



What's Coming?
Georgia's New Election Law
and Redistricting

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What is Today About?

- **Senate Bill 202: the “Election Integrity Act of 2021”**
- **Redistricting after the 2021 Census**

Some History

- For past 15+ years Georgia has had some of the most progressive voting rules in the country
- 2005 newly-elected Republican majority passed HB 244
 - Added photo ID requirement for in-person voting
 - Allowed for vote by mail without excuse and without identification.
- Democrats strongly opposed as ripe for abuse



Some History

- **In 2011 the State Legislature:**
 - Standardized early voting to 16-day period
 - Created mandatory Saturday voting from 9:00 a.m. to 4:00 p.m.
 - Allowed counties to add additional voting hours and locations



Some History

- 2016 Secretary of State Brian Kemp works with Dept. of Driver Services (DDS) and state Attorney General's office to create "opt-out" voter registration with driver's license application or renewal
- Voter registration shot up dramatically to 7.6 million in October, 2020; 5 million processed through DDS

Some History

- **2020 State Election Board authorizes drop Boxes in the face of the pandemic**
 - Secretary of State's office provided the boxes to counties who requested them
 - Had to be located on county property
 - Had to be immovable, lighted and 24-hr video surveillance



SB 202: What Does It Do?

- There were 25 bills introduced in the 2021 legislative session addressing voting
- Senate Bill 202 is the bill addressing voting reform that ultimately became law
- 98 pages long, we will cover the big points
- Named the “Election Integrity Act of 2021”



SB 202: What Does It Do?

■ Absentee Voting

- 1.3 million Georgians used absentee voting in last November's general election
- Over 65, military, disabled or living overseas can still make one request for absentee ballots through whole election cycle
- Everyone else will have to request a separate ballot for each election
- Time to request absentee ballot cut by more than half from 180 days (about 25 weeks) to 11 weeks



SB 202: What Does It Do?

■ Absentee Voting

- Deadline to submit application moved back a week to two Fridays before the election date
- Absentee ballots will get mailed out starting four weeks before the election, about three weeks later than before
- Must provide driver's license number, state ID number or copy of acceptable voter ID to request or return an absentee ballot



SB 202: What Does It Do?

■ Absentee Voting

- Absentee applications can be submitted on-line through the Secretary of State portal
- Eliminates signature matching as method of verifying absentee ballot requests and votes
- State and local governments are prohibited from sending unsolicited applications
- Third-party groups still can but must include labels stating they are not official government publications and are not a ballot



SB 202: What Does It Do?

■ Absentee Ballots

- Will now be printed on special security paper
- Military and overseas voters will get an additional ranked choice instant runoff ballot because time to hold runoff elections is shorter than time required by federal law to deliver ballots to these groups
- Drop boxes required in every county, no more than 1 per 100,000 voters or 1 per early voting site (whichever is less), located inside early voting sites



SB 202: What Does It Do?

■ Early voting

- Additional mandatory Saturday
- Sunday hours are optional
- Maximum time 7 a.m. to 7 p.m.; minimum time 9 a.m. to 5 p.m.
- If a location changes, must post 4'x4' sign showing new location
- Counties must report daily the number of early, in-person voting and number of absentee ballots issued, returned, accepted and rejected



SB 202: What Does It Do?

- **Early voting**
 - Voting sites and times must be published in advance
 - For runoffs, requires early voting the Monday through Friday of the week before the election



SB 202: What Does It Do?

■ General changes

- Runoff elections will now be held four weeks after regular election, instead of nine
- Only poll workers can hand out water to voters standing in line
- Illegal to distribute food and water to voters within 150 feet of polling place or within 25 feet of anyone standing in line to vote
- Eliminates “jungle primaries”



SB 202: What Does It Do?

■ Vote Counting

- Can start processing absentee ballots two weeks before election. However, cannot tabulate before the election day
- Must count ballots nonstop from time polls close and report results by 5 p.m. following day
- Must post and report total number of ballots cast on election day, during early voting, absentee ballots and provisional ballots by 10 p.m.



SB 202: What Does It Do?

- **Vote Counting**
 - Out-of-precinct provisional ballots no longer counted unless cast after 5 p.m. and voter signs affidavit that they could not get to their polling place in time to vote.



SB 202: What Does It Do?

■ Local Election Offices

- If polling place has more than 2,000 voters and wait time longer than an hour, must hire more staff or split precinct after the election
- Poll watchers will have to be trained and local officials can set where watchers observe
- Poll workers can now work in adjoining counties
- Scanned ballot images subject to public records disclosures



SB 202: What Does It Do?

- **State Election Board**
 - Secretary of State no longer the chair, now a non-voting, ex-officio member
 - Chair is non-partisan but appointed by the state House and Senate
 - Chair cannot have been a candidate, participate in a political party organization or campaign or made a campaign contribution for the two years prior to appointment



SB 202: What Does It Do?

■ State Election Board

- Five-member board
 - Chair
 - One House appointee
 - One Senate appointee
 - One each picked by the Democratic and Republican state parties
- Can conduct performance review of local election boards or probate judges and can suspend and replace them for up to nine months



SB 202: What Does It Do?

■ Challenges

- Eight lawsuits pending against SB 202
- Most recent filed by US Department of Justice on June 25
- All are pending before Federal District Court Judge J.P. Boulee, appointed by President Trump



Reapportionment

- The US Constitution calls for the reapportionment of the 435 House districts among the states based on population after each decennial census
- In the past two census, Georgia has gained three House seats
- This time Georgia neither gains or loses any seats



Redistricting

■ Who

- It is up to the states how they redraw district maps
- In Georgia, the legislature draws the maps
 - House committee is the Legislative and Congressional Reapportionment Committee
 - Senate committee is the Reapportionment and Redistricting Committee
 - <https://www.legis.ga.gov/joint-office/reapportionment>



Redistricting

■ What

- Federal requirement of one person, one vote
- Federal Voting Rights Act
 - First time since Voting Rights Act passed in 1965 that Georgia will not submit maps to Justice Department for approval
- State constitutional requirement state legislative districts must be contiguous



Redistricting

■ When

- Anticipate the Census Bureau will release final numbers in late September
- Then the Governor will call a special session of the legislature solely for the purpose of redrawing maps
- The two committees held joint public hearings across the state in June and July



Take Away

- There are potentially lots of changes for your employees in how, when and where they will vote in the next election. Watch for announcements from local elections board
- Monitor and give your input on how maps are drawn in this upcoming special session this fall



Questions?

PowerPoint can be downloaded at
www.enochtarver.com

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