

House Bill 45

By: Representatives Mills of the 25<sup>th</sup> and Williams of the 4<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to  
2 elections and primaries generally, so as to provide that persons applying to register to vote  
3 shall provide proof of United States citizenship prior to the acceptance of their registrations;  
4 to provide for acceptable forms of proof of citizenship; to provide for retention of such  
5 information; to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and  
9 primaries generally, is amended by adding a new subsection to Code Section 21-2-216,  
10 relating to qualifications of electors generally, to read as follows:

11 "(g)(1) On and after July 1, 2008, an application for registration under this chapter shall  
12 be accompanied by satisfactory evidence of United States citizenship. The registrars  
13 shall reject any application for registration for which no satisfactory proof of citizenship  
14 is provided. Upon the receipt of an application without satisfactory proof of citizenship,  
15 the board of registrars shall notify the applicant in writing of the requirement to provide  
16 adequate proof of citizenship. The board of registrars shall not determine the eligibility  
17 of the applicant until and unless satisfactory proof of citizenship is supplied by the  
18 applicant. If the initial application is received prior to the close of voter registration prior  
19 to an election, if the applicant supplies satisfactory evidence of citizenship on or prior to  
20 the date of the election, and if the applicant is found eligible to vote, the applicant shall  
21 be added to the list of electors and shall be permitted to vote in the election and any  
22 run-off elections resulting therefrom and subsequent elections; provided, however, that  
23 electors who registered to vote for the first time in this state by mail shall supply current  
24 and valid identification when voting for the first time as required in subsection (c) of  
25 Code Section 21-2-220. In the event the applicant does not respond to the request for the

26 missing information within 30 days following the sending of notification to provide  
27 adequate proof of citizenship, the application shall be rejected.

28 (2) Satisfactory evidence of citizenship shall include any of the following:

29 (A) A legible photocopy of the applicant's birth certificate that verifies citizenship to  
30 the satisfaction of the board of registrars;

31 (B) A legible photocopy of pertinent pages of the applicant's United States passport  
32 identifying the applicant and the applicant's passport number or presentation to the  
33 board of registrars of the applicant's United States passport;

34 (C) A presentation to the board of registrars of the applicant's United States  
35 naturalization documents or the number of the applicant's certificate of naturalization.

36 If only the number of the applicant's certificate of naturalization is provided, the  
37 applicant shall not be found eligible to vote until such number of the certificate of  
38 naturalization is verified with the United States Citizenship and Immigration Services  
39 by the board of registrars;

40 (D) Other documents or methods of proof that are established pursuant to the federal  
41 Immigration Reform and Control Act of 1986 (P. L. 99-603); and

42 (E) The applicant's Bureau of Indian Affairs card number, tribal treaty card number,  
43 or tribal enrollment number.

44 (3) Notwithstanding any provision of this subsection, any person who is registered in this  
45 state on July 1, 2009, shall be deemed to have provided satisfactory evidence of  
46 citizenship and shall not be required to resubmit evidence of citizenship unless such  
47 person changes voter registration from one county to another.

48 (4) For the purposes of this subsection, proof of voter registration from another state or  
49 county shall not be satisfactory evidence of citizenship.

50 (5) A person who changes addresses within a county shall not be required to submit  
51 evidence of citizenship. After citizenship has been demonstrated to the board of  
52 registrars, an elector shall not be required to resubmit satisfactory evidence of citizenship  
53 in that county.

54 (6) After a person has submitted satisfactory evidence of citizenship, the board of  
55 registrars shall indicate such information on the elector's permanent voter file. After two  
56 years, the board of registrars may destroy all documents that were submitted as evidence  
57 of citizenship."

58 **SECTION 2.**

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