

House Bill 1045

By: Representatives Powell of the 29<sup>th</sup>, Willard of the 49<sup>th</sup>, McCall of the 30<sup>th</sup>, Bearden of the 68<sup>th</sup>, Crawford of the 127<sup>th</sup>, 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."

8 **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."~~

22 **SECTION 3.**

23 All laws and parts of laws in conflict with this Act are repealed.