

Talking Points - SB 241

1. **Section 1: Create a hotline for voters to report ballot harvesting**
 - a. Problem: The Secretary of State has many responsibilities they must keep track of during the election cycle. As such, shifting the responsibility of a hotline would better fall under the jurisdiction of the Attorney General.
 - b. Solution: This section establishes a telephone hotline and codifies which office should be responsible for it during the actual elections process. This allows the Secretary of State to focus on other areas by giving the responsibility to the Attorney General. Additionally, the hotline helps to address concerns and build trust in the election system since the host of the hotline (the Attorney General), differs from the office running the election (the Secretary of State).
2. **Section 2: Give oversight of State Election Board, regardless if under emergency rule**
 - a. Problem: The State Election Board code series allows the State Election Board recommendations to the General Assembly as it may deem advisable relative to the conduct and administration of primaries and elections.
 - b. Solution: This section provides for the oversight of the State Election Board by the General Assembly, requiring a joint resolution before the Secretary of State can enter into any consent agreements. Even under emergency rule, we believe the posture should be that of a recommendation, thereby leaving official legislation in the hands of the General Assembly.
3. **Section 3: Removal of county election officials or entire boards of election for malfeasance, misfeasance, neglect of duty, incompetence or inability to perform the duties of the office**
 - a. Problem: There have been several instances in past elections in which counties wanted to take action towards their election board and election officials, due to concerns surrounding actions being taken.
 - b. Solution: This allows the local delegation to choose what corrective actions they can take against election officials or election boards as they work together with the State Election Board.
4. **Section 4: Require the Secretary of State to use the nongovernmental entity of multistate voter registration to cross check voter registration to different states**
 - a. Problem: Currently, Georgia only voluntarily participates in a nongovernmental entity of multistate voter registration.
 - b. Solution: Codifies how Georgia is to use the nongovernmental entity of multistate voter registration, ensuring that Georgia must participate in using these systems.
5. **Section 5: Require the use of mobile ballot casting units be used only to replace pre existing brick-and-mortar voting facilities, and ensure that such units do not supplement current precincts, but solely replace**
 - a. Problem: Previously, the law dictating the use of mobile voting units was unclear.
 - b. Solution: This provides a clarification of the law, only allowing the mobile ballot casting units to replace existing brick-and-mortar voting facilities.

- 6. Section 6: Eliminate no-excuse absentee ballots, permissible excuses to receive absentee ballots are: absent during advance voting and the day of the election, work, ill/disabled, active duty/military/overseas citizen, incarceration, advanced age/caregiver, and religion**
 - a. Problem: Since 2005, when no excuse absentee voting was first addressed, there was little participation in mail-in voting. Recently, this participation has increased exponentially, adding increased burdens and costs to counties. Additionally, the highest rate of rejected ballots are from absentee mail-in voting.
 - b. Solution: The section introduces a broad range of qualifications that are valid excuses for absentee mail-in voting. As a result, there is a significant impact in the reduction of costs for each of the counties as we help to address the recent exponential increase in absentee ballots and the process of counting mail-in votes.
- 7. Section 7: Require voter I. D. with all absentee ballot applications, not just those on the online portal**
 - a. Problem: The burden on counties increased in response to the increased number of absentee ballots. We need an objective measure to verify voter identities to alleviate some of the county burden. Additionally, the section prohibits the transmittal of absentee ballots without a prior request from the voter, addressing the issue of voters receiving live ballots in the mail, even when not requested.
 - b. Solution: Requires a form of voter identification to be included with absentee ballot applications. This requirement helps ensure integrity by verifying the identity of the applicant. Additionally, this measurement ensures that only legal voters are able to vote, and that only those who request a ballot receive them.
- 8. Section 8: Process of reviewing the absentee ballot application for identity verification**
 - a. Problem: Trying to move away from the subjective verification of the signature verification towards a more objective approach.
 - b. Solution: This codifies the procedures taken by the registrar or ballot clerk when they receive the absentee ballot application for verification of the identity of an applicant with more objective measures, such as birthdate, drivers license number or last four digits of their social security number.
- 9. Section 9: Require delineation of non-state/official agencies sending absentee ballot request forms (require increased font size, clear markings of nonofficial correspondence, etc)**
 - a. Problem: There was great confusion over third party advocates sending absentee ballot request forms.
 - b. Solution: Third parties can still send absentee ballot request forms, but they must include the requirements relating to font size, and contain a statement certifying they are not an official state entity to ensure electors know where the absentee ballot requests are coming from.
- 10. Section 10: Absentee voting sites clarification**
 - a. Problem: Currently, possible absentee voting sites are not clearly defined in Code.

- b. Solution: Clarification of absentee voting sites by changing "site" to "building" and defining "site" as having a building located on it

11. Section 11: Identification verification requirements for absentee ballot

- a. Problem: The previous signature verification requirements were subjective.
- b. Solution: Changes the signature verification requirements on absentee ballots to an objective verification requirement through requiring various quantitative identification measures, such as date of birth and driver's license number or last four digits of social security number.

12. Section 12: Require that each county report total number of absentee ballots received by the election day deadline

- a. Problem: There was uncertainty surrounding the total number of absentee ballots that have been sent, received, reported, etc.
- b. Solution: For ballot totals transparency, the absentee ballot totals must be reported by the counties. The only requirement for the counties is that they must provide a link to the Secretary of State on the county website and lead people to go there.

13. Section 13: Require that each county report total number of absentee ballots received by the election day deadline

- a. Problem: Counties were overwhelmed with counting the number of mail-in absentee ballots at the time of the election.
- b. Solution: Serves two purposes: We are all humans and make mistakes, so this section allows for protection of the voter, correction of the mistake on the ballot, and ensures that the vote is counted. Secondly, it aides the counties in the election process by providing an earlier opportunity to begin scanning mail-in absentee ballots.

14. Section 14: Allow the Secretary of State to audit the information contained in the absentee ballot applications or envelopes

- a. Problem: The Secretary of State is not currently given the tools needed to ensure the integrity of an election.
- b. Solution: Codifies specific tools for the Secretary of State that are not currently explicitly stated to ensure the integrity of an election. Allows for an audit at the discretion of the Secretary of State, as they would have access to election documents, in a sample of their choosing, to ensure a safe election.

15. Section 15: Poll hours can only be extended by the judge of a superior court

- a. Problem: Within Section 21-2-402, there is no formal outline of the process for opening/closing polls, or extending poll hours.
- b. Solution: Codifies the process of extending poll hours through a superior court judge.

16. Section 16: Require that each county report the total number of absentee ballots received by the election day deadline

- a. Problem: There was confusion regarding the suspension of vote tabulation that occurred in some counties.

- b. Solution: Requires that the ballots cast in each precinct be counted and tabulated, and that tabulation shall not cease until all are counted to ensure that every citizen's vote is fairly accounted for, and post these totals publicly.

17. Section 17: Require that each county report the total number of absentee ballots received by the election day deadline

- a. Problem: Due to the changes addressed in Section 16, the Code in Section 17 must also be adjusted.
- b. Solution: Aligns code to reflect the changes made in Section 16 and eliminates the ability to cease voting at the discretion of the superintendent.

18. Section 18: Require that each county report total number of absentee ballots received by the election day deadline

- a. Problem: Previous code provides no time specification for the completion of the computation of votes by the election superintendent.
- b. Solution: This section now gives the superintendent a timeline for when computation of the votes must be completed to hold these officers accountable.

19. Section 19: Require that each county report total number of absentee ballots received by the election day deadline

- a. Problem: There was discrepancy when tabulation of ballots could begin.
- b. Solution: This section amends previous Code Section 21-2-493 to codify a direct start for when tabulation of ballots can begin, providing consistency across the counties in Georgia.

20. Section 20: Prevent ballot harvesting by prohibiting any third party from observing an elector fill out an absentee ballot

- a. Problem: There is confusion surrounding what constitutes the illegal act of ballot harvesting in Georgia.
- b. Solution: This section adds additional definitions to ballot harvesting and the penalty for doing so.

21. Section 21: Make emergency rules of State Election Board subject to the veto of a majority of the Senate Judiciary Committee or the House Judiciary Committee

- a. Problem: Our constitutional officers need great flexibility during times of emergency, but that power is not absolute. The General Assembly needs time to review the actions and be prepared for any future emergency situations to maintain the integrity of our elections.
- b. Solution: Provides the legislative body the ability to preside over the emergency rules coming from the State Election Board.