

House Bill 1490

By: Representatives Hagan of the 156th, Rich of the 97th, Jones of the 47th, Lim of the 99th,
and Werkheiser of the 157th

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 afford employees time off to vote on days of
3 advance voting in addition to election days; to provide that employers may request that an
4 employee provide proof that he or she presented himself or herself at the polling place; to
5 provide that polling officers and absentee ballot clerks provide electors such proof upon
6 request; to provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and
10 elections generally, is amended by revising Code Section 21-2-404, relating to affording
11 employees time off to vote, as follows:

12 "21-2-404.

13 Each employee in this state shall, upon reasonable notice to his or her employer, be
14 permitted by his or her employer to take any necessary time off from his or her
15 employment to vote in any municipal, county, state, or federal political party primary or
16 election for which such employee is qualified and registered to vote. Such time off may

17 occur on either the day on which such primary or election is held or on a day of advanced
18 voting for such election as provided for in subsection (d) of Code Section 21-2-385;
19 provided, however, that such necessary time off shall not exceed two hours; and provided,
20 further, that, if the hours of work of such employee commence at least two hours after the
21 opening of the polls or end at least two hours prior to the closing of the polls, then the time
22 off for voting as provided for in this Code section shall not be available. The employer
23 may specify the hours during which the employee may absent himself or herself as
24 provided in this Code section and may request that the employee provide proof that he or
25 she presented himself or herself at the polling place. Poll officers and absentee ballot
26 clerks shall, upon the request of an elector, provide such elector with documentation
27 evidencing that the elector presented himself or herself at the polling place."

28 **SECTION 2.**

29 All laws and parts of laws in conflict with this Act are repealed.