

Senate Bill 222

By: Senators Burns of the 23rd, Watson of the 11th, Payne of the 54th, Dixon of the 45th,  
Ginn of the 47th 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 primaries and elections generally, so as to provide that all costs and expenses relating to  
3 election administration are paid for with lawfully appropriate public funds; to provide  
4 definitions; to prohibit certain local governments and persons from soliciting or accepting  
5 donations or other things of value to support the performance of election administration; to  
6 require the return of certain donations; to provide for exceptions; to provide for penalties; to  
7 revise provisions relating to election superintendents and registrars taking or accepting  
8 funding, grants, or gifts; to prohibit county and municipal governments from accepting grants  
9 or gifts for the purpose of administering elections; to provide for related matters; to provide  
10 an effective date; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and  
14 elections generally, is amended by adding a new Code section to read as follows:

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15 "21-2-18.

16 (a) As used in this Code section:

17 (1) 'Government employee' means any individual, committee, entity, or group acting in  
18 concert who are employed by a county or municipal government. Such term shall  
19 include, but not be limited to, election superintendents, registrars, poll workers, and the  
20 agents and employees thereof.

21 (2) 'Person' means any individual, proprietorship, firm, partnership, joint venture,  
22 syndicate, labor union, business trust, company, association, committee, corporation,  
23 whether operated for profit or not, or any other organization of a group of persons acting  
24 in concert, or any other nongovernmental third-party entity.

25 (b) All costs and expenses related to conducting primaries, elections, runoffs, or other  
26 undertakings authorized or required by this chapter shall be paid from lawfully  
27 appropriated public funds.

28 (c) Notwithstanding any other provision of law to the contrary, no county or municipal  
29 government, government employee, or election official shall solicit, take, or otherwise  
30 accept from any person a contribution, donation, service, or anything else of value for the  
31 purpose of conducting primaries or elections or in support of performing his or her duties  
32 under this chapter.

33 (d) Any county or municipal government, government employee, or election official who  
34 has taken or otherwise accepted from any person a contribution, donation, service, or  
35 anything else of value for the purpose of conducting primaries or elections or in support  
36 of performing his or her duties under this chapter on or after January 1, 2023, shall  
37 immediately return the same to the entity which provided such thing of value within 14  
38 days of the effective date of this Code section.

39 (e) This Code section shall not apply to the donation or use of locations for voting  
40 purposes, services provided by individuals without remuneration, or goods that have  
41 nominal value of less than \$200.00.

42 (f) Violation of this Code section shall constitute a felony, and upon conviction shall be  
43 punished by imprisonment for not less than one year and by a fine of not less than  
44 \$10,000.00."

45 **SECTION 2.**

46 Said chapter is further amended by revising subsection (b) of Code Section 21-2-71, relating  
47 to payment by county or municipality of superintendent's expenses, and study and report on  
48 acceptance and equitable distribution of donations, as follows:

49 "(b) No superintendent, county, or municipality shall take or accept any ~~funding~~, grants;  
50 or gifts for purposes of administering this chapter from any source other than ~~from the~~  
51 ~~governing authority of the county or municipality~~, the State of Georgia; or the federal  
52 government."

53 **SECTION 3.**

54 Said chapter is further amended in Code Section 21-2-212, relating to county registrars,  
55 appointment, certification, term of service, vacancies, compensation, and expenses of chief  
56 registrar, registrars, and other officers and employees, and budget estimates, by revising  
57 subsection (f) as follows:

58 "(f) The board of registrars of each county shall prepare annually a budget estimate in  
59 which it shall set forth an itemized list of its expenditures for the preceding two years and  
60 an itemized estimate of the amount of money necessary to be appropriated for the ensuing  
61 year and shall submit the same at the time and in the manner and form other county budget  
62 estimates are required to be filed. No board of registrars shall take or accept any ~~funding~~,  
63 grants; or gifts for the purpose of administering this chapter from any source other than  
64 ~~from the governing authority of the county~~, the State of Georgia; or the federal  
65 government."

66 **SECTION 4.**

67 This Act shall become effective upon its approval by the Governor or upon its becoming law  
68 without such approval.

69 **SECTION 5.**

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