

Senate Bill 406

By: Senators Staton of the 18th, Williams of the 19th, Douglas of the 17th, Chance of the 16th, Harp of the 29th 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 primaries and elections generally, so as to provide for online voter registration; to provide
3 for procedures; to amend Chapter 5 of Title 40 of the Official Code of Georgia Annotated,
4 relating to drivers' licenses, so as to provide for the use of certain information maintained by
5 the Department of Driver Services to identify certain voter registration applicants; to provide
6 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 subsection (a) of Code Section 21-2-219, relating
11 to registration cards, as follows:

12 "(a) The registration cards for use by persons in making application to register to vote shall
13 be in a form as specified by the Secretary of State, which shall include printed forms, forms
14 made available through electronic means, or otherwise. Except as provided in
15 subsection (b) of this Code section and Code Section 21-2-221.2, only registration cards
16 issued or authorized for use by the Secretary of State or the national voter registration card
17 promulgated ~~by the Federal Election Commission~~ under the provisions of the National
18 Voter Registration Act of 1993, 42 U.S.C. Section 1973gg-7, shall be accepted for
19 purposes of voter registration."

20 **SECTION 2.**

21 Said chapter is further amended by revising subsection (a) of Code Section 21-2-220, relating
22 to application for registration, as follows:

23 "(a) Any person desiring to register as an elector shall apply to do so by making
24 application to a registrar or deputy registrar of such person's county of residence in person,
25 by submission of the federal post card application form as authorized under Code Section

26 21-2-219, by making application through the Department of Driver Services as provided
 27 in Code Section 21-2-221, by making application through the Department of Natural
 28 Resources as provided in Code Section 21-2-221.1, by making application online as
 29 provided in Code Section 21-2-221.2, by making application through designated offices
 30 as provided in Code Section 21-2-222, or by making application by mail as provided in
 31 Code Section 21-2-223."

32 SECTION 3.

33 Said chapter is further amended by adding a new Code section to read as follows:

34 "21-2-221.2.

35 (a) A person who is qualified to register to vote in this state and who has a valid Georgia
 36 driver's license or identification card may submit a voter registration application on the
 37 Internet website of the Secretary of State. The Secretary of State shall, in conjunction with
 38 the Department of Driver Services, design and implement a system to allow for such online
 39 voter registration.

40 (b) An application submitted pursuant to this Code section shall contain:

41 (1) The applicant's name and residence address;

42 (2) The applicant's driver's license or identification card number;

43 (3) The applicant's date of birth;

44 (4) Whether the applicant is a citizen of the United States;

45 (5) An affirmation by the applicant that the information provided is truthful and that the
 46 applicant is eligible to vote in the State of Georgia;

47 (6) An assent by the applicant to the use of his or her signature from his or her driver's
 48 license or identification card; and

49 (7) Such other information the Secretary of State deems necessary to establish the
 50 identity of the applicant.

51 (c) Upon the submission of an application through the website pursuant to this Code
 52 section, the software used by the Secretary of State for processing applications through the
 53 website shall provide for immediate verification of all of the following:

54 (1) That the applicant has a valid Georgia driver's license or identification card and that
 55 the number for that driver's license or identification card provided by the applicant
 56 matches the number for the applicant's driver's license or identification card that is on file
 57 with the Department of Driver Services;

58 (2) That the date of birth provided by the applicant matches the date of birth that is on
 59 file with the Department of Driver Services; and

60 (3) That the applicant is a citizen of the United States and that the information on
 61 citizenship provided by the applicant matches the information on file with the Department
 62 of Driver Services.

63 If any of these items does not match or if the application is incomplete, the application shall
 64 be void and shall be rejected and the applicant shall be notified of such rejection either
 65 electronically or by mail within five days after such application is rejected.

66 (d) If all of the items enumerated in subsection (c) of this Code section are verified, the
 67 Secretary of State shall obtain an electronic copy of the applicant's signature from the
 68 applicant's driver's license or identification card directly from the Department of Driver
 69 Services. The application shall then be processed in the same manner as applications under
 70 Code Section 21-2-221. Except as otherwise provided by this Code section, the application
 71 shall be deemed to have been made as of the date that the information was provided by the
 72 applicant through the Internet website.

73 (e) The matching of information pursuant to subsection (c) of this Code section shall
 74 satisfy the requirements of subsection (c) of Code Section 21-2-220 and subsection (g) of
 75 Code Section 21-2-216.

76 (f) The Secretary of State shall employ security measures to ensure the accuracy and
 77 integrity of voter registration applications submitted electronically pursuant to this Code
 78 section."

79 **SECTION 4.**

80 Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses,
 81 is amended by revising paragraph (6) of subsection (f) of Code Section 40-5-2, relating to
 82 driving records, as follows:

83 "(6)(A) The information required to be made available regarding voter registration
 84 pursuant to Code Section 21-2-221 and for the purposes set forth in such Code section;
 85 and

86 (B) Information sufficient for use in verifying a registered voter's identity or the
 87 identity of an applicant for voter registration by the Secretary of State, the county
 88 election superintendent, or the county registrar, including name, address, date of birth,
 89 gender, driver identification number, photograph, and signature; and".

90 **SECTION 5.**

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