

GEORGIA ELECTIONS: RETURNS, RECOUNTS, AND CONTESTED RESULTS

Election returns must be certified by the local superintendent and transmitted to the secretary of state by **5:00 PM** on the **first Monday** following the election. 



WHEN REVIEWING RESULTS, IF THE NUMBER OF VOTES **EXCEEDS** THE NUMBER OF VOTERS **REGISTERED IN THAT PRECINCT**, THE SUPERINTENDENT MUST CONDUCT AN INVESTIGATION BEFORE ANY VOTES FROM THE AFFECTED PRECINCT CAN BE COUNTED.

In order to win an election, the candidate must receive a **majority of the votes cast**, not simply a plurality of votes.



If one candidate does not receive a majority of the vote, there will be a **runoff** between the top 2 candidates.



IN INSTANCES OF ERROR OR DISCREPANCY, A BALLOT RECOUNT MAY BE ORDERED.



A RECOUNT MAY BE ORDERED AT THE **DISCRETION OF THE SUPERINTENDENT** OR ON PETITION BY A CANDIDATE OR POLITICAL PARTY.



FEDERAL OR STATEWIDE CANDIDATES **MAY PETITION THE SECRETARY OF STATE** FOR A RECOUNT WHEN THERE HAS BEEN AN ERROR.



THE RECOUNT MUST TAKE PLACE **BEFORE CERTIFICATION** OF THE ELECTION RETURNS.

22 STATES ALLOW **AUTOMATIC RECOUNTS** UNDER CERTAIN CIRCUMSTANCES, **GEORGIA DOES NOT**. | **41** STATES, **INCLUDING GEORGIA**, ALLOW CANDIDATES OR VOTERS TO **PETITION FOR A BALLOT RECOUNT**.

If a candidate wins an election by **0.5%** of the total vote, the losing candidate has the right to a recount. The candidate must request the recount within **2 business days** following the certification of results.



THE OUTCOME OF AN ELECTION CAN BE **CONTESTED** BY AN IMPACTED **CANDIDATE OR VOTER** FOR THE FOLLOWING REASONS:



MISCONDUCT OR FRAUD BY ELECTION OFFICIALS



THE CANDIDATE IS INELIGIBLE FOR OFFICE



ILLEGAL VOTES WERE COUNTED OR LEGAL VOTES WERE REJECTED



ERRORS COUNTING THE VOTES OR DECLARING THE RESULTS



ANY OTHER REASON WHICH SHOWS ANOTHER PERSON IS THE RIGHTFUL WINNER

A PETITION TO CONTEST AN ELECTION RESULT MUST BE FILED WITH THE **CLERK OF THE SUPERIOR COURT** WITHIN **5 DAYS AFTER RESULT CERTIFICATION**. THE CONTEST CASE WILL BE TRIED AND DETERMINED BY THE SUPERIOR COURT OF THE RELEVANT COUNTY.



After the election, the clerk of the superior court or the county records manager must store the **used ballots and other voting documents** in sealed containers for at least **24 months**.

