

Senate Bill 86

By: Senators Staton of the 18th, Butterworth of the 50th, Rogers of the 21st, Johnson of the 1st, Shafer of the 48th and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

To amend Article 6 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to registration of voters, so as to provide that persons applying to register to vote shall provide proof of United States citizenship prior to the acceptance of their registrations; to provide for acceptable forms of proof of citizenship; to provide for retention of such information; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 6 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to registration of voters, is amended by adding a new subsection to Code Section 21-2-216, relating to qualifications of electors generally, to read as follows:

“(g)(1) On and after January 1, 2010, an application for registration under this chapter shall be accompanied by satisfactory evidence of United States citizenship. The registrars shall reject any application for registration for which no satisfactory proof of citizenship is provided. Upon the receipt of an application without satisfactory proof of citizenship, the board of registrars shall notify the applicant in writing of the requirement to provide adequate proof of citizenship. The board of registrars shall not determine the eligibility of the applicant until and unless satisfactory proof of citizenship is supplied by the applicant. If the initial application is received prior to the close of voter registration prior to an election, if the applicant supplies satisfactory evidence of citizenship on or prior to the date of the election, and if the applicant is found eligible to vote, the applicant shall be added to the list of electors and shall be permitted to vote in the election and any run-off elections resulting therefrom and subsequent elections; provided, however, that electors who registered to vote for the first time in this state by mail shall supply current and valid identification when voting for the first time as required in subsection (c) of Code Section 21-2-220. In the event the applicant does not respond to the request for the

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

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

(A) The number of the applicant's Georgia driver's license or identification card issued by the Department of Driver Services if the applicant has provided satisfactory proof of United States citizenship to the Department of Driver Services or a legible photocopy of the applicant's driver's license or identification issued by an equivalent government agency of another state if the agency indicates on the driver's license or identification card that the applicant has provided satisfactory proof of United States citizenship to the agency;

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

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

(D) A presentation to the board of registrars of the applicant's United States naturalization documents or the number of the applicant's certificate of naturalization. If only the number of the applicant's certificate of naturalization is provided, the applicant shall not be found eligible to vote until such number of the certificate of naturalization is verified with the United States Citizenship and Immigration Services by the board of registrars;

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

(F) The applicant's Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number; and

(G) Other documents or methods of proof that are established under the rules and regulations of the State Election Board.

(3) Notwithstanding any provision of this subsection, any person who is registered in this state on December 31, 2009, shall be deemed to have provided satisfactory evidence of citizenship and shall not be required to submit evidence of citizenship. A person who changes addresses within this state shall not be required to submit evidence of citizenship.

(4) After citizenship has been demonstrated to a board of registrars, an elector shall not be required to resubmit satisfactory evidence of citizenship in that or any other county in this state so long as the person has continuously remained an elector of this state.

(5) For the purposes of this subsection, proof of voter registration from another state shall not be satisfactory evidence of citizenship.

62 (6) After a person has submitted satisfactory evidence of citizenship, the board of
63 registrars shall indicate such information on the elector's voter registration record. After
64 two years, the board of registrars may destroy all documents that were submitted as
65 evidence of citizenship.

66 (7) The Secretary of State shall establish procedures to match an applicant's voter
67 registration information to the information contained in the data base maintained by the
68 Department of Driver Services for the verification of the accuracy of the information
69 provided on the application for voter registration, including whether the applicant has
70 provided satisfactory proof of United States citizenship."

71 **SECTION 2.**

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