

The House Committee on Judiciary offers the following substitute to SB 541:

A BILL TO BE ENTITLED
AN ACT

To amend Article 6 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to registration of voters, so as to provide that certain applications for resident hunting, fishing, or trapping licenses shall also serve as applications for voter registration; to provide for procedures and administration related thereto; to change certain provisions relating to application for registration; to provide an effective date and implementation; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 6 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to registration of voters, is amended by striking subsection (a) of Code Section 21-2-220, relating to application for registration, rejection for failure to provide required information or for submission of false information, and aid to disabled or illiterate, and inserting in lieu thereof the following:

"(a) Any person desiring to register as an elector shall apply to do so by making application to a registrar or deputy registrar of such person's county of residence in person, by submission of the federal post card application form as authorized under Code Section 21-2-219, by making application through the Department of Motor Vehicle Safety as provided in Code Section 21-2-221, by making application through the Department of Natural Resources as provided in Code Section 21-2-221.1, by making application through designated offices as provided in Code Section 21-2-222, or by making application by mail as provided in Code Section 21-2-223."

SECTION 2.

Said article is further amended by inserting a new Code Section 21-2-221.1 to read as follows:

1 "21-2-221.1.

2 (a) Each application to obtain a resident hunting, fishing, or trapping license issued by the
3 Department of Natural Resources pursuant to Chapter 2 of Title 27 and made by an
4 applicant who is within six months of such applicant's eighteenth birthday or older shall
5 also serve as an application for voter registration unless the applicant declines to register
6 to vote through specific declination or by failing to sign the voter registration application.

7 (b) The Board of Natural Resources and the Secretary of State shall agree upon and design
8 such procedures and forms as will be necessary to comply with this Code section, including
9 without limitation procedures applicable to processing of applications received by persons
10 approved as license agents for the Department of Natural Resources pursuant to Code
11 Section 27-2-2.

12 (c) The forms designed by the Board of Natural Resources and the Secretary of State:

13 (1) Shall not require the applicant to duplicate any information required in the resident
14 hunting, fishing, or trapping license portion of the application with the exception of a
15 second signature;

16 (2) Shall include such information as required on other voter registration cards issued by
17 the Secretary of State;

18 (3) Shall contain a statement that states each eligibility requirement contained in Code
19 Section 21-2-216, that contains an attestation that the applicant meets each such
20 requirement, and that requires the signature of the applicant under penalty of false
21 swearing; and

22 (4) Shall include, in print that is identical to that used in the attestation, the penalties
23 provided by law for submission of a false voter registration application; and a statement
24 that, if an applicant declines to register to vote, the fact that the applicant has declined to
25 register will remain confidential and will be used only for voter registration purposes.

26 (d) Any person when acting as a license agent for the Department of Natural Resources
27 shall not:

28 (1) Seek to influence an applicant's political preference;

29 (2) Display on his or her person any such political preference or political party or body
30 allegiance;

31 (3) Make any statement to an applicant or take any action the purpose or effect of which
32 is to discourage the applicant from applying to register to vote; or

33 (4) Make any statement to an applicant or take any action the purpose or effect of which
34 is to lead the applicant to believe that a decision to apply to register or not to apply to
35 register to vote has any bearing on the availability of services or benefits.

(e) License agents for the Department of Natural Resources acting under this Code section shall not be considered to be deputy registrars under this chapter or any rules and regulations promulgated thereunder.

(f) The Department of Natural Resources shall transmit the completed applications for voter registration to the Secretary of State at the conclusion of each business day. The Secretary of State shall forward the applications to the appropriate county board of registrars to determine the eligibility of the applicant and, if found eligible, to add the applicant's name to the list of electors and to place the applicant in the correct precinct and voting districts.

(g) The Department of Natural Resources shall maintain such statistical records on the number of registrations and declinations as requested by the Secretary of State.

(h) Information relating to the failure of an applicant for a resident hunting, fishing, or trapping license issued by the Department of Natural Resources to sign a voter registration application shall not be used for any purpose other than voter registration and shall not be subject to public inspection.

(i) The Secretary of State and the Board of Natural Resources shall have the authority to promulgate rules and regulations to provide for the transmission of voter registration applications and signatures electronically. Such electronically transmitted signatures shall be valid as signatures on the voter registration application and shall be treated in all respects as a manually written original signature and shall be recognized as such in any matter concerning the voter registration application.

(j) The forms and procedures to implement and administer this Code section shall be designed in a manner such that license agents for the Department of Natural Resources shall not incur any expenses nor be required to make any reports in implementing and administering this Code section in addition to those presently required of such license agents in issuing fishing, hunting, and trapping licenses, other than providing information to the Department of Natural Resources at the time the license application is processed necessary to comply with state and federal voter laws on voter registration.

(k) License agents for the Department of Natural Resources acting under this Code section whose businesses are authorized to sell alcoholic beverages for on-premises consumption may notify the Department of Natural Resources of their desire to opt out of the requirements of this Code section and shall thereafter not be required to comply with this Code section."

SECTION 3.

This Act shall become effective on July 1, 2005, or upon appropriation of funding for its implementation by the Department of Natural Resources.

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- SECTION 4.
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- All laws and parts of laws in conflict with this Act are repealed.