

The House Committee on Judiciary Non-civil offers the following substitute to HB 8:

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

20 **SECTION 2.**

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

1 "21-2-582.1.

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

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

10 **SECTION 3.**

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

13 "21-2-600.

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

18 **SECTION 4.**

19 All laws and parts of laws in conflict with this Act are repealed.