

House Bill 1045

By: Representatives Powell of the 29th, Willard of the 49th, McCall of the 30th, Bearden of the 68th, Crawford of the 127th, and others

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Article 10 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated,
2 relating to absentee voting, so as to repeal the provisions of law concerning casting absentee
3 ballots by mail without specifying a reason; to provide for the casting of absentee ballots on
4 the day prior to a primary, election, or run-off primary or election; to provide for related
5 matters; to repeal conflicting laws; and for other purposes.

6 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

7 **SECTION 1.**

8 Article 10 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to
9 absentee voting, is amended by striking Code Section 21-2-380, relating to the definition of
10 "absentee elector" and when reason for absentee ballot not required, and inserting in lieu
11 thereof a new Code Section 21-2-380 to read as follows:

12 "21-2-380.

13 (a) As used in this article, the term 'absentee elector' means an elector of this state or a
14 municipality thereof who:

15 (1) Is required to be absent from his or her precinct during the time of the primary or
16 election in which he or she desires to vote in;

17 (2) Will perform any of the official acts or duties set forth in this chapter in connection
18 with the primary or election in which he or she desires to vote in;

19 (3) Because of physical disability or because of being required to give constant care to
20 someone who is physically disabled, will be unable to be present at the polls on the day
21 of such primary or election;

22 (4) Because the election or primary falls upon a religious holiday observed by such
23 elector, will be unable to be present at the polls on the day of such primary or election;

24 (5) Is required to remain on duty in his or her place of employment for the protection of
25 the health, life, or safety of the public during the entire time the polls are open when such
26 place of employment is within the precinct in which the voter resides; or

1 (6) Is 75 years of age or older.

2 (b) An elector ~~who requests an absentee ballot by mail or~~ who, during the period of

3 Monday through Friday of the week immediately preceding the date of a primary, election,

4 or run-off primary or election, casts an absentee ballot in person at the registrar's office or

5 absentee ballot clerk's office shall not be required to provide a reason as identified in

6 subsection (a) of this Code section in order to cast an absentee ballot in such primary,

7 election, or run-off primary or election."

SECTION 2.

9 Said article is further amended by striking paragraph (2) of subsection (a) of Code Section
10 21-2-384, relating to preparation and delivery of absentee ballot supplies, mailing of absentee
11 ballots, oath of absentee electors and persons assisting absentee electors, master list of ballots
12 sent, and challenges of absentee electors, and inserting in lieu thereof a new paragraph (2)
13 to read as follows:

14 "(2) The board of registrars or absentee ballot clerk shall, within two days after the
15 receipt of such ballots and supplies, mail or issue official absentee ballots to all eligible
16 applicants. As additional applicants are determined to be eligible, the board or clerk shall
17 mail or issue official absentee ballots to such additional applicants immediately upon
18 determining their eligibility; provided, however, that no absentee ballot shall be mailed
19 by the registrars or absentee ballot clerk on the day prior to a primary or election ~~and~~
20 ~~provided, further, that no absentee ballot shall be issued on the day prior to a primary or~~
21 ~~election."~~

SECTION 3.

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