

Senate Bill 74

By: Senators Mullis of the 53rd, Miller of the 49th, Gooch of the 51st, Walker III of the 20th, Albers of the 56th and others

AS PASSED SENATE

**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 revise the ability of poll watchers at tabulating
3 centers to observe the vote counting process; to provide for related matters; to repeal
4 conflicting laws; and for other purposes.

5 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

6 **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 subsection (c) of Code Section 21-2-408, relating
9 to poll watchers, designation, duties, removal for interference with election, reports by poll
10 watchers of infractions or irregularities, and ineligibility of candidates to serve as poll
11 watchers, as follows:

12 "(c) In counties or municipalities using direct recording electronic (DRE) voting systems
13 or optical scanning voting systems, each political party may appoint two poll watchers in
14 each primary or election, each political body may appoint two poll watchers in each
15 election, each nonpartisan candidate may appoint one poll watcher in each nonpartisan
16 election, and each independent candidate may appoint one poll watcher in each election to

17 serve in the locations designated by the superintendent within the tabulating center. Such
18 ~~designated locations shall include the check-in area, the computer room, the duplication~~
19 ~~area, and such other~~ poll watchers shall be given access to all areas as the superintendent
20 ~~may deem necessary to the assurance of~~ in the tabulating center where ballots and election
21 results are being received and processed to ensure fair and honest procedures in the
22 tabulating center. The election superintendent may restrict the movement and activities of
23 poll watchers in the tabulating center in order to provide for the security of the ballots and
24 returns and to prevent interference by poll watchers in the tabulating process, but such
25 restrictions should be as minimal as possible. The poll watchers provided for in this
26 subsection shall be appointed and serve in the same manner as other poll watchers."

27 SECTION 2.

28 All laws and parts of laws in conflict with this Act are repealed.