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SAR eNews: Georgia Call to Action

1 message

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Greetings Sorors,

Thank you for being on the frontlines and advocating for Georgia voters on the Georgia General Assembly's relentless pursuit of increasing barriers to the ballot box.

We are reaching out with a call to action on behalf of Fair Fight Action's Voter Protection Team. We need your help to express your concerns/comments about Senate Bill 221, which would make it easier to remove Georgians from the voter rolls.

- The bill makes it easier to challenge the eligibility of Georgia voters AND to take away their right to vote, creating additional barriers to the ballot box.
- The bill's Sponsors offer no credible evidence of fraud, abuse, or danger from the current voter list maintenance practices. Either they believe our system works or they don't - they can't have it both ways.
- SB 221 also could lead to decreased voter registration rates in Georgia by switching the opt-out, automatic voter registration process at the Department of Driver Services to an opt-in process, a change that was made temporarily in 2020 that had an immediate and dramatic negative effect on registration rates.
- In 2020 and 2021, we made history as a state with unprecedented turnout from every corner of our state. We should celebrate this progress as a state, but instead, we continue to see relentless attacks on election workers and unprecedented challenges to our freedom to vote year after year.
- History tells us that more people will vote in a presidential year. Legislators should be preparing for higher turnout in November and working to expand access, not plotting to turn voters away from the ballot box.

We need you to reach out and voice your concerns/thoughts on SB 221 - via email, phone, or in person. Below is information on SB 221: who to contact, a bill overview, bill impact, and line-by-line bill analysis.

SB 221 (LC [47 2914S](#))

What: Senator Max Burns (SD-23) introduced SB 221, which, if enacted, could increase frivolous mass voter challenges, undermine the NVRA, burden/intimidate elections staff with the threat of criminal charges, and upend our automatic voter registration system by reverting to an opt instead of an opt-out system, likely lowering voter registration rates substantially. Contact key members of the Senate Ethics Committee (via email, via phone, or in person) to voice your concerns/thoughts on SB 221.

Who to contact: Key Members of the Senate Ethics Committee (listed below)

Overview of Primary Concerns with SB 221:

- Invites More Frivolous Mass Voter Challenges: Lowers the standard for sustaining mass challenges that could disenfranchise voters by the thousands and weakens the evidentiary rules applicable to challenge hearings.

- **Undermines National Voter Registration Act:** With limited and insufficient exceptions, would accept unreliable and inconclusive change-of-address data as grounds to sustain a challenge to a voter's qualifications, even within the 90-day blackout period imposed by the NVRA.
- **Staff Burden:** Imposes criminal (misdemeanor) penalties on election officials that could make it even more difficult to recruit and retain hard-working election administrators performing the critical task of running our elections.
- **Potential to Lower Voter Registration Rates:** Changes the current automatic voter registration system offered through DDS from an opt-out to an opt-in registration process.

SENATE ETHICS COMMITTEE					
Title	Party	Name	District	Office Email	Office No.
Chairman	Republican	Max Burns	23rd	max.burns@senate.ga.gov	404-463-1376
Vice Chairman	Republican	Rick Williams	25th	rick.williams@senate.ga.gov	404-656-0082
Member	Republican	Jason Anavitarte	31st	jason.anavitarte@senate.ga.gov	404-656-0085
Ex-Officio	Democrat	Gloria Butler	55th	gloria.butler@senate.ga.gov	404-656-0075
Member	Republican	Bo Hatchett	50th	bo.hatchett@senate.ga.gov	404-651-7745
Ex-Officio	Democrat	Harold Jones II	22nd	harold.jones@senate.ga.gov	404-656-0036
Ex-Officio	Republican	John Kennedy	18th	john.kennedy@senate.ga.gov	404-656-6578
Member	Democrat	Derek Mallow	2nd	derek.mallow@senate.ga.gov	404-656-7586
Member	Republican	Brian Strickland	17th	brian.strickland@senate.ga.gov	404-463-6598

BILL ANALYSIS

Section 1: Election Worker Citizenship Requirement

- Requires all election workers to be United States citizens. (lines 18-20)

Section 2: Residency Restrictions

- Requires any voter who is unhoused and without a permanent address to have a residency address at the courthouse of the county where they reside. (lines 29-30)
- When determining the residency of a person desiring to register to vote:
 - Provides that if a person registers to vote in another state, county, city or legislative district then they will be automatically deemed to have changed their residency. (lines 36-38)
 - Requires voters to submit a new voter registration application in their original jurisdiction if they return after registering to vote in a different jurisdiction. (lines 39-42)
 - Provides that ownership or rental of a P.O. box within a specific jurisdiction cannot constitute proof of residency. (lines 43-45)
- Provides that when determining a voter's qualifications to register and vote:
 - Registrars may consider NCOA data, lease information, insurance change of address, identification change of addresses, and any other information deemed in "good faith" to be "necessary" to determine the voter's residence. (lines 98-103)
 - Registrars also may consider a "sworn statement" by any person with "relevant information" about an applicant's residence. (lines 104-105)

Section 3: Replaces Opt-out framework for Automatic Voter Registration DDS Program with Opt-In Requirement

- Changes voter registration through DDS to an opt-in rather than an opt-out program. (lines 115-120)
- Adds gratuitous citizenship and Georgia residency requirement duplicative of existing law.

Section 4: Creating Lax Standard for “Probable Cause” Needed to Support Voter Eligibility Challenges, Including by Accepting NCOA Data as Basis for Mass Challenges

- Makes the following sufficient “probable cause” to sustain a §230 challenge:
 - An elector registering in a different jurisdiction;
 - An elector obtaining a homestead exemption in a different jurisdiction;
 - A missing or invalid date of birth for an elector;
 - A missing, nonexistent, or invalid address for an elector; or
 - An elector being registered at a nonresidential address.
- Makes evidence of a voter’s name in the NCOA database sufficient cause to sustain a §230 challenge unless the challenge is made within 45 days of an election **AND** the voter is a college student at a university in Georgia, member of the military, or moved to another state for government service. (lines 135-147)
- Extends challenges made during a primary or general election to any runoff of such primary or general election. (lines 148-150)

Section 5: Lowering Evidentiary Standard For Challenge Hearings

- Instead of following the evidentiary standards created by the Civil Practice Act and rules of evidence, sets the evidentiary standard applicable to voter challenge hearings as “persuasive and reliable” (lines 155-158)

Section 6: Hand Marked Paper Ballots For Any Election

- Allows for counties to use HMPBs in any election with SEB approval. (lines 163-170)

Section 7: Attorneys’ Fees for Losing Party In An Election Contest

- Provides that the losing party in an election contest will not be liable for attorneys’ fees as long as their contest was brought in good faith. (lines 184-186)

Section 8: Felony to Intimidate or Prevent from Performing Duties a Poll worker or Election Official

- Makes it a felony to intimidate a poll worker or election official, without stating objective criteria to evaluate intimidation or activity of a legitimate purpose. (lines 191-198)

Section 9: Misdemeanor for Failure To Call Election

- Creates misdemeanor for any county or municipal election superintendent who fails to call an election, as prescribed in any local act passed by the General Assembly. (lines 202-204)

Section 10: Repeal Conflicting Sections

- Repeals laws in conflict with this act. (line 206)

In Service and Sisterhood,



Soror Tiffany Moore Russell
Alpha Kappa Alpha Sorority, Incorporated®
South Atlantic Regional Director



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