

House Bill 949

By: Representatives Hamilton of the 23<sup>rd</sup>, Kidd of the 141<sup>st</sup>, Lindsey of the 54<sup>th</sup>, Morgan of the 39<sup>th</sup>, Powell of the 171<sup>st</sup>, and others

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 primaries and elections generally, so as to provide that the number of signatures for ballot  
3 access petitions, nomination petitions, and pauper's petitions shall be based on the turnout  
4 in the last presidential election instead of voter registration totals; to provide alternative dates  
5 for political body and independent candidates to qualify for office; to provide an exemption  
6 for incumbents from filing nomination petitions; to provide that the State Election Board  
7 shall prescribe the form of nomination petitions; to provide for nonpartisan municipal  
8 qualifying periods; to provide for municipal qualifying times in even-numbered years; to  
9 provide that absentee ballots may be mailed to incarcerated electors at their places of  
10 incarceration; to provide that an absentee ballot may be used to update an elector's name  
11 under certain circumstances; to remove the authorization for political parties to elect their  
12 officials in primaries; to provide deadlines for individuals and organizations to transmit voter  
13 registration cards; to authorize electronic voter registration; to allow the use of United States  
14 Postal Service's change of address information and confirmation cards to be used to transfer  
15 the registration of voters who move from county to county; to remove a special election date;  
16 to provide for the electronic storage and safekeeping of certain voter registration records; to  
17 provide for the use of the most recent voter registration updates in verifying absentee ballots;  
18 to provide for extended retention of certain absentee ballot documentation; to provide  
19 restrictions on the use of photographic and electronic devices in polling places; to provide  
20 for the posting of certain information regarding elections at the election superintendent's  
21 office; to provide for related matters; to amend Chapter 5 of Title 40 of the Official Code of  
22 Georgia Annotated, relating to drivers' licenses, so as to authorize the use of certain driver's  
23 licensing information for voter registration purposes; to provide for related matters; to repeal  
24 conflicting laws; and for other purposes.

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

26 **SECTION 1.**

27 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and  
 28 elections generally, is amended by revising Code Section 21-2-9, relating to date of election  
 29 for offices, as follows:

30 "21-2-9.

31 (a) The Governor, Lieutenant Governor, Secretary of State, Attorney General, State School  
 32 Superintendent, Commissioner of Insurance, Commissioner of Agriculture, Commissioner  
 33 of Labor, members of Congress, ~~Justices of the Supreme Court, Judges of the Court of~~  
 34 ~~Appeals, judges of the superior courts,~~ district attorneys, members of the General  
 35 Assembly, and county officers not elected pursuant to Code Section 21-2-139 shall be  
 36 elected in the November election next preceding the expiration of the term of office.

37 (b) Justices of the Supreme Court, Judges of the Court of Appeals, judges of the superior  
 38 courts, and county judicial officers, offices of local school boards, and nonpartisan offices  
 39 elected pursuant to Code Section 21-2-139 shall be elected in the nonpartisan general  
 40 election next preceding the expiration of the term of office.

41 ~~(b)~~(c) All general municipal elections to fill municipal offices shall be held on the Tuesday  
 42 next following the first Monday in November in each odd-numbered year. Public notice  
 43 of such elections shall be published by the governing authority of the municipality in a  
 44 newspaper of general circulation in the municipality at least 30 days prior to the elections.  
 45 In addition, the municipality shall immediately transmit a copy of such notice to the  
 46 Secretary of State.

47 (d) Whenever a municipal general primary or election is held in conjunction with the  
 48 general primary or November general election in even-numbered years, the time specified  
 49 for the closing of the registration list, the time within which candidates must qualify for the  
 50 municipal primary or election, and the time specified for the holding of any runoff  
 51 necessary shall be the same as specified for general elections."

52 **SECTION 2.**

53 Said chapter is further amended by revising Code Section 21-2-132, relating to filing notice  
 54 of candidacy, nomination petition, and affidavit; payment of qualifying fee; pauper's affidavit  
 55 and qualifying petition for exemption from qualifying fee; and military service, as follows:

56 "21-2-132.

57 (a) The names of nominees of political parties nominated in a primary and the names of  
 58 nominees of political parties for the office of presidential elector shall be placed on the  
 59 election ballot without their filing the notice of candidacy otherwise required by this Code  
 60 section.

61 (b) Candidates seeking election in a nonpartisan election shall comply with the  
 62 requirements of subsections (c) and (f) of this Code section, as modified by subsection (g)  
 63 of this Code section, by the date prescribed and shall by the same date pay to the proper  
 64 authority the qualifying fee prescribed by Code Section 21-2-131 in order to be eligible to  
 65 have their names placed on the nonpartisan election ballots.

66 (c) Except as provided in subsection (i) of this Code section, all candidates seeking  
 67 election in a nonpartisan election shall file their notice of candidacy and pay the prescribed  
 68 qualifying fee by the date prescribed in this subsection in order to be eligible to have their  
 69 names placed on the nonpartisan election ballot by the Secretary of State or election  
 70 superintendent, as the case may be, in the following manner:

71 (1) Each candidate for the office of judge of the superior court, Judge of the Court of  
 72 Appeals, or Justice of the Supreme Court, or the candidate's agent, desiring to have his  
 73 or her name placed on the nonpartisan election ballot shall file a notice of candidacy,  
 74 giving his or her name, residence address, and the office sought, in the office of the  
 75 Secretary of State no earlier than 9:00 A.M. on the fourth Monday in April immediately  
 76 prior to the election and no later than 12:00 Noon on the Friday following the fourth  
 77 Monday in April, notwithstanding the fact that any such days may be legal holidays; ~~and~~

78 (2) Each candidate for a county judicial office, a local school board office, or an office  
 79 of a consolidated government, or the candidate's agent, desiring to have his or her name  
 80 placed on the nonpartisan election ballot shall file notice of candidacy in the office of the  
 81 superintendent no earlier than 9:00 A.M. on the fourth Monday in April immediately  
 82 prior to the election and no later than 12:00 Noon on the Friday following the fourth  
 83 Monday in April, notwithstanding the fact that any such days may be legal holidays; and

84 (3) Each candidate for a nonpartisan municipal office or a designee shall file a notice of  
 85 candidacy in the office of the municipal superintendent of such candidate's municipality  
 86 during the municipality's nonpartisan qualifying period. Each municipal superintendent  
 87 shall designate the days of such qualifying period, which shall be no less than three days  
 88 and no more than five days. The days of the qualifying period shall be consecutive days.  
 89 Nonpartisan qualifying periods shall commence no earlier than 8:30 A.M. on the last  
 90 Monday in August immediately preceding the general election and shall end no later than  
 91 4:30 P.M. on the following Friday; and, in the case of a special election, the municipal  
 92 nonpartisan qualifying period shall commence no earlier than the date of the call and shall  
 93 end no later than 25 days prior to the election.

94 (d) Except as provided in subsection (i) of this Code section, all political body and  
 95 independent candidates shall file their notice of candidacy and pay the prescribed  
 96 qualifying fee by the date prescribed in this subsection in order to be eligible to have their

97 names placed on the election ballot by the Secretary of State or election superintendent, as  
98 the case may be, in the following manner:

99 (1) Each candidate for federal or state office, or his or her agent, desiring to have his or  
100 her name placed on the election ballot shall file a notice of his or her candidacy, giving  
101 his or her name, residence address, and the office he or she is seeking, in the office of the  
102 Secretary of State either during the period beginning at 9:00 A.M. on the fourth Monday  
103 in April immediately prior to the election and ending at 12:00 Noon on the Friday  
104 following the fourth Monday in April, notwithstanding the fact that any such days may  
105 be legal holidays, or during the period beginning at ~~no earlier than~~ 9:00 A.M. on the  
106 fourth Monday in June immediately prior to the election and ~~no later than~~ ending at 12:00  
107 Noon on the Friday following the fourth Monday in June, notwithstanding the fact that  
108 any such days may be legal holidays, in the case of a general election and no earlier than  
109 the date of the call of the election and no later than 25 days prior to the election in the  
110 case of a special election;

111 (2) Each candidate for a county office, or his or her agent, desiring to have his or her  
112 name placed on the election ballot shall file notice of his or her candidacy in the office  
113 of the superintendent of his or her county either during the period beginning at 9:00 A.M.  
114 on the fourth Monday in April immediately prior to the election and ending at 12:00  
115 Noon on the Friday following the fourth Monday in April, notwithstanding the fact that  
116 any such days may be legal holidays, or during the period beginning at ~~no earlier than~~  
117 9:00 A.M. on the fourth Monday in June immediately prior to the election and ~~no later~~  
118 than ending at 12:00 Noon on the Friday following the fourth Monday in June,  
119 notwithstanding the fact that any such days may be legal holidays, in the case of a general  
120 election and no earlier than the date of the call of the election and no later than 25 days  
121 prior to the election in the case of a special election;

122 (3) Each candidate for municipal office or a designee shall file a notice of candidacy in  
123 the office of the municipal superintendent of such candidate's municipality during the  
124 municipality's qualifying period. Each municipal superintendent shall designate the days  
125 of the qualifying period, which shall be no less than three days and no more than five  
126 days. The days of the qualifying period shall be consecutive days. Qualifying periods  
127 shall commence no earlier than 8:30 A.M. on the last Monday in August immediately  
128 preceding the general election and shall end no later than 4:30 P.M. on the following  
129 Friday; and, in the case of a special election, the municipal qualifying period shall  
130 commence no earlier than the date of the call and shall end no later than 25 days prior to  
131 the election; and

132 (4)(A) In extraordinary circumstances as described in Code Section 21-2-543.1, each  
133 candidate, or his or her agent, desiring to have his or her name placed on the election

134 ballot shall file a notice of his or her candidacy, giving his or her name, residence  
 135 address, and the office he or she is seeking, with the Office of the Secretary of State no  
 136 earlier than the date of the call of the special election and not later than ten days after  
 137 the announcement of such extraordinary circumstances.

138 (B) The provisions of this subsection shall not apply where, during the 75 day period  
 139 beginning on the date of the announcement of the vacancy:

140 (i) A regularly scheduled general election for the vacant office is to be held; or

141 (ii) Another special election for the vacant office is to be held pursuant to a writ for  
 142 a special election issued by the Governor prior to the date of the announcement of the  
 143 vacancy.

144 The hours of qualifying each day shall be from 8:30 A.M. until 4:30 P.M. with one hour  
 145 allowed for the lunch break; provided, however, that municipalities which have normal  
 146 business hours which cover a lesser period of time shall conduct qualifying during normal  
 147 business hours for each such municipality. Except in the case of a special election, notice  
 148 of the opening and closing dates and the hours for candidates to qualify shall be published  
 149 at least two weeks prior to the opening of the qualifying period.

150 (e) Except as provided in subsection (i) of this Code section, each candidate required to  
 151 file a notice of candidacy by this Code section shall, no earlier than 9:00 A.M. on the fourth  
 152 Monday in June immediately prior to the election and no later than 12:00 Noon on the  
 153 second Tuesday in July immediately prior to the election, file with the same official with  
 154 whom he or she filed his or her notice of candidacy a nomination petition in the form  
 155 prescribed in Code Section 21-2-170, except that such petition shall not be required if such  
 156 candidate is:

157 (1) A nominee of a political party for the office of presidential elector when such party  
 158 has held a national convention and therein nominated candidates for President and Vice  
 159 President of the United States;

160 (2) Seeking office in a special election;

161 (3) An incumbent qualifying as a candidate to succeed ~~such incumbent if, prior to the~~  
 162 ~~election in which such incumbent was originally elected to the office for which such~~  
 163 ~~incumbent seeks reelection, such incumbent filed a notice of candidacy and a nomination~~  
 164 ~~petition as required by this chapter~~ himself or herself;

165 (4) A candidate seeking election in a nonpartisan election; or

166 (5) A nominee for a state-wide office by a duly constituted political body convention,  
 167 provided that the political body making the nomination has qualified to nominate  
 168 candidates for state-wide public office under the provisions of Code Section 21-2-180.

169 (f) Each candidate required by this Code section to file a notice of candidacy shall  
 170 accompany his or her notice of candidacy with an affidavit stating:

- 171 (1) His or her full name and the name as the candidate desires it to be listed on the ballot.  
 172 The surname of the candidate shall be the surname of the candidate as it appears on the  
 173 candidate's voter registration card unless the candidate provides proof that his or her  
 174 surname as it appears on the candidate's registration card is incorrect in which event the  
 175 correct name shall be listed. After such name is submitted to the Secretary of State or the  
 176 election superintendent, the form of such name shall not be changed during the election  
 177 for which such notice of candidacy is submitted;
- 178 (2) His or her residence, with street and number, if any, and his or her post office  
 179 address;
- 180 (3) His or her profession, business, or occupation, if any;
- 181 (4) The name of his or her precinct;
- 182 (5) That he or she is an elector of the county or municipality of his or her residence  
 183 eligible to vote in the election in which he or she is a candidate;
- 184 (6) The name of the office he or she is seeking;
- 185 (7) That he or she is eligible to hold such office;
- 186 (8) That the candidate has never been convicted and sentenced in any court of competent  
 187 jurisdiction for fraudulent violation of primary or election laws, malfeasance in office,  
 188 or felony involving moral turpitude or conviction of domestic violence under the laws of  
 189 this state or any other state or of the United States, or that the candidate's civil rights have  
 190 been restored and that at least ten years have elapsed from the date of the completion of  
 191 the sentence without a subsequent conviction of another felony involving moral turpitude;
- 192 (9) That he or she will not knowingly violate this chapter or rules and regulations  
 193 adopted under this chapter; and
- 194 (10) Any other information as may be determined by the Secretary of State to be  
 195 necessary to comply with federal and state law.

196 The affidavit shall contain such other information as may be prescribed by the officer with  
 197 whom the candidate files his or her notice of candidacy.

198 (g) A pauper's affidavit may be filed in lieu of paying the qualifying fee otherwise required  
 199 by this Code section and Code Sections 21-2-131 and 21-2-138 of any candidate who has  
 200 filed a qualifying petition as provided for in subsection (h) of this Code section. A  
 201 candidate filing a pauper's affidavit instead of paying a qualifying fee shall under oath  
 202 affirm his or her poverty and his or her resulting inability to pay the qualifying fee  
 203 otherwise required. The form of the affidavit shall be prescribed by the Secretary of State  
 204 and shall include a financial statement which lists the total income, assets, liabilities, and  
 205 other relevant financial information of the candidate and shall indicate on its face that the  
 206 candidate has neither the assets nor the income to pay the qualifying fee otherwise required.  
 207 The affidavit shall contain an oath that such candidate has neither the assets nor the income

208 to pay the qualifying fee otherwise required. The following warning shall be printed on the  
 209 affidavit form prepared by the Secretary of State, to wit: 'WARNING: Any person  
 210 knowingly making any false statement on this affidavit commits the offense of false  
 211 swearing and shall be guilty of a felony.' The name of any candidate who subscribes and  
 212 swears to an oath that such candidate has neither the assets nor the income to pay the  
 213 qualifying fee otherwise required shall be placed on the ballot by the Secretary of State or  
 214 election superintendent, as the case may be.

215 (h) No candidate shall be authorized to file a pauper's affidavit in lieu of paying the  
 216 qualifying fee otherwise required by this Code section and Code Section 21-2-138 unless  
 217 such candidate has filed a qualifying petition which complies with the following  
 218 requirements:

219 (1) A qualifying petition of a candidate seeking an office which is voted upon state wide  
 220 shall be signed by a number of voters equal to one-fourth of 1 percent of the total number  
 221 of ~~registered voters eligible to vote~~ electors who voted in the last election for ~~the filling~~  
 222 ~~of the office the candidate is seeking~~ presidential electors and the signers of such petition  
 223 shall be registered and eligible to vote in the election at which such candidate seeks to be  
 224 elected. A qualifying petition of a candidate for any other office shall be signed by a  
 225 number of voters equal to 1 percent of the total number of ~~registered voters eligible to~~  
 226 ~~vote~~ electors who voted in the last election for ~~the filling of the office the candidate is~~  
 227 ~~seeking~~ presidential electors in the district or jurisdiction encompassed by the office for  
 228 which the candidate is offering for election and the signers of such petition shall be  
 229 registered and eligible to vote in the election at which such candidate seeks to be elected.  
 230 However, in the case of a candidate ~~seeking an office for which there has never been an~~  
 231 ~~election or seeking an office in a newly constituted constituency~~, the percentage figure  
 232 shall be computed on the total number of ~~registered voters~~ electors who voted in the last  
 233 election for presidential electors in the constituency ~~who would have been qualified to~~  
 234 ~~vote for such office had the election been held at the last general election~~ and the signers  
 235 of such petition shall be registered and eligible to vote in the election at which such  
 236 candidate seeks to be elected;

237 (2) Each person signing a qualifying petition shall declare therein that he or she is a duly  
 238 qualified and registered elector of the state entitled to vote in the next election for the  
 239 filling of the office sought by the candidate supported by the petition and shall add to his  
 240 or her signature his or her residence address, giving municipality, if any, and county, with  
 241 street and number, if any. No person shall sign the same petition more than once. Each  
 242 petition shall support the candidacy of only a single candidate. A signature shall be  
 243 stricken from the petition when the signer so requests prior to the presentation of the  
 244 petition to the appropriate officer for filing, but such a request shall be disregarded if

245 made after such presentation. Each sheet shall bear on the bottom or back thereof the  
 246 affidavit of the circulator of such sheet, which affidavit must be subscribed and sworn to  
 247 by such circulator before a notary public and shall set forth:

248 (A) His or her residence address, giving municipality with street and number, if any;

249 (B) That each signer manually signed his or her own name with full knowledge of the  
 250 contents of the qualifying petition;

251 (C) That each signature on such sheet was signed within 180 days of the last day on  
 252 which such petition may be filed; and

253 (D) That, to the best of the affiant's knowledge and belief, the signers are registered  
 254 electors of the state qualified to sign the petition, that their respective residences are  
 255 correctly stated in the petition, and that they all reside in the county named in the  
 256 affidavit;

257 (3) A qualifying petition shall be in the form and manner determined by the Secretary  
 258 of State and approved by the State Elections Board ~~on one or more sheets of uniform size~~  
 259 ~~and different sheets must be used by signers resident in different counties. The upper~~  
 260 ~~portion of each sheet, prior to being signed by any petitioner, shall bear the name and title~~  
 261 ~~of the officer with whom the petition will be filed, the name of the candidate to be~~  
 262 ~~supported by the petition, his or her profession, business, or occupation, if any, his or her~~  
 263 ~~place of residence with street and number, if any, the name of the office he or she is~~  
 264 ~~seeking, his or her political party or body affiliation, if any, and the name and date of the~~  
 265 ~~election in which the candidate is seeking election. If more than one sheet is used, they~~  
 266 ~~shall be bound together when offered for filing if they are intended to constitute one~~  
 267 ~~qualifying petition, and each sheet shall be numbered consecutively, beginning with~~  
 268 ~~number one, at the foot of each page. Each sheet shall bear on the bottom or back thereof~~  
 269 ~~the affidavit of the circulator of such sheet, which affidavit must be subscribed and sworn~~  
 270 ~~to by such circulator before a notary public and shall set forth:~~

271 ~~(A) His or her residence address, giving municipality with street and number, if any;~~

272 ~~(B) That each signer manually signed his or her own name with full knowledge of the~~  
 273 ~~contents of the qualifying petition;~~

274 ~~(C) That each signature on such sheet was signed within 180 days of the last day on~~  
 275 ~~which such petition may be filed; and~~

276 ~~(D) That, to the best of the affiant's knowledge and belief, the signers are registered~~  
 277 ~~electors of the state qualified to sign the petition, that their respective residences are~~  
 278 ~~correctly stated in the petition, and that they all reside in the county named in the~~  
 279 ~~affidavit;~~

280 (4) No qualifying petition shall be circulated prior to 180 days before the last day on  
 281 which such petition may be filed, and no signature shall be counted unless it was signed  
 282 within 180 days of the last day for filing the same; and

283 (5) A qualifying petition shall not be amended or supplemented after its presentation to  
 284 the appropriate officer for filing.

285 No notary public may sign the petition as an elector or serve as a circulator of any petition  
 286 which he or she notarized. Any and all sheets of a petition that have the circulator's  
 287 affidavit notarized by a notary public who also served as a circulator of one or more sheets  
 288 of the petition or who signed one of the sheets of the petition as an elector shall be  
 289 disqualified and rejected.

290 (i) Notwithstanding any other provision of this chapter to the contrary, for general  
 291 elections held in the even-numbered year immediately following the official release of the  
 292 United States decennial census data to the states for the purpose of redistricting of the  
 293 legislatures and the United States House of Representatives, candidates in such elections  
 294 shall qualify as provided in this subsection:

295 (1) All candidates seeking election in a nonpartisan election shall file their notice of  
 296 candidacy and pay the prescribed qualifying fee by the date prescribed in this paragraph  
 297 in order to be eligible to have their names placed on the nonpartisan election ballot by the  
 298 Secretary of State or election superintendent, as the case may be, in the following  
 299 manner:

300 (A) Each candidate for the office of judge of the superior court, Judge of the Court of  
 301 Appeals, or Justice of the Supreme Court, or the candidate's agent, desiring to have his  
 302 or her name placed on the nonpartisan election ballot shall file a notice of candidacy,  
 303 giving his or her name, residence address, and the office sought, in the office of the  
 304 Secretary of State at the same time as candidates for party nomination in the general  
 305 primary as provided in paragraph (1) of subsection (c) of Code Section 21-2-153,  
 306 notwithstanding the fact that any such days may be legal holidays; and

307 (B) Each candidate for a county judicial office, a local school board office, or an office  
 308 of a consolidated government, or the candidate's agent, desiring to have his or her name  
 309 placed on the nonpartisan election ballot shall file a notice of candidacy in the office  
 310 of the superintendent at the same time as candidates for party nomination in the general  
 311 primary as provided in paragraph (1) of subsection (c) of Code Section 21-2-153,  
 312 notwithstanding the fact that any such days may be legal holidays;

313 (2) All political body and independent candidates shall file their notice of candidacy and  
 314 pay the prescribed qualifying fee by the date prescribed in this paragraph in order to be  
 315 eligible to have their names placed on the general election ballot by the Secretary of State  
 316 or election superintendent, as the case may be, in the following manner:

317 (A) Each candidate for federal or state office, or his or her agent, desiring to have his  
 318 or her name placed on the general election ballot shall file a notice of his or her  
 319 candidacy, giving his or her name, residence address, and the office he or she is  
 320 seeking, in the office of the Secretary of State ~~no earlier than~~ either during the period  
 321 beginning at 9:00 A.M. on the Wednesday immediately following the third Monday in  
 322 May immediately prior to such election and ending at 12:00 Noon on the Friday  
 323 immediately following the Wednesday immediately following the third Monday in  
 324 May, notwithstanding the fact that any such days may be legal holidays, or during the  
 325 period beginning at 9:00 A.M. on the last Monday in July immediately prior to the  
 326 election and ~~no later than~~ ending at 12:00 Noon on the Friday following the last  
 327 Monday in July, notwithstanding the fact that any such days may be legal holidays; and  
 328 (B) Each candidate for a county office, or his or her agent, desiring to have his or her  
 329 name placed on the general election ballot shall file notice of his or her candidacy in the  
 330 office of the superintendent of his or her county ~~no earlier than~~ either during the period  
 331 beginning at 9:00 A.M. on the Wednesday immediately following the third Monday in  
 332 May immediately prior to such election and ending at 12:00 Noon on the Friday  
 333 immediately following the Wednesday immediately following the third Monday in  
 334 May, notwithstanding the fact that any such days may be legal holidays, or during the  
 335 period beginning at 9:00 A.M. on the last Monday in July immediately prior to the  
 336 election and ~~no later than~~ ending at 12:00 Noon on the Friday following the last  
 337 Monday in July, notwithstanding the fact that any such days may be legal holidays; and  
 338 (3) Candidates required to file nomination petitions under subsection (e) of this Code  
 339 section shall file such petitions not earlier than 9:00 A.M. on the fourth Monday in July  
 340 immediately prior to the general election and not later than 12:00 Noon on the first  
 341 Monday in August immediately prior to the general election.  
 342 (j)(1) Notwithstanding any provision of law to the contrary, any elected public officer  
 343 who is performing ordered military duty, as defined in Code Section 38-2-279, shall be  
 344 eligible for reelection in any primary or general election which may be held to elect a  
 345 successor for the next term of office, and may qualify in absentia as a candidate for  
 346 reelection to such office. The performance of ordered military duty shall not create a  
 347 vacancy in such office during the term for which such public officer was elected.  
 348 (2) Where the giving of written notice of candidacy is required, any elected public officer  
 349 who is performing ordered military duty may deliver such notice by mail, agent, or  
 350 messenger to the proper elections official. Any other act required by law of a candidate  
 351 may, during the time such officer is on ordered military duty, be performed by an agent  
 352 designated in writing by the absent public officer."

353

**SECTION 3.**

354 Said chapter is further amended by revising subsection (a) of Code Section 21-2-151, relating  
355 to authorization for political party primaries, as follows:

356 "(a) A political party ~~may elect its officials and~~ shall nominate its candidates for public  
357 office in a primary. Except for substitute nominations as provided in Code  
358 Section 21-2-134 and nomination of presidential electors, all nominees of a political party  
359 for public office shall be nominated in the primary preceding the general election in which  
360 the candidates' names will be listed on the ballot."

361

**SECTION 4.**

362 Said chapter is further amended by revising subsection (a.1) of Code Section 21-2-153,  
363 relating to qualification of candidates for party nomination in a state or county primary,  
364 posting of list of all qualified candidates, filing of affidavit with political party by each  
365 qualifying candidate, and performance of military service does not create vacancy, as  
366 follows:

367 "(a.1) No candidate shall be authorized to file a pauper's affidavit in lieu of paying the  
368 qualifying fee otherwise required by this Code section and Code Section 21-2-131 unless  
369 such candidate has filed a qualifying petition which complies with the following  
370 requirements:

371 (1) A qualifying petition of a candidate seeking an office which is voted upon state wide  
372 shall be signed by a number of voters equal to one-fourth of 1 percent of the total number  
373 of ~~registered voters eligible to vote~~ electors who voted in the last election for ~~the filling~~  
374 ~~of the office the candidate is seeking~~ presidential electors and the signers of such petition  
375 shall be registered and eligible to vote in the election at which such candidate seeks to be  
376 elected. A qualifying petition of a candidate for any other office shall be signed by a  
377 number of voters equal to 1 percent of the total number of ~~registered voters eligible to~~  
378 ~~vote~~ electors who voted in the last election for ~~the filling of the office the candidate is~~  
379 ~~seeking~~ presidential electors in the district or jurisdiction encompassed by the office for  
380 which the candidate is offering for election and the signers of such petition shall be  
381 registered and eligible to vote in the election at which such candidate seeks to be elected.  
382 However, in the case of a candidate ~~seeking an office for which there has never been an~~  
383 ~~election or~~ seeking an office in a newly constituted constituency, the percentage figure  
384 shall be computed on the total number of ~~registered voters~~ electors who voted in the last  
385 election for presidential electors in the constituency ~~who would have been qualified to~~  
386 ~~vote for such office had the election been held at the last general election~~ and the signers  
387 of such petition shall be registered and eligible to vote in the election at which such  
388 candidate seeks to be elected;

389 (2) Each person signing a qualifying petition shall declare therein that he or she is a duly  
 390 qualified and registered elector of the state entitled to vote in the next election for the  
 391 filling of the office sought by the candidate supported by the petition and shall add to his  
 392 or her signature his or her residence address, giving municipality, if any, and county, with  
 393 street and number, if any. No person shall sign the same petition more than once. Each  
 394 petition shall support the candidacy of only a single candidate. A signature shall be  
 395 stricken from the petition when the signer so requests prior to the presentation of the  
 396 petition to the appropriate officer for filing, but such a request shall be disregarded if  
 397 made after such presentation. Each sheet shall bear on the bottom or back thereof the  
 398 affidavit of the circulator of such sheet, setting forth:

399 (A) His or her residence address, giving municipality with street and number, if any;

400 (B) That each signer manually signed his or her own name with full knowledge of the  
 401 contents of the qualifying petition;

402 (C) That each signature on such sheet was signed within 180 days of the last day on  
 403 which such petition may be filed; and

404 (D) That, to the best of the affiant's knowledge and belief, the signers are registered  
 405 electors of the state qualified to sign the petition, that their respective residences are  
 406 correctly stated in the petition, and that they all reside in the county named in the  
 407 affidavit;

408 (3) A qualifying petition shall be in the form and manner determined by the Secretary  
 409 of State and approved by the State Elections Board on one or more sheets of uniform size  
 410 and different sheets must be used by signers resident in different counties. The upper  
 411 portion of each sheet, prior to being signed by any petitioner, shall bear the name and title  
 412 of the officer with whom the petition will be filed, the name of the candidate to be  
 413 supported by the petition, his or her profession, business, or occupation, if any, his or her  
 414 place of residence with street and number, if any, the name of the office he or she is  
 415 seeking, his or her political party or body affiliation, if any, and the name and date of the  
 416 election in which the candidate is seeking election. If more than one sheet is used, they  
 417 shall be bound together when offered for filing if they are intended to constitute one  
 418 qualifying petition, and each sheet shall be numbered consecutively, beginning with  
 419 number one, at the foot of each page. Each sheet shall bear on the bottom or back thereof  
 420 the affidavit of the circulator of such sheet, setting forth:

421 (A) His or her residence address, giving municipality with street and number, if any;

422 (B) That each signer manually signed his or her own name with full knowledge of the  
 423 contents of the qualifying petition;

424 (C) That each signature on such sheet was signed within 180 days of the last day on  
 425 which such petition may be filed; and

426 ~~(D) That, to the best of the affiant's knowledge and belief, the signers are registered~~  
 427 ~~electors of the state qualified to sign the petition, that their respective residences are~~  
 428 ~~correctly stated in the petition, and that they all reside in the county named in the~~  
 429 ~~affidavit;~~

430 (4) No qualifying petition shall be circulated prior to 180 days before the last day on  
 431 which such petition may be filed, and no signature shall be counted unless it was signed  
 432 within 180 days of the last day for filing the same; and

433 (5) A qualifying petition shall not be amended or supplemented after its presentation to  
 434 the appropriate officer for filing."

#### 435 **SECTION 5.**

436 Said chapter is further amended by revising subsection (b) of Code Section 21-2-170, relating  
 437 to nomination of candidates by petition, form of petition, signatures, limitations as to  
 438 circulation and amendment of petitions, listing of such candidates on ballots, and charter or  
 439 ordinance authorization, as follows:

440 "(b) A nomination petition of a candidate seeking an office which is voted upon state wide  
 441 shall be signed by a number of voters equal to 1 percent of the total number of ~~registered~~  
 442 ~~voters eligible to vote~~ electors who voted in the last election for presidential electors ~~the~~  
 443 ~~filling of the office the candidate is seeking~~ and the signers of such petition shall be  
 444 registered and eligible to vote in the election at which such candidate seeks to be elected.  
 445 A nomination petition of a candidate for any other office shall be signed by a number of  
 446 voters equal to 5 percent of the total number of ~~registered voters eligible to vote~~ electors  
 447 who voted in the last election for ~~the filling of the office the candidate is seeking~~  
 448 presidential electors in the district or jurisdiction encompassed by the office for which the  
 449 candidate is offering for election and the signers of such petition shall be registered and  
 450 eligible to vote in the election at which such candidate seeks to be elected. However, in  
 451 the case of a candidate ~~seeking an office for which there has never been an election or~~  
 452 seeking an office in a newly constituted constituency, the percentage figure shall be  
 453 computed on the total number of ~~registered voters~~ electors who voted in the last election  
 454 for presidential electors in the constituency ~~who would have been qualified to vote for such~~  
 455 ~~office had the election been held at the last general election~~ and the signers of such petition  
 456 shall be registered and eligible to vote in the election at which such candidate seeks to be  
 457 elected."

#### 458 **SECTION 6.**

459 Said chapter is further amended by revising Code Section 21-2-180, relating to manner of  
 460 qualifying by political body, as follows:

461 "21-2-180.

462 Any political body which is duly registered as provided for in Code Section 21-2-110 is  
463 qualified to nominate candidates for state-wide public office by convention if:

464 (1) The political body files with the Secretary of State a petition signed by voters equal  
465 in number to 1 percent of the ~~registered voters who were registered and eligible to vote~~  
466 in the preceding general election number of electors who voted in the last election for  
467 presidential electors; or

468 (2) At the preceding general election, the political body nominated a candidate for  
469 state-wide office and such candidate received a number of votes equal to 1 percent of the  
470 total number of registered voters who were registered and eligible to vote in such general  
471 election."

472 **SECTION 7.**

473 Said chapter is further amended by revising subsection (c) of Code Section 21-2-218, relating  
474 to cancellation of registration in former state or county and address changes and corrections,  
475 as follows:

476 "(c) In the event that an elector moves to a residence within the county or municipality and  
477 has a different address from the address contained on the person's registration card, it shall  
478 be the duty of such elector to notify the board of registrars of such fact by the fifth Monday  
479 prior to the primary or election in which such elector wishes to vote by submitting the  
480 change of address in writing. The board of registrars shall then correct the elector's record  
481 to reflect the change of address and place the elector in the proper precinct and voting  
482 districts. The board of registrars may accept a properly submitted application for an  
483 absentee ballot for this purpose for electors who move to an address within the county or  
484 municipality which is different from the address contained on the person's registration card.  
485 The board of registrars may also accept a properly submitted application for an absentee  
486 ballot to correct an elector's name on the voter registration list if all necessary information  
487 to complete such a change is included with the application."

488 **SECTION 8.**

489 Said chapter is further amended by revising subsection (a) of Code Section 21-2-219, relating  
490 to registration cards, as follows:

491 "(a) The registration cards for use by persons in making application to register to vote shall  
492 be in a form as specified by the Secretary of State, which shall include printed forms, forms  
493 made available through electronic means, or otherwise. Except as provided in  
494 subsection (b) of this Code section and Code Section 21-2-221.2, only registration cards  
495 issued or authorized for use by the Secretary of State or the national voter registration card

496 promulgated by the Federal Election Commission under the provisions of the National  
 497 Voter Registration Act of 1993, 42 U.S.C. Section 1973gg-7, shall be accepted for  
 498 purposes of voter registration."

499 **SECTION 9.**

500 Said chapter is further amended by revising subsection (a) of Code Section 21-2-220, relating  
 501 to application for registration, as follows:

502 "(a) Any person desiring to register as an elector shall apply to do so by making  
 503 application to a registrar or deputy registrar of such person's county of residence in  
 504 person, by submission of the federal post card application form as authorized under Code  
 505 Section 21-2-219, by making application through the Department of Driver Services as  
 506 provided in Code Section 21-2-221, by making application through the Department of  
 507 Natural Resources as provided in Code Section 21-2-221.1, by making application online  
 508 as provided in Code Section 21-2-221.2, by making application through designated  
 509 offices as provided in Code Section 21-2-222, or by making application by mail as  
 510 provided in Code Section 21-2-223."

511 **SECTION 10.**

512 Said chapter is further amended by adding a new Code section to read as follows:

513 "21-2-221.2.

514 (a) A person who is qualified to register to vote in this state and who has a valid Georgia  
 515 driver's license or identification card may submit a voter registration application on the  
 516 Internet website of the Secretary of State. The Secretary of State shall, in conjunction with  
 517 the Department of Driver Services, design and implement a system to allow for such  
 518 electronic voter registration.

519 (b) An application submitted pursuant to this Code section shall contain:

520 (1) The applicant's name and residence address;

521 (2) The applicant's driver's license or identification card number;

522 (3) The applicant's date of birth;

523 (4) An affirmation by the applicant that the applicant is a citizen of the State of Georgia  
 524 and of the United States;

525 (5) An affirmation by the applicant that the information provided is truthful and that the  
 526 applicant is eligible to vote in the State of Georgia;

527 (6) An assent by the applicant to the use of his or her signature from his or her driver's  
 528 license or identification card; and

529 (7) Such other information the Secretary of State deems necessary to establish the  
 530 identity of the applicant.

531 (c) Upon the submission of an application through the website pursuant to this Code  
 532 section, the software used by the Secretary of State for processing applications through the  
 533 website shall provide for immediate verification of all of the following:

534 (1) That the applicant has a valid Georgia driver's license or identification card and that  
 535 the number for that driver's license or identification card provided by the applicant  
 536 matches the number for the applicant's driver's license or identification card that is on file  
 537 with the Department of Driver Services;

538 (2) That the date of birth provided by the applicant matches the date of birth that is on  
 539 file with the Department of Driver Services; and

540 (3) That the applicant is a citizen of the State of Georgia and of the United States and  
 541 that the information provided by the applicant matches the information on file with the  
 542 Department of Driver Services.

543 If any of these items does not match or if the application is incomplete, the application shall  
 544 be void and shall be rejected and the applicant shall be notified of such rejection either  
 545 electronically or by mail within five days after such application is rejected.

546 (d) If all of the items enumerated in subsection (c) of this Code section are verified, the  
 547 Secretary of State shall obtain an electronic copy of the applicant's signature from the  
 548 applicant's driver's license or identification card on file with the Department of Driver  
 549 Services. The application shall then be processed in the same manner as applications under  
 550 Code Section 21-2-221. Except as otherwise provided by this Code section, the application  
 551 shall be deemed to have been made as of the date that the information was provided by the  
 552 applicant through the Internet website.

553 (e) The matching of information pursuant to subsection (c) of this Code section shall  
 554 satisfy the requirements of subsection (g) of Code Section 21-2-216.

555 (f) The Secretary of State shall employ security measures to ensure the accuracy and  
 556 integrity of voter registration applications submitted electronically pursuant to this Code  
 557 section."

558 **SECTION 11.**

559 Said chapter is further amended by revising subsections (c) and (d) of Code  
 560 Section 21-2-233, relating to comparison of change of address information supplied by  
 561 United States Postal Service with electors list, removal from list of electors, and notice to  
 562 electors, as follows:

563 "(c) If it appears from the change of address information supplied by the licensees of the  
 564 United States Postal Service that an elector whose name appears on the official list of  
 565 electors has moved to a different address outside of the boundaries of the county or  
 566 municipality in which the elector is presently registered, such elector shall be sent a

567 confirmation notice as provided in Code Section 21-2-234 at the old address of the elector.  
 568 The registrars may also send a confirmation notice to the elector's new address. If the  
 569 elector confirms the change of address to an address outside of the ~~boundaries of the county~~  
 570 ~~or municipality in which the elector is presently registered~~ State of Georgia, the elector's  
 571 name shall be removed from the appropriate list of electors. If the elector confirms the  
 572 change of address to an address outside of the boundaries of the county or municipality in  
 573 which the elector is presently registered, but still within the State of Georgia, the elector's  
 574 registration shall be transferred to the new county or municipality. The Secretary of State  
 575 or the registrars shall forward the confirmation card to the registrars of the county in which  
 576 the elector's new address is located and the registrars of the county of the new address shall  
 577 update the voter registration list to reflect the change of address. If the elector responds to  
 578 the notice and affirms that the elector has not moved, the elector shall remain on the list of  
 579 electors at the elector's current address. If the elector fails to respond to the notice within  
 580 30 days after the date of the notice, the elector shall be transferred to the inactive list  
 581 provided for in Code Section 21-2-235.

582 (d) Whenever an elector's name is removed from the list of electors by the county  
 583 registrars because the elector has furnished in writing to the registrar a residence address  
 584 that is located outside of the ~~elector's present county of registration~~ State of Georgia, the  
 585 registrars shall notify the elector in writing at the elector's new address that the elector's  
 586 name is being deleted from the list of electors ~~for that county and that the elector must~~  
 587 ~~reregister in the new county of residence in order to be eligible to vote. The registrars shall~~  
 588 ~~provide the person with the appropriate form for registration at the time of such notice.~~  
 589 Whenever an elector's registration is transferred by the county registrars to another county  
 590 in this state because the elector has furnished in writing to the registrar a residence address  
 591 that is located in the state outside of the elector's present county of registration in  
 592 accordance with subsection (c) of this Code section, the registrars of the county of the  
 593 elector's former residence shall notify the elector in writing at the elector's new address that  
 594 the elector's registration is being transferred to the new address. The registrars of the  
 595 county of the elector's new address shall provide the elector with a new registration card  
 596 pursuant to Code Section 21-2-226."

597 **SECTION 12.**

598 Said chapter is further amended by adding a new subsection to Code Section 21-2-224,  
 599 relating to registration deadlines, restrictions on voting in primaries, official list of electors,  
 600 and voting procedure when portion of county changed from one county to another, to read  
 601 as follows:

602 "(c.1) An individual or organization shall promptly transmit all completed voter  
 603 registration applications to the Secretary of State or the appropriate board of registrars  
 604 within ten days after receiving such application or by the close of registration, whichever  
 605 period is earlier. If an individual or organization receives a completed voter registration  
 606 application 14 or fewer days before the close of registration, the individual or organization  
 607 shall transmit the application to the Secretary of State or the appropriate board of registrars  
 608 within 72 hours of the date of the execution of the application or by midnight on the close  
 609 of registration, whichever period is earlier."

610

### SECTION 13.

611 Said chapter is further amended by revising Code Section 21-2-236, relating to periods of  
 612 retention of registration cards, applications, and records of list maintenance activities, as  
 613 follows:

614 "21-2-236.

615 (a) The voter registration cards of electors whose names appear on either the official list  
 616 of electors or the list of inactive electors shall be retained on file as long as the elector  
 617 remains on such lists and for a period of two years following the removal from the lists;  
 618 provided, however, that an original voter registration card may be destroyed if an image  
 619 of the face of the card is stored electronically.

620 (b) The registration applications of persons whose applications were rejected and all  
 621 related material and records, or electronic facsimile thereof, shall be retained on file for a  
 622 period of two years after the date of the rejection.

623 (c) All records concerning list maintenance activities under Code Sections 21-2-233 and  
 624 21-2-234 shall be maintained for a period of two years and shall be available for public  
 625 inspection and copying, except to the extent that such records relate to a declination to  
 626 register to vote or to the identity of a voter registration agency through which any particular  
 627 elector is registered. Such records shall contain the name and address of all electors to  
 628 whom confirmation notices are sent and information concerning whether each such elector  
 629 has responded to such notice.

630 (d) The State Election Board shall adopt rules and regulations regarding the safekeeping  
 631 and maintenance of electronic records of voter registration records maintained under this  
 632 Code section."

633

### SECTION 14.

634 Said chapter is further amended by revising subparagraph (a)(1)(D) of Code  
 635 Section 21-2-381, relating to the making of application for absentee ballot, determination of

636 eligibility by ballot clerk, furnishing of applications to colleges and universities, and persons  
637 entitled to make application, as follows:

638 "(D) Except in the case of physically disabled electors residing in the county or  
639 municipality, no absentee ballot shall be mailed to an address other than the permanent  
640 mailing address of the elector as recorded on the elector's voter registration record or  
641 a temporary out-of-county or out-of-municipality address, except that an absentee ballot  
642 may be mailed to an incarcerated elector at the elector's place of incarceration."

643 **SECTION 15.**

644 Said chapter is further amended by revising subparagraphs (a)(1)(B) and (a)(1)(C) of Code  
645 Section 21-2-386, relating to safekeeping, certification, and validation of absentee ballots;  
646 rejection of ballot; delivery of ballots to manager; duties of managers; precinct returns; and  
647 notification of challenged elector, as follows:

648 "(B) Upon receipt of each ballot, a registrar or clerk shall write the day and hour of the  
649 receipt of the ballot on its envelope. The registrar or clerk shall then compare the  
650 identifying information on the oath with the information on file in his or her office,  
651 shall compare the signature or mark on the oath with the signature or mark on the  
652 absentee elector's voter registration card or the most recent update to such absentee  
653 elector's voter registration card and application for absentee ballot or a facsimile of said  
654 signature or mark taken from said card or application, and shall, if the information and  
655 signature appear to be valid and other identifying information appears to be correct, so  
656 certify by signing or initialing his or her name below the voter's oath. Each elector's  
657 name so certified shall be listed by the registrar or clerk on the numbered list of  
658 absentee voters prepared for his or her precinct.

659 (C) If the elector has failed to sign the oath, or if the signature does not appear to be  
660 valid, or if the elector has failed to furnish required information or information so  
661 furnished does not conform with that on file in the registrar's or clerk's office, or if the  
662 elector is otherwise found disqualified to vote, the registrar or clerk shall write across  
663 the face of the envelope 'Rejected,' giving the reason therefor. The board of registrars  
664 or absentee ballot clerk shall promptly notify the elector of such rejection, a copy of  
665 which notification shall be retained in the files of the board of registrars or absentee  
666 ballot clerk for at least ~~one year~~ two years."

667 **SECTION 16.**

668 Said chapter is further amended by revising subsection (e) of Code Section 21-2-413, relating  
669 to conduct of voters, campaigners, and others at polling places generally, as follows:

670 ~~"(e) No elector person shall use photographic or other electronic monitoring or recording~~  
 671 ~~devices, cameras, or cellular telephones while such elector is within the enclosed space~~  
 672 ~~person is in a polling place while voting is taking place; provided, however, that a poll~~  
 673 ~~manager, in his or her discretion, may allow the use of photographic devices in the polling~~  
 674 ~~place under such conditions and limitations as the election superintendent finds~~  
 675 ~~appropriate; and, provided, further, that no photography shall be allowed of a ballot or the~~  
 676 ~~face of a voting machine or DRE unit while an elector is voting such ballot or machine or~~  
 677 ~~DRE unit, and no photography shall be allowed of an electors list, electronic electors list,~~  
 678 ~~or the use of an electors list or electronic electors list. This subsection shall not prohibit~~  
 679 ~~the use of photographic or other electronic monitoring or recording devices, cameras, or~~  
 680 ~~cellular telephones by poll officials for official purposes."~~

681 **SECTION 17.**

682 Said chapter is further amended by revising subsection (c) of Code Section 21-2-414, relating  
 683 to restrictions on campaign activities and public opinion polling within the vicinity of a  
 684 polling place, cellular phone use prohibited; prohibition of candidates from entering certain  
 685 polling places, and penalty, as follows:

686 ~~"(c) No person shall use a cellular telephone or other electronic communication device~~  
 687 ~~once such person has been issued a ballot or, in the case of precincts using voting machines~~  
 688 ~~or electronic recording voting systems, once the person has entered the voting machine or~~  
 689 ~~voting enclosure or booth. This subsection shall not prohibit the use of cellular telephones~~  
 690 ~~by poll officials Reserved."~~

691 **SECTION 18.**

692 Said chapter is further amended by revising Code Section 21-2-492, relating to computation  
 693 and canvassing of returns, notice of when and where returns will be computed and canvassed,  
 694 blank forms for making statements of returns, and swearing of assistants, as follows:

695 "21-2-492.

696 The superintendent shall arrange for the computation and canvassing of the returns of votes  
 697 cast at each primary and election at his or her office or at some other convenient public  
 698 place at the county seat or municipality with accommodations for those present insofar as  
 699 space permits. An interested candidate or his or her representative shall be permitted to  
 700 keep or check his or her own computation of the votes cast in the several precincts as the  
 701 returns from the same are read, as directed in this article. The superintendent shall give at  
 702 least one week's notice prior to the primary or election by publishing same in a conspicuous  
 703 place in the ~~county courthouse or city hall~~ superintendent's office, of the time and place  
 704 when and where he or she will commence and hold his or her sessions for the computation

705 and canvassing of the returns; and he or she shall keep copies of such notice posted in his  
 706 or her office during such period. The superintendent shall procure a sufficient number of  
 707 blank forms of returns made out in the proper manner and headed as the nature of the  
 708 primary or election may require, for making out full and fair statements of all votes which  
 709 shall have been cast within the county or any precinct therein, according to the returns from  
 710 the several precincts thereof, for any person voted for therein, or upon any question voted  
 711 upon therein. The assistants of the superintendent in the computation and canvassing of  
 712 the votes shall be first sworn by the superintendent to perform their duties impartially and  
 713 not to read, write, count, or certify any return or vote in a false or fraudulent manner."

714 **SECTION 19.**

715 Said chapter is further amended by revising paragraph (1) of subsection (a) of Code  
 716 Section 21-2-496, relating to preparation and filing by superintendent of four copies of  
 717 consolidated return of primary and electronic filing, as follows:

718 "(1) One copy to be posted at the ~~county courthouse or, in the case of a municipal~~  
 719 ~~election, at the city hall~~ office of the election superintendent for the information of the  
 720 public;".

721 **SECTION 20.**

722 Said chapter is further amended by revising paragraph (1) of Code Section 21-2-497, relating  
 723 to preparation and filing by superintendent of four copies of consolidated return of elections,  
 724 as follows:

725 "(1) One copy to be posted at the ~~county courthouse or, in the case of a municipal~~  
 726 ~~election, at the city hall~~ office of the election superintendent for the information of the  
 727 public;".

728 **SECTION 21.**

729 Said chapter is further amended by repealing Code Section 21-2-501.1, relating to timing  
 730 whenever a municipal general primary is held in conjunction with the general primary in  
 731 even-numbered years, in its entirety.

732 **SECTION 22.**

733 Said chapter is further amended by revising subparagraph (c)(1)(B) of Code  
 734 Section 21-2-540, relating to the conduct of special elections, as follows:

735 "(B) In even-numbered years, any such special election shall only be held on:

736 (i) The third Tuesday in March; provided, however, that in the event that a special  
 737 election is to be held under this provision in a year in which a presidential preference

738 primary is to be held, then any such special election shall be held on the date of and  
 739 in conjunction with the presidential preference primary;  
 740 (ii) The date of the general primary; or  
 741 ~~(iii) The third Tuesday in September; or~~  
 742 ~~(iv)~~(iii) The Tuesday after the first Monday in November."

743 **SECTION 23.**

744 Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses,  
 745 is amended by revising paragraph (6) of subsection (f) of Code Section 40-5-2, relating to  
 746 driving records, as follows:

747 "(6)(A) The information required to be made available regarding voter registration  
 748 pursuant to Code ~~Section~~ Sections 21-2-221 and 21-2-221.2 and for the purposes set  
 749 forth in such Code ~~section~~ sections; and

750 (B) Information sufficient for use in verifying a registered voter's identity or the  
 751 identity of an applicant for voter registration by the Secretary of State, the county  
 752 election superintendent, or the county registrar, including name, address, date of birth,  
 753 gender, driver identification number, photograph, and signature; and".

754 **SECTION 24.**

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