



Voting Rights Legislation in the Georgia State House, 2017

Support

Any Precinct Act (HB 22): Sponsored by **Rep. Roger Bruce** and co-sponsored by **Rep. Pat Gardner** and **Rep. David Dreyer**, this legislation would allow voters to cast their ballot at any precinct in their home county in a primary, runoff and general election.

Permanent Portable Registration Act (HB 346): Sponsored by **Rep. Sam Park** and co-sponsored by **Rep. Gloria Frazier** and **Rep. Erica Thomas**, this legislation would allow eligible voters to remain registered within the state without re-registering, even if those voters move between counties or change their names. Voters who have changed their names or addresses within the state would be able to cast their vote by simply updating their information at their polling location, rather than re-registering far in advance of Election Day.

Absentee Ballot Access Act: Sponsored by **Rep. J. Craig Gordon** and co-sponsored by **Rep. Rhonda Burnough** and **Rep. Marie Metze**, this legislation would enable an individual making a request for an absentee ballot to opt-in to receive an absentee ballot request form prior to every election in which they are eligible to vote without making additional, subsequent requests.

Georgia Voters' Bill of Rights (HB 180): Sponsored by **Rep. David Dreyer** and co-sponsored by **Rep. Sandra Scott** and **Rep. Carl Gilliard**, this legislation would:

- Allow for automatic voter registration when obtaining a driver's license or during other interactions with a state agency, such as DFCS, Aging Services, DCA, or registering for any classes at a public college or vocational and technical school.
- Permit registered voters to change their address and also vote on Election Day.

- Require that precincts cannot be moved or closed within 90 days of an election barring impossibility.
- Require that counties make voting precincts available within 25 miles of every voter.
- Require that early voting locations must be geographically distributed throughout the county.

Permanent Portable Registration Act (HB 346): Sponsored by **Rep. Sam Park** and co-sponsored by **Rep. Gloria Frazier** and **Rep. Erica Thomas**, this legislation would allow eligible voters to remain registered within the state without re-registering, even if those voters move between counties or change their names. Voters who have changed their names or addresses within the state would be able to cast their vote by simply updating their information at their polling location, rather than re-registering far in advance of Election Day.

Timely Process Act (HB 167): Sponsored by **Rep. Patty Bentley** and co-sponsored by **Rep. William Boddie**, this legislation would require the Secretary of State or any county receiving an application for voter registration to process the application within 45 days of receipt. This bill would provide for a legal remedy in the event that election officials do not comply.

Oppose

HB 268: Sponsored by Republican Rep. Barry Fleming, which does the following:

1. Codifies Unlawful Program that SoS Admits Unfairly Cancels Minority Voters:

HB 268 would negatively impact reforms recently agreed to by the Secretary of State in the federal settlement of the “exact match” federal voting rights lawsuit and would likely lead to further expensive and time-consuming litigation.

- The SoS uses an “exact match” system to verify voter registration applicants’ names, which improperly and illegally resulted in the cancellation of 34,000+ valid applications.
- The “exact match” failures were typically caused by data entry errors, errors in the underlying databases that were entirely outside of the control of the applicant or minor typographical errors. For example, the absence of a hyphen in a hyphenated name on one record, but not the other, would cause an application to fail the “exact match” protocol.
- In recent lawsuit settlement, the SoS agreed to allow applicants to cure a failure to match issue by producing acceptable forms of ID before or on Election Day. However, the forms of ID that the Secretary of State agreed just earlier this month would be acceptable for this purpose **are not** limited to a GA driver’s license, GA state ID card or SSA card as is the case in HB 268.
- In fact, student ID cards, valid out-of-state driver’s licenses, public transit issued photo ID cards, US passports, valid federal, state, county, or city photo ID cards, valid military photo ID cards, and valid tribal photo ID cards **are all acceptable under the terms of the settlement**. This bill would prevent eligible Georgians from successfully completing the registration process without one of these three forms of ID.

2. Violates Section 8 of the National Voter Registration Act

- Section 8 of the NVRA requires that states **ensure** that eligible applicants who submit timely voter registration applications are registered to vote in federal elections.
- In the settlement, the Secretary of State agreed not to include a 26 month limitation in the settlement agreement after plaintiffs' counsel argued it would violate this provision of the NVRA. The state has no legitimate or compelling state interest for rejecting timely, accurate and complete voter registration applications from eligible Georgians after 26 months when those individuals are eligible to vote in federal elections. **HB 268 includes such a restriction, in violation of the settlement agreement.**

3. Intentionally Discriminates Against Native American Citizens in Violation of Section 2 of the Voting Rights Act of 1965

- Section 7 of HB 268 eliminates Bureau of Indian Affairs cards, tribal treaty cards or tribal enrollment cards as acceptable forms of ID for proof of citizenship for voter registration, even though tribal photo IDs have been accepted in this state for voting, and there is no credible evidence of in-person voter fraud or fraudulent registration as a result of the use of tribal IDs. Federally recognized tribal photo IDs are a form of "real ID" deemed acceptable by the TSA to board an airplane. This would affect approximately 30,000 Georgians who identify as Native American.
- Section 2 of the Voting Rights Act of 1965 (52 U.S.C. Section 10301) prohibits voting practices or procedures that discriminate on the basis of race, color, or membership in one of the language minority groups.

4. Discriminates Against Election Protection and Voter Information Volunteers

- Section 18 of HB 268 would permit anyone self-identifying as an "exit" or "public opinion" pollster to stand as close as 25 feet from exits at polling locations. However, non-partisan voter information groups and Election Protection groups would not have equal access to set up tables or booths in reasonable proximity to voters who have questions or may need assistance on Election Day.
- The bill would require such groups to move their tables or booths beyond the 150 foot barrier and at least 25 feet away from voters standing in line - depending upon the length and location of lines of voters throughout the course of Election Day. The distinction appears to be based solely upon the content of their speech, in violation of the First Amendment.