

House Bill 8

By: Representatives Bearden of the 68th, Talton of the 145th, Mangham of the 94th, Jacobs of the 80th, and Powell of the 29th

A BILL TO BE ENTITLED
AN ACT

1 To revise Article 15 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated,
2 relating to miscellaneous offenses regarding elections, so as to increase the penalties
3 associated with tampering with, damaging, or preventing the proper operation of electronic
4 voting machines and related equipment; to provide for related matters; to provide for
5 applicability; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 15 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to
9 miscellaneous offenses regarding elections, is amended by revising Code Section 21-2-582,
10 relating to tampering with, damaging, or preventing of proper operation of direct recording
11 electronic equipment or tabulating device, as follows:

12 "21-2-582.

13 Any person who tampers with or damages any direct recording electronic (DRE)
14 equipment or tabulating computer or device to be used or being used at or in connection
15 with any primary or election or who prevents or attempts to prevent the correct operation
16 of any direct recording electronic (DRE) equipment or tabulating computer or device shall
17 be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for
18 not less than one nor more than ten years or a fine not to exceed \$250,000.00, or both."

19 **SECTION 2.**

20 Said article is further amended by revising Code Section 21-2-582.1, relating to penalty for
21 voting equipment modification, as follows:

22 "21-2-582.1.

23 (a) For the purposes of this Code section, the term 'voting equipment' shall mean a voting
24 machine, tabulating machine, optical scanning voting system, or direct recording electronic
25 voting system.

1 (b) Any person or entity, including, but not limited to, a manufacturer or seller of voting
2 equipment, who alters, modifies, or changes any aspect of such voting equipment without
3 prior approval of the Secretary of State is guilty of a felony and, upon conviction thereof,
4 shall be punished by imprisonment for not less than one nor more than ten years or a fine
5 not to exceed \$250,000.00, or both."

6 **SECTION 3.**

7 Said article is further amended by revising Code Section 21-2-600, relating to punishment
8 for felonies under chapter, as follows:

9 "21-2-600.

10 Except as otherwise provided in this chapter, any Any person convicted of a felony under
11 this chapter shall be punished by a fine not to exceed \$10,000.00 or imprisonment of not
12 less than one year nor more than ten years, or both, in the discretion of the trial court, or
13 may be punished as for a misdemeanor in the discretion of the trial court."

14 **SECTION 4.**

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