

Senate Bill 202

By: Senators Burns of the 23rd, Miller of the 49th, Dugan of the 30th, Ginn of the 47th,  
Anderson of the 24th 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 provide that persons or entities that mail absentee  
3 ballot applications shall mail such applications only to eligible registered electors who have  
4 not already requested, been issued, or voted an absentee ballot; to require certain  
5 comparisons to remove improper names from mail distribution lists; to provide for sanctions  
6 for violations; to provide for related matters; to repeal conflicting laws; and for other  
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and  
11 primaries generally, is amended by revising paragraph (3) of subsection (a) of Code  
12 Section 21-2-381, relating to making of application for absentee ballot, determination of  
13 eligibility by ballot clerk, furnishing of applications to colleges and universities, and persons  
14 entitled to make application, as follows:

15 "(3)(A) All persons or entities, other than the Secretary of State, election  
16 superintendents, boards of registrars, and absentee ballot clerks, that send applications

for absentee ballots to electors in a primary, election, or runoff shall mail such applications only to eligible registered electors who have not already requested, received, or voted an absentee ballot in the primary, election, or runoff. Any such person or entity shall compare the mail distribution list being used by the person or entity for such mailing with the most current registered electors list maintained by the Secretary of State and remove all persons from the list who are not registered electors. Any such entity shall also compare the mail distribution list with the most recent information available on which electors have requested, been issued, or voted an absentee ballot in the primary, election, or runoff and shall remove the names of such electors from the mail distribution list.

(B) Violations of this paragraph shall be subject to sanctions by the State Election Board which, in addition to other possible sanctions, shall include the imposition of restitution to each affected county or municipality in the amount of \$100.00 per occurrence or the actual cost incurred in each affected county or municipality for the processing of duplicate absentee ballot applications, whichever is higher. Reserved."

## **SECTION 2.**

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