

Senate Bill 71

By: Senators Mullis of the 53rd, Miller of the 49th, Hickman of the 4th, McNeill of the 3rd,
Beach of the 21st 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 definition of "absentee elector"; to
3 provide for reasons for voting by absentee ballot; to provide for certain exceptions; to
4 provide for related matters; to repeal 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 Code Section 21-2-380, relating to "absentee
9 elector" defined and when reason for absentee ballot not required, as follows:

10 "21-2-380.

11 (a) As used in this article, the term 'absentee elector' means an elector of this state or a
12 municipality thereof who ~~casts a ballot in a primary, election, or runoff other than in person~~
13 ~~at the polls on the day of such primary, election, or runoff.;~~

14 (1) Is required to be absent from his or her precinct during the time of the primary,
15 election, or runoff in which he or she desires to vote;

16 (2) Will perform any of the official acts or duties set forth in this chapter in connection
 17 with the primary, election, or runoff in which he or she desires to vote;

18 (3) Because of physical disability or because of being required to give constant care to
 19 someone who is physically disabled, will be unable to be present at the polls on the day
 20 of such primary, election, or runoff;

21 (4) Because the primary, election, or runoff falls upon a religious holiday observed by
 22 such elector, will be unable to be present at the polls on the day of such primary, election,
 23 or runoff;

24 (5) Is required to remain on duty in his or her place of employment for the protection of
 25 the health, life, or safety of the public during the entire time the polls are open when such
 26 place of employment is within the precinct in which the elector resides; or

27 (6) Is 75 years of age or older.

28 (b) ~~An elector who votes by absentee ballot shall not be required to provide a reason in~~
 29 ~~order to cast an absentee ballot in any primary, election, or runoff~~ casts an absentee ballot
 30 in person at the registrar's or absentee ballot clerk's office or other authorized location
 31 during the advance voting period immediately preceding the date of a primary, election,
 32 or runoff as specified in subsection (d) of Code Section 21-2-385 shall not be required to
 33 provide a reason as provided in subsection (a) of this Code section in order to cast such
 34 ballot."

35

SECTION 2.

36 Said chapter is further amended by revising subparagraph (a)(1)(C) of Code
 37 Section 21-2-381, relating to making of application for absentee ballot, determination of
 38 eligibility by ballot clerk, furnishing of applications to colleges and universities, and persons
 39 entitled to make application, as follows:

40 "(C) The application shall be in writing and shall contain sufficient information for
 41 proper identification of the elector; the permanent or temporary address of the elector

42 to which the absentee ballot shall be mailed; the identity of the primary, election, or
43 runoff in which the elector wishes to vote; ~~and~~ the name and relationship of the person
44 requesting the ballot if other than the elector; and the reason for requesting the absentee
45 ballot as provided in Code Section 21-2-380."

46 **SECTION 3.**

47 Said chapter is further amended by revising paragraph (1) of subsection (d) of Code
48 Section 21-2-385, relating to procedure for voting by absentee ballot and advance voting, as
49 follows:

50 "(d)(1) There shall be a period of advance voting during which persons may vote in
51 person without specifying any of the reasons stated in subsection (a) of Code
52 Section 21-2-380 that shall commence:

- 53 (A) On the fourth Monday immediately prior to each primary or election;
54 (B) On the fourth Monday immediately prior to a runoff from a general primary;
55 (C) On the fourth Monday immediately prior to a runoff from a general election in
56 which there are candidates for a federal office on the ballot in the runoff; and
57 (D) As soon as possible prior to a runoff from any other general election in which there
58 are only state or county candidates on the ballot in the runoff but no later than the
59 second Monday immediately prior to such runoff

60 and shall end on the Friday immediately prior to each primary, election, or runoff.
61 Voting shall be conducted during normal business hours on weekdays during such period
62 and shall be conducted on the second Saturday prior to a primary or election during the
63 hours of 9:00 A.M. through 4:00 P.M.; provided, however, that in primaries and elections
64 in which there are no federal or state candidates on the ballot, no Saturday voting hours
65 shall be required; and provided, further, that, if such second Saturday is a public and legal
66 holiday pursuant to Code Section 1-4-1, if such second Saturday follows a public and
67 legal holiday occurring on the Thursday or Friday immediately preceding such second

68 Saturday, or if such second Saturday immediately precedes a public and legal holiday
69 occurring on the following Sunday or Monday, such advance voting shall not be held on
70 such second Saturday but shall be held on the third Saturday prior to such primary or
71 election. Except as otherwise provided in this paragraph, counties and municipalities
72 may extend the hours for voting beyond regular business hours and may provide for
73 additional voting locations pursuant to Code Section 21-2-382 to suit the needs of the
74 electors of the jurisdiction at their option.”

75

SECTION 4.

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