

House Bill 359

By: Representatives Drenner of the 86<sup>th</sup>, Benfield of the 85<sup>th</sup>, Gardner of the 57<sup>th</sup>, Morgan of the 39<sup>th</sup>, Bruce of the 64<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To provide a short title; to amend Chapter 2 of Title 21 of the Official Code of Georgia  
2 Annotated, the "Georgia Election Code," so as to provide that the ballot or other materials  
3 at the voting booth shall allow the voter to view all sections of a proposed constitutional  
4 amendment at the time that he or she votes; to provide for related matters; to repeal  
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 This Act shall be known and may be cited as the "Truth in Voting Act."

9 **SECTION 2.**

10 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, the "Georgia Election  
11 Code," is amended in Code Section 21-2-285, relating to form and use of ballots, by striking  
12 subsection (f) and inserting in its place a new subsection to read as follows:

13 "(f) When proposed constitutional amendments or other questions are submitted to a vote  
14 of the electors, each amendment or other question so submitted may be printed upon the  
15 ballot following the groups of candidates for the various offices. Proposed constitutional  
16 amendments so submitted shall be printed in the order determined by the Constitutional  
17 Amendments Publication Board and in brief form as directed by the General Assembly  
18 and, in the event of a failure to so direct, the form shall be determined by the Secretary of  
19 State and shall include the short title or heading provided for in subsection (c) of Code  
20 Section 50-12-101. In addition to such language, the ballot or other materials at the voting  
21 booth shall allow the voter to view all sections of a proposed amendment at the time that  
22 he or she votes. Unless otherwise provided by law, any other state-wide questions so  
23 submitted shall be printed in brief form as directed by the General Assembly and, in the  
24 event of a failure to so direct, the form shall be determined by the Secretary of State and  
25 any local questions so submitted shall be printed in brief form as directed by the General

1 Assembly and, in the event of a failure to so direct, the form shall be determined by the  
2 superintendent."

3 **SECTION 3.**

4 Said chapter is further amended in Code Section 21-2-325, relating to form of ballot labels  
5 for voting machines, by striking subsection (b) and inserting in its place a new subsection to  
6 read as follows:

7 "(b) If the construction of the machine shall require it, the ballot label for each candidate,  
8 group of candidates, political party or body, or question to be voted on shall bear the  
9 designating letter or number of the counter on the voting machine which will register or  
10 record votes therefor. Each question to be voted on shall appear on the ballot labels in brief  
11 form. Unless otherwise provided by law, proposed constitutional amendments so submitted  
12 shall be in brief form as directed by the General Assembly and, in the failure to so direct,  
13 the form shall be determined by the Secretary of State. In addition to such language, the  
14 ballot label or other materials at the voting booth shall allow the voter to view all sections  
15 of a proposed amendment at the time that he or she votes. Unless otherwise provided by  
16 law, any other state-wide questions so submitted shall be printed in brief form as directed  
17 by the General Assembly and, in the event of a failure to so direct, the form shall be  
18 determined by the Secretary of State and any local questions so submitted shall be printed  
19 in brief form as directed by the General Assembly and, in the event of a failure to so direct,  
20 the form shall be determined by the superintendent. In the case of questions to be voted on  
21 by the electors of a municipality, the governing authority shall determine the brief form of  
22 the questions."

23 **SECTION 4.**

24 Said chapter is further amended in Code Section 21-2-379.5, relating to ballot information  
25 on direct recording electronic voting systems, by striking subsection (f) and inserting in its  
26 place a new subsection to read as follows:

27 "(f) When proposed constitutional amendments or other questions are submitted to a vote  
28 of the electors, each amendment or other question so submitted may be printed upon the  
29 ballot below the groups of candidates for the various offices. Proposed constitutional  
30 amendments so submitted shall be printed in the order determined by the Constitutional  
31 Amendments Publication Board and in brief form as directed by the General Assembly or,  
32 in the event of a failure to so direct, the form shall be determined by the Secretary of State  
33 and shall include the short title or heading provided for in subsection (c) of Code Section  
34 50-12-101. In addition to such language, the direct recording electronic voting system or  
35 other materials at the voting booth shall allow the voter to view all sections of a proposed

1 amendment at the time that he or she votes. Unless otherwise provided by law, any other  
2 state-wide questions so submitted shall be printed in brief form as directed by the General  
3 Assembly or, in the event of a failure to so direct, the form shall be determined by the  
4 Secretary of State; and any local questions so submitted shall be printed in brief form as  
5 directed by the General Assembly or, in the event of a failure to so direct, the form shall  
6 be determined by the superintendent. Next to or below the question there shall be placed  
7 the words 'YES' and 'NO' between which the elector may choose in casting his or her vote."

8 **SECTION 5.**

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