

House Bill 42

By: Representatives Lumsden of the 12th, Fleming of the 121st, Caldwell of the 131st, Quick of the 117th, Holcomb of the 81st, 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 elections and primaries generally, so as to authorize election superintendents to correct
3 mistakes and omissions on ballots for a primary or election; to provide for related matters;
4 to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and
8 primaries generally, is amended by revising Code Section 21-2-293, relating to correction
9 of mistakes and omissions on ballot, as follows:

10 "21-2-293.

11 (a) If the election superintendent discovers that a mistake or omission has occurred in the
12 printing of official ballots or in the programming of the display of the official ballot on
13 DRE voting equipment for any primary or election, the superintendent is authorized on his
14 or her own motion to take such steps as necessary to correct such mistake or omission if
15 the superintendent determines that such correction is feasible and practicable under the
16 circumstances.

17 (b) When it is shown by affidavit that a mistake or omission has occurred in the printing
18 of official ballots or in the programming of the display of the official ballot on DRE voting
19 equipment for any primary or election, the superior court of the proper county may, upon
20 the application of any elector of the county or municipality, require the superintendent to
21 correct the mistake or omission or to show cause why he or she should not do so."

22 style="text-align:center">**SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.