

House Bill 394

By: Representatives Carter of the 93rd, Mitchell of the 88th, Kendrick of the 95th, Oliver of the 82nd, Drenner of the 85th, 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 counties and municipalities, at their
3 option, may conduct advance voting on the Saturday and Sunday immediately prior to the
4 day of a primary, election, or runoff; to provide for related matters; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and
9 primaries generally, is amended by revising subsection (d) of Code Section 21-2-385,
10 relating to procedure for voting by absentee ballot and advance voting, as follows:

11 "(d)(1) There shall be a period of advance voting that shall commence:

12 (A) On the fourth Monday immediately prior to each primary or election; and

13 (B) As soon as possible prior to a runoff from any general primary or election but no
14 later than the second Monday immediately prior to such runoff

15 and shall end on the Friday immediately prior to each primary, election, or runoff, except
16 as otherwise provided in this subsection. Voting shall be conducted beginning at

17 9:00 A.M. and ending at 5:00 P.M. on weekdays, other than observed state holidays,
18 during such period and shall be conducted on the second and third Saturdays during the
19 hours of 9:00 A.M. through 5:00 P.M. and, if the registrar or absentee ballot clerk so
20 chooses, the second Sunday, the third Sunday, or both the second and third Sundays prior
21 to a primary or election during hours determined by the registrar or absentee ballot clerk,
22 but no longer than 7:00 A.M. through 7:00 P.M.; provided, however, that, if such second
23 Saturday is a public and legal holiday pursuant to Code Section 1-4-1, if such second
24 Saturday follows a public and legal holiday occurring on the Thursday or Friday
25 immediately preceding such second Saturday, or if such second Saturday immediately
26 precedes a public and legal holiday occurring on the following Sunday or Monday, such
27 advance voting shall not be held on such second Saturday but shall be held on the third
28 Saturday prior to such primary or election beginning at 9:00 A.M. and ending at 5:00
29 P.M. Except as otherwise provided in this paragraph, the registrars may extend the hours
30 for voting to permit advance voting from 7:00 A.M. until 7:00 P.M. and may provide for
31 additional voting locations pursuant to Code Section 21-2-382 to suit the needs of the
32 electors of the jurisdiction at their option; provided, however, that voting shall occur only
33 on the days specified in this paragraph ~~and counties and municipalities shall not be~~
34 ~~authorized to conduct advance voting on any other days.~~ Notwithstanding any provision
35 of this subsection to the contrary, counties and municipalities, at their option, may also
36 conduct advance voting on the Saturday and Sunday immediately prior to a primary,
37 election, or runoff.

38 (2) The registrars or absentee ballot clerk, as appropriate, shall provide reasonable notice
39 to the electors of their jurisdiction of the availability of advance voting as well as the
40 times, dates, and locations at which advance voting will be conducted. In addition, the
41 registrars or absentee ballot clerk shall notify the Secretary of State in the manner
42 prescribed by the Secretary of State of the times, dates, and locations at which advance
43 voting will be conducted.

44 (3) The board of registrars shall publish the dates, times, and locations of the availability
45 of advance voting in its jurisdiction on the homepage of the county's publicly accessible
46 website associated with elections or registrations, or if the county does not have such a
47 website, in a newspaper of general circulation, and by posting in a prominent location in
48 the county, no later than 14 days prior to the beginning of the advance voting period for
49 a general primary, special primary, general election, or special election and no later than
50 seven days prior to the beginning of the advance voting period for any run-off election.
51 Any new advance voting locations added after that deadline shall be published in the
52 same manner as soon as possible. The board of registrars shall not remove any advance
53 voting location after the notice of such location is published, except in the case of an
54 emergency or unavoidable event that renders a location unavailable for use. Any changes
55 that are made due to an emergency or unavoidable event after a notice of a location has
56 been published shall be published as soon as possible in the same manner set forth in this
57 paragraph."

58 **SECTION 2.**

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