

The House Committee on Governmental Affairs offers the following substitute to SB 463:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to
2 primaries and elections generally, so as to revise the qualifications of poll officers; to provide
3 for the deadline for registering to vote in certain runoffs; to prohibit the unsolicited
4 distribution of absentee ballot applications to electors; to provide for the creation of a secure
5 state-wide absentee ballot application website; to provide for priority in voting for senior
6 citizens and disabled voters; to provide for related matters; to provide for an effective date;
7 to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and
11 elections generally, is amended by revising subsection (a) of Code Section 21-2-92, relating
12 to qualifications of poll officers, service during municipal election or primary, and Student
13 Teen Election Participant (STEP) program, as follows:

14 "(a) Poll officers appointed pursuant to Code Sections 21-2-90 and 21-2-91 shall be
15 judicious, intelligent, and upright citizens of the United States, residents of ~~or otherwise~~
16 ~~employed by the county in which they are appointed or, in the case of municipal elections,~~
17 ~~residents of or otherwise employed by the municipality in which the election is to be held~~
18 ~~or of the county in which that municipality is located~~ the State of Georgia, 16 years of age
19 or over, and shall be able to read, write, and speak the English language. No poll officer
20 shall be eligible for any nomination for public office or to be voted for at a primary or
21 election at which the poll officer shall serve. No person who is otherwise holding public
22 office, other than a political party office, shall be eligible to be appointed as or to serve as
23 a poll officer. A parent, spouse, child, brother, sister, father-in-law, mother-in-law,
24 son-in-law, daughter-in-law, brother-in-law, or sister-in-law of a candidate shall not be
25 eligible to serve as a poll officer in any precinct in which such candidate's name appears
26 on the ballot in any primary or election."

27 **SECTION 2.**

28 Said chapter is further amended by revising subsection (c) of Code Section 21-2-152, relating
 29 to conduct of primaries generally and run-off primary, as follows:

30 "~~(c) A run-off primary shall be a continuation of the primary and only persons who were~~
 31 ~~entitled to vote in the primary shall be entitled to vote therein;~~ and only those votes cast for
 32 the persons designated for the runoff shall be counted in the tabulation and canvass of the
 33 votes cast. Any elector who votes in the primary of one party shall not be eligible to vote
 34 in a primary runoff of any other party other than a primary runoff of the party in whose
 35 primary such elector voted. The deadline for persons to apply to register to vote before a
 36 run-off primary or any primary, election, or runoff held in conjunction with such run-off
 37 primary shall be the close of business on the fifth Monday prior to the date of such run-off
 38 primary or, if such Monday is a legal holiday, by the close of business on the following
 39 business day."

40 **SECTION 3.**

41 Said chapter is further amended in Code Section 21-2-381, relating to making of application
 42 for absentee ballot, determination of eligibility by ballot clerk, furnishing of applications to
 43 colleges and universities, and persons entitled to make application, by revising paragraph (3)
 44 of and adding a new paragraph to subsection (a) as follows:

45 "~~(3) Reserved~~ The Secretary of State, the State Election Board, a county registrar, the
 46 governing authority of a municipality, an absentee ballot clerk, or any other designated
 47 official performing the duties set forth in this article shall not distribute or send
 48 unsolicited absentee ballot applications to electors."

49 "(5) The Secretary of State, in coordination with the State Board of Elections, shall,
 50 before July 1, 2021, develop a secure website that will allow any elector of the state to
 51 apply online for an absentee ballot as otherwise provided by this article. Such website
 52 shall be designed to verify the identity of such applicants and shall forward all such valid
 53 applications to the relevant county registrar, municipal governing authority, or absentee
 54 ballot clerk."

55 **SECTION 4.**

56 Said chapter is further amended by revising Code Section 21-2-409.1, relating to voting by
 57 electors who are 75 years of age or older or disabled electors without having to wait in line,
 58 as follows:

59 "21-2-409.1.

60 On election day between the hours of 9:30 A.M. and 4:30 P.M., each elector who is 75
 61 70 years of age or older or who is disabled and requires assistance in voting as authorized

62 by Code Section 21-2-409, shall, upon request to a poll officer, be authorized at any
63 primary or election to vote immediately at the next available voting compartment or
64 booth without having to wait in line. Notice of the provisions of this Code section shall
65 be prominently displayed in the voting place."

66 **SECTION 5.**

67 This Act shall become effective upon its approval by the Governor or upon its becoming law
68 without such approval.

69 **SECTION 6.**

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