵ *See* Ga. Code Ann. § 21-2-234(d) (2015).

⁹⁶ Ga. Code Ann. § 21-2-234(e) (2015).

⁹⁷ Ga. Code Ann. § 21-2-234(f) (2015).

⁹⁸ Ga. Code Ann. § 21-2-234(i) (2015); *see also* National Voter Registration Act of 1993 (NVRA), 52 U.S.C § 20507(c)(2)(A) (LexisNexis2016).

⁹⁹ *See* <http://www.mcelections.net/Voter-ID-Requirements-v-24.html> (describing the voter’s certificate). (Last reviewed July 1, 2016).

¹⁰⁰ Ga. Code Ann. § 21-2-234(a)(1) (2015).

¹⁰¹ Ga. Code Ann. § 21-2-233(c) (2015).

¹⁰² *Id.*

¹⁰³ *Id.*

¹⁰⁴ Ga. Code Ann. § 21-2-233(c) – (d) (2015).

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- ¹⁰⁵ Ga. Code Ann. § 21-2-233(c) (2015).
- ¹⁰⁶ Ga. Code Ann. § 21-2-235(a) (2015).
- ¹⁰⁷ Ga. Code Ann. §§ 21-2-233(c) – (d) (2015).
- ¹⁰⁸ Ga. Code Ann. § 21-2-235(c)(1) (2015).
- ¹⁰⁹ Ga. Code Ann. § 21-2-235(c)(2) (2015).
- ¹¹⁰ Ga. Code Ann. § 21-2-235(c)(3) (2015).
- ¹¹¹ Ga. Code Ann. § 21-2-218(c) (2015).
- ¹¹² Ga. Code Ann. § 21-2-218(e) (2015).
- ¹¹³ *See* Taggart v. Phillips, 249 S.E.2d 268, 269 (1978)(describing the procedures for voters who move more than 30 days before a primary or election).
- ¹¹⁴ Ga. Code Ann. § 21-2-218(d) (2015).
- ¹¹⁵ *Id.*
- ¹¹⁶ Ga. Code Ann. § 21-2-218(e) (2015).
- ¹¹⁷ Ga. Code Ann. § 21-2-216(b) (2015).
- ¹¹⁸ *Id.* at (d).
- ¹¹⁹ Ga. Code Ann. § 21-2-418 (2015).
- ¹²⁰ Ga. Code Ann. § 21-2-225 (2015).
- ¹²¹ Ga. Code Ann. § 21-2-236 (b)-(c) (2015).
- ¹²² Ga. Code Ann. § 21-2-418 (2015).
- ¹²³ Ga. Code Ann. § 21-2-380(b) (2015).
- ¹²⁴ Ga. Code Ann. § 21-2-381(a)(1)(A) (2015).
- ¹²⁵ Ga. Code Ann. § 21-2-381(a)(1)(B) (2015) (“elector’s mother, father, grandparent, aunt, uncle, sister, brother, spouse, son, daughter, niece, nephew, grandchild, son-in-law, daughter-in-law, mother-in-law, father-in-law, brother-in-law, or sister-in-law...”).
- ¹²⁶ Ga. Code Ann. § 21-2-381(a)(1)(C)(2015).
- ¹²⁷ *Id.*, -381(a)(1)(G) (2015).
- ¹²⁸ Ga. Code Ann. § 21-2-381(a)(1)(G) (2015).
- ¹²⁹ *Id.*
- ¹³⁰ Ga. Code Ann. § 21-2-384(a)(2) (2015).
- ¹³¹ *Id.*
- ¹³² Ga. Code Ann. §§ 21-2-384(a)(2)(4)(2015).
- ¹³³ Ga. Code Ann. § 21-2-385(a) (2015).
- ¹³⁴ Ga. Code Ann. §§ 21-2-385(a), -386(a)(1)(D), -220, -417 (2015). Acceptable identification includes: Georgia driver’s license; Georgia voter identification card; other valid photo identification card issued by a branch, department, agency, or entity of the State of Georgia, any other state, or the United States, authorized by law to issue personal identification; valid United States passport; valid employee identification card containing a photo of the voter and issued by any branch, department, agency, or entity of the United States government, State of Georgia, or any county, municipality, board, authority, or other entity of the State of Georgia; valid United States military identification card containing a photo of the voter; valid tribal photo identification card; or a copy of a current utility bill, bank statement, government check, paycheck or other government document showing the name and address of the voter.
- ¹³⁵ Ga. Code Ann. §§ 21-2-385(a), -386(a)(1)(D), -220, -419(c)(1) (2015).
- ¹³⁶ Ga. Code Ann. § 21-2-384(a)(5) (2015).
- ¹³⁷ *Id.*
- ¹³⁸ *Id.*
- ¹³⁹ Ga. Code Ann. § 21-2-388(2) (2015) (Note: The statute does not state how the voter is to satisfy the registrar or absentee ballot clerk as to the voter’s identity).
- ¹⁴⁰ Ga. Code Ann. § 21-2-388(2) (2015).
- ¹⁴¹ Ga. Code Ann. § 21-2-384(b) (2015).
- ¹⁴² Ga. Code Ann. § 21-2-385(a) (2015).
- ¹⁴³ *Id.*
- ¹⁴⁴ *Id.*
- ¹⁴⁵ Ga. Code Ann. § 21-2-385(b) (2015) (“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, or sister-in-law of the disabled or illiterate [voter]”).
- ¹⁴⁶ *Id.*

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- ¹⁴⁷ *Id.*
- ¹⁴⁸ Ga. Code Ann. § 21-2-385(a) (2015) (“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 disabled [voter]”).
- ¹⁴⁹ *Id.*
- ¹⁵⁰ Ga. Code Ann. § 21-2-386(a)(1)(F) (2015).
- ¹⁵¹ Ga. Code Ann. §§ 21-2-386(a)(3), -386(b) (2015).
- ¹⁵² Ga. Code Ann. § 21-2-386(a) (2015).
- ¹⁵³ Ga. Code Ann. § 21-2-386(a)(1)(B) (2015).
- ¹⁵⁴ Ga. Code Ann. § 21-2-386(a)(1)(C) (2015).
- ¹⁵⁵ *Id.*
- ¹⁵⁶ Ga. Code Ann. § 21-2-388 (2015).
- ¹⁵⁷ *Id.*
- ¹⁵⁸ Ga. Code Ann. § 21-2-385(d)(1) (2015).
- ¹⁵⁹ *Id.*
- ¹⁶⁰ *Id.*
- ¹⁶¹ Ga. Code Ann. § 21-2-385(d) (2015).
- ¹⁶² *County Elections Contacts*, Georgia Secretary of State Brian P. Kemp, <http://sos.ga.gov/elections/countycontacts/advancevotingdisplay.aspx> (last visited December 31, 2015).
- ¹⁶³ Ga. Code Ann. §§ 21-2-219(b); -381(a)(2); 52 U.S.C.A. §§ 20301(b)(2), 20302(a)(4) (2015).
- ¹⁶⁴ Ga. Code Ann. § 21-2-387; *Military and Overseas Voting*, Georgia Secretary of State Brian P. Kemp, http://sos.ga.gov/index.php/elections/military_and_overseas_voting2 (last visited 9/14/2016).
- ¹⁶⁵ Ga. Code Ann. § 21-2-219(c) (2015).
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- ¹⁶⁷ Ga. Code Ann. § 21-2-386(a)(1)(G) (2015).
- ¹⁶⁸ Ga. Code Ann. § 21-2-381(b)(2)(C) (2015).
- ¹⁶⁹ Ga. Code Ann. § 21-2-384(a)(4) (2015).
- ¹⁷⁰ Ga. Code Ann. § 21-2-385(a) (2015).
- ¹⁷¹ Ga. Code Ann. §§ 21-2-384(a)(2), -385(a) (2015).
- ¹⁷² Ga. Code Ann. § 21-2-403 (2015).
- ¹⁷³ Ga. Code Ann. § 21-2-413(g) (2015).
- ¹⁷⁴ Ga. Code Ann. § 21-2-260 (2015).
- ¹⁷⁵ Ga. Code Ann. § 21-2-261.1(a) (2015).
- ¹⁷⁶ Ga. Code Ann. § 21-2-261(a) (2015).
- ¹⁷⁷ Ga. Code Ann. § 21-2-266(a) (2015).
- ¹⁷⁸ *Id.*
- ¹⁷⁹ *Id.*
- ¹⁸⁰ Ga. Code Ann. § 21-2-265 (e) (2015).
- ¹⁸¹ Ga. Code Ann. § 21-2-265(a) (2015).
- ¹⁸² *See* Ga. Comp. R. & Regs. 183-16.02(7)(b)(d)(2015)(explaining that if an applicant has not received notification of disposition of his application within three to four weeks after completing a voter registration application, the applicant should contact his county board of registrars. Additionally, prior to an election voters should check the Ga. Secretary of State website to verify their registration and location of polling place.).
- ¹⁸³ Ga. Code Ann. § 21-2-261(c) (2015).
- ¹⁸⁴ Ga. Code Ann. § 21-2-265(a) (2015).
- ¹⁸⁵ Ga. Code Ann. § 21-2-265(b) (2015).
- ¹⁸⁶ Ga. Code Ann. § 21-2-265(a) (2015).
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- ¹⁸⁸ Ga. Code Ann. § 21-2-263 (2015).
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- ¹⁹⁰ Ga. Code Ann. § 21-2-414(d) (2015).
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- ¹⁹² Ga. Code Ann. § 21-2-409 (a) (2015).
- ¹⁹³ *Id.*
- ¹⁹⁴ Ga. Code Ann. § 21-2-413(f) (2015).

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- ¹⁹⁵ Ga. Code Ann. § 21-2-409(b) (2015) (Under the statute, relative can extend to “mother, father, grandparent, aunt, uncle, sister, brother, spouse, son, daughter, niece, nephew, grandchild, son-in-law, daughter-in-law, mother-in-law, father-in-law, brother-in-law, sister-in-law”).
- ¹⁹⁶ Ga. Code Ann. § 21-2-385(d)(1) (2015).
- ¹⁹⁷ Ga. Code Ann. § 21-2-218 (e)-(f) (2015).
- ¹⁹⁸ Ga. Code Ann. § 21-2-409(b) (2015).
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- ²⁰⁷ Ga. Code Ann. § 21-2-216 (2015).
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- ²¹² Ga. Code Ann. § 21-2-228 (2015).
- ²¹³ Ga. Code Ann. §§ 21-2-230(b)-(d), -230(h) (2015).
- ²¹⁴ Ga. Code Ann. § 21-2-230(i) (2015).
- ²¹⁵ Ga. Code Ann. §§ 21-2-229 (e), -230(i) (2015).
- ²¹⁶ Ga. Code Ann. § 21-2-229 (a)-(b) (2015).
- ²¹⁷ Ga. Code Ann. § 21-2-229 (c)-(d), (2015).
- ²¹⁸ Ga. Code Ann. § 21-2-229 (e) (2015).
- ²¹⁹ Ga. Code Ann. § 21-2-567 (a)(1-2) (2015).
- ²²⁰ *Id.* at (a)(2).
- ²²¹ Ga. Code Ann. §§ 21-2-417(a) (2015).
- ²²² Ga. Code Ann. § 21-2-328 (b) (2015).
- ²²³ Ga. Code Ann. § 21-2-593(1)-(2) (2015).
- ²²⁴ Ga. Code Ann. § 21-2-2 (2015).
- ²²⁵ Ga. Code Ann. § 21-2-418 (2015); *see also* 52 U.S.C.S. § 21082(a) (LexisNexis 2016)(explaining the requirement that states provide provisional ballots in to voters in federal elections who believe they timely registered to vote but whose name does not appear on the state voter rolls.).
- ²²⁶ Ga. Code Ann. § 21-2-417(b) (2015).
- ²²⁷ 52 U.S.C.S. § 21083 (b)(2)(B)(i) (2015); Ga. Code Ann. § 21-2-417(c)(2015).
- ²²⁸ Ga. Code Ann. § 21-2-418(a) (2015).
- ²²⁹ Ga. Code Ann. § 21-2-419(c)(2) (2015).
- ²³⁰ Ga. Code Ann. § 21-2-230(i) (2015).
- ²³¹ *Id.*
- ²³² Ga. Code Ann. § 21-2-418(d) (2015).
- ²³³ *Id.*
- ²³⁴ Ga. Code Ann. § 21-2-418(b) (2015).
- ²³⁵ Ga. Code Ann. § 21-2-419(b) (2015).
- ²³⁶ Ga. Code Ann. § 21-2-419(c)(1) (2015).
- ²³⁷ Ga. Code Ann. § 21-2-419(c)(2) (2015).
- ²³⁸ *Id.*
- ²³⁹ Ga. Code Ann. § 21-2-419(d)(1) (2015).
- ²⁴⁰ Ga. Comp. R. & Regs. 183-1-12-.06(10) (2011).
- ²⁴¹ Ga. Comp. R. & Regs. 183-1-12-.06(11)(d) (2011).
- ²⁴² Ga. Code Ann. § 21-2-418(e) (2015).
- ²⁴³ *Id.*
- ²⁴⁴ Ga. Code Ann. § 21-2-418(g) (2015).
- ²⁴⁵ Ga. Comp. R. & Regs. 183-12-.06(4)(i), -.06(13)(a) (2011).
- ²⁴⁶ Ga. Comp. R. & Regs. 183-12-.06(13)(b) (2011).

²⁴⁷ Ga. Code Ann. § 21-2-229(e) (2015); *see also*, § 21-2-230(i) (2015).

²⁴⁸ Ga. Code Ann. § 21-2-229(e) (2015).

²⁴⁹ *Id.*

²⁵⁰ Office of Secretary of State Elections Division, “Submit a Complaint to the Office of Secretary of the State Elections Division,” <http://sos.ga.gov/cgi-bin/emailelectionscomplaint.asp> (last visited July 1, 2016).