

House Bill 1227

By: Representatives Gullett of the 19<sup>th</sup>, Fleming of the 114<sup>th</sup>, Momtahan of the 17<sup>th</sup>, Sainz of the 180<sup>th</sup>, Thomas of the 21<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 elections and primaries generally, so as to revise the information sought from persons  
3 registering to vote who indicate that they were previously registered to vote in another state,  
4 county, or municipality; to provide for the transmission of such information to the Secretary  
5 of State and procedures related thereto; to provide for the Secretary of State to provide notice  
6 of and share such information related to persons indicating that they had previously been  
7 registered to vote in another state with the chief election officer of such state; to provide for  
8 public reporting on the number of such notices provided to other states; to provide that  
9 comparable notices received from other states related to persons previously registered to vote  
10 in Georgia may be used to cancel such persons' voter registration in this state; to provide for  
11 related matters; to repeal conflicting laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

14 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and  
15 primaries generally, is amended by revising Code Section 21-2-218, relating to cancellation  
16 of registration in former state or county, address changes, and corrections, as follows:

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17 "21-2-218.

18 (a) Any person, who is registered to vote in another state and who moves such person's  
19 residence from that state to this state, shall, at the time of making application to register to  
20 vote in this state, provide such information as specified by the Secretary of State in order  
21 to notify such person's former voting jurisdiction of the person's application to register to  
22 vote in this state and to cancel such person's registration in the former place of residence.

23 (b) Any person, who is registered to vote in another county or municipality in this state  
24 and who moves such person's residence from that county or municipality to another county  
25 or municipality in this state, shall, at the time of making application to register to vote in  
26 that county or municipality, provide such information as specified by the Secretary of State  
27 in order to notify such person's former voting jurisdiction of the person's application to  
28 register to vote in the new place of residence and to cancel such person's registration in the  
29 former place of residence.

30 (b.1) The information specified by the Secretary of State pursuant to subsections (a)  
31 and (b) of this Code section shall at a minimum include:

32 (1) A space or box for the applicant to indicate whether he or she had previously been  
33 registered to vote in a different state, county, or municipality;

34 (2) A space for the applicant to provide the address at which he or she was previously  
35 registered to vote, including at a minimum:

36 (A) Street name and number;

37 (B) City or town, and state;

38 (C) ZIP Code; and

39 (D) If no street number is available, a detailed description of the location of such  
40 previous address; and

41 (3) A statement and corresponding space for the applicant to sign acknowledging and  
42 agreeing to the following:

43 'By completing and submitting this signed application, and upon its approval, I request  
44 the cancellation of the registration listed above by the former state, county, or  
45 municipality, pursuant to 52 U.S.C. Section 20507(a)(3)(A) and direct the Secretary of  
46 State to forward my request to the applicable chief election official of such state or the  
47 applicable registrar of a county or municipality of this state.'

48 (b.2)(1) If a person's voter registration application indicates, pursuant to subsections (a)  
49 and (b.1) of this Code section, that such persons had previously been registered to vote  
50 in a different state, the registrar shall cause the following information of the applicant, if  
51 available, to be transmitted to the Secretary of State:

52 (A) Full name;

53 (B) Date of birth;

54 (C) Last four digits of his or her Social Security Number;

55 (D) Driver's license or identification card number;

56 (E) Any unique voter identification number assigned to such applicant;

57 (F) Address of current residence;

58 (G) Address of previous residence; and

59 (H) A copy of the applicant's voter registration form.

60 (2) The Secretary of State shall establish and maintain an electronic reporting system for  
61 registrars to report the information required by paragraph (1) of this subsection.

62 Registrars shall report all such information to the Secretary of State on a monthly basis.

63 (3) If an applicant's information is transmitted to the Secretary of State pursuant to this  
64 subsection, a record of such transmission shall be included in the corresponding voter's  
65 registration record. This record shall be treated as a voter list maintenance record and  
66 shall be stored with the person's registration record for the duration of time the person  
67 continues to be registered in this state.

68 (c) In the event that an elector moves to a residence within the county or municipality and  
69 has a different address from the address contained on the person's registration card, it shall

70 be the duty of such elector to notify the board of registrars of such fact by the fifth Monday  
71 prior to the primary or election in which such elector wishes to vote by submitting the  
72 change of address in writing. The board of registrars shall then correct the elector's record  
73 to reflect the change of address and place the elector in the proper precinct and voting  
74 districts. The board of registrars may accept a properly submitted application for an  
75 absentee ballot for this purpose for electors who move to an address within the county or  
76 municipality which is different from the address contained on the person's registration card.  
77 The board of registrars may also accept a properly submitted application for an absentee  
78 ballot to correct an elector's name on the voter registration list if all necessary information  
79 to complete such a change is included with the application.

80 (d) In the event that an elector moves to a residence within the county or municipality but  
81 into a different precinct or who moves to a residence in the same precinct but at a different  
82 address and fails to notify the board of registrars of such fact by the fifth Monday prior to  
83 an election or primary such elector shall vote in the precinct of such elector's former  
84 residence for such election or primary and for any runoffs resulting therefrom. The  
85 superintendent of an election shall make available at each polling place forms furnished by  
86 the Secretary of State which shall be completed by each such elector to reflect such  
87 elector's present legal residence. Such forms may also be used to notify the board of  
88 registrars of a change in an elector's name. The board of registrars shall thereafter place  
89 the elector in the proper precinct and voting districts and correct the list of electors  
90 accordingly. If the elector is placed in a precinct other than the one in which such elector  
91 has previously been voting, such elector shall be notified of the new polling place by  
92 first-class mail.

93 (e) Any provision of this chapter to the contrary notwithstanding, an elector who moves  
94 from one county or municipality to another after the fifth Monday prior to a primary or  
95 election may vote in the county or municipality or precinct in which such elector is  
96 registered to vote.

97 (f) No person shall vote in any county or municipality other than the county or  
98 municipality of such person's residence except as provided in subsection (e) of this Code  
99 section.

100 (g) In the event that the registration records incorrectly indicate that an elector has moved  
101 from an address within a precinct, the elector may vote in the precinct upon affirming in  
102 writing on a form prescribed by the Secretary of State that the elector still resides in the  
103 precinct at the address previously provided to the board of registrars. The registrars shall  
104 correct the elector's registration record to reflect the correct address.

105 (h) If a voter registration application is completed at a polling place for the purpose of  
106 recording a change of address and the new address is outside the county, then the registrar  
107 shall forward the application to the registrar in the new county of residence."

108

## SECTION 2.

109 Said chapter is further amended in Code Section 21-2-225, relating to restrictions on public  
110 inspection of applications for voter registration and data on electors and membership of  
111 Secretary of State in nongovernmental entity for purpose of improving voter registration  
112 systems, by adding a new subsection to read as follows:

113 "(e)(1) Notwithstanding any other provision of law to the contrary, if the Secretary of  
114 State receives a person's voter registration information pursuant to subsection (b.2) of  
115 Code Section 21-2-218, the Secretary of State shall send notice of such person's  
116 application to the chief election official of the state where the person was previously  
117 registered to vote informing such chief election official that:

118 (A) The identified person was successfully registered to vote in Georgia;

119 (B) The identified person listed a residential address located in Georgia; and

120 (C) The identified person has requested to cancel his or her voter registration in the  
121 recipient chief election official's state.

122 The Secretary of State shall include with such notice a copy of the applicant's voter  
123 registration form and the information obtained pursuant to subsections (a) and (b.1) of  
124 Code Section 21-2-218, and shall also provide such other relevant information that may  
125 be requested by the recipient chief election official.

126 (2) The Secretary of State shall cause, on a quarterly basis, a public report to be posted  
127 on the secretary's official website detailing:

128 (A) The total number of notices sent to other states pursuant to this subsection in such  
129 reporting period;

130 (B) A list of states to which such notices were sent, and the number of notices sent  
131 such individual states; and

132 (C) The total number of records received by the Secretary of State from the chief  
133 election officials of other states comparable to the notices provided for in this  
134 subsection indicating that persons previously registered in this state have applied to  
135 registered to voter in another state."

136 **SECTION 3.**

137 Said chapter is further amended by revising Code Section 21-2-232, relating to removal of  
138 elector's name from list of electors, as follows:

139 "21-2-232.

140 (a) An elector may request to have such elector's name removed from the list of electors  
141 by making a written request to the registrars of such elector's county of residence. Upon  
142 receipt of such request, the registrars shall remove such elector's name from the list of  
143 electors and shall confirm such removal by written notice by first-class mail sent to the  
144 address on the elector's registration records.

145 (b)(1) When an elector of this state moves to another state and registers to vote and the  
146 registration officials in such state send a notice of cancellation reflecting the registration  
147 of the elector in the other state, which includes a copy of such elector's voter registration

148 application bearing the elector's signature, including any notices from the chief election  
149 official of another state that is comparable to the notice provided for in subsection (e) of  
150 Code Section 21-2-225, the Secretary of State or the board of registrars, as the case may  
151 be, shall remove such elector's name from the list of electors. It shall not be necessary  
152 to send a confirmation notice to the elector in such circumstances.

153 (2) When an elector of this state moves to another state and the registration officials in  
154 such other state or a nongovernmental entity as described in subsection (d) of Code  
155 Section 21-2-225 send a notice of cancellation or other information indicating that the  
156 elector has moved to such state but such notice or information does not include a copy  
157 of such elector's voter registration application in such other state bearing the elector's  
158 signature, the Secretary of State or the board of registrars, as the case may be, shall send  
159 a confirmation notice to the elector as provided in Code Section 21-2-234.

160 (3) Once becoming a member of the nongovernmental entity described in subsection (d)  
161 of Code Section 21-2-225, the Secretary of State shall obtain regular information from  
162 such entity regarding electors who may have moved to another state, died, or otherwise  
163 become ineligible to vote in Georgia. The Secretary of State shall use such information  
164 to conduct list maintenance on the list of eligible electors."

165 **SECTION 4.**

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