

Office of the Secretary of State Elections Division



Voter Registration Drives in Georgia Instruction and Training Resource for Local Board of Registrars

To become a deputy registrar, a person must be a registered voter in Georgia, proficient in the English language, have legible handwriting unless the voter registration applications are to be typed, and must have satisfactorily completed a training, specified by the board of registrars. Persons convicted of a felony or “any crime involving fraud or moral turpitude” are prohibited from becoming deputy registrars.

While registering voters, deputy registrars must wear a nametag identifying them as a deputy registrar of the county. Deputy registrars may register voters at designated registration places but are required to transmit completed voter registrations to the main office of the board of registrars no later than the end of the next business day.

Anyone who does not become a deputy registrar can still participate in a private “voter registration program.” The board of registrars is required to provide voter registration training to groups that request it. Voter registration programs are required to provide applicants with various specified information about requirements and rights related to registration. Voter registration programs are required to comply with various restrictions including, for example, that private drives cannot be conducted in places where alcohol is sold and consumed or where it is known that illegal activity is being conducted; cannot refuse to transmit a properly completed registration form collected from any qualified voter or make statements that would discourage a qualified applicant from registering; and cannot make archival copies of registration forms without the applicant’s express written consent.

Non-deputized registration drives must transmit forms within 10 days of receipt. If it is within 14 days of the close of registration, forms must be transmitted within 72 hours of completion by the applicant, or by the close of registration, whichever is earlier. Additionally, voter registration drives may not compensate individuals based on the number of people registered. After notice and an administrative hearing, the State Election Board may assess a civil penalty of up to \$5,000 per violation against any person for violation of any provisions of the election chapter or any rule or regulation promulgated under the chapter.

Definitions:

1. A Deputy Registrar is an individual (or individuals) appointed by the Registrar to act on his/her behalf in the registration of voters and the administration activities to progress registrations and include individuals on the official electors’ list. Typically, these are staff members of county libraries, certain county public agencies, and some colleges and universities.
2. A Third Party Registration is defined as a “private entity” which means an individual who is not acting in an official capacity as a registrar or deputy registrar, or a nongovernmental organization to conduct voter registration programs (SEB 183-1-6.02)

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3. Voter registration programs means the distribution or collection of voter registration applications (p. 16.01).

No board of registrars shall reject or refuse to process a voter registration application solely on the basis of how or by whom it was submitted.

Any mail voter registration application received from a private entity shall be processed in the same manner as an application received by mail, regardless of the manner in which such application was actually delivered (Use Site Code 2)

Instruction and training for private entity voter registration activities pursuant to this rule shall be offered by the board of registrars. Training requests by private entities shall be made in writing to the board of registrars. The board of registrars shall respond in writing to such requests with a training confirmation, including the date, time, and location such training will take place.

At a minimum, training shall be provided to each private entity who requests such training on:

1. How to complete the voter registration application designed, published, and distributed by the Secretary of State in accordance with O.C.G.A. Section 21-2-223;
2. The proper security of completed voter registration applications;
3. The time frames within which completed voter registration applications are required to be transmitted to the appropriate board of registrars;
4. The identification requirements to be included with completed voter registration applications;
5. The identification requirements for voting at polling places within the state and the requirements for persons who registered to vote for the first time by mail; and
6. The required and prohibited activities of private entities as set forth in paragraphs (6) and (7) of this rule.

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Required Activities. While engaging in organized voter registration activity within this state, a private entity shall:

- (a) Advise each applicant that such applicant has the option to return his or her voter registration application personally to the appropriate board of registrars or to the Secretary of State or to permit the private entity to return it on the applicant's behalf;
- (b) Inform all applicants that they are not officially registered to vote until their eligibility has been determined by the appropriate board of registrars and that, if the applicant has not received notification of the disposition of the application within two weeks of submitting the application, the applicant should contact the appropriate board of registrars to determine if such applicant's eligibility has been determined and the applicant's name entered on the official list of electors;
- (c) Inform all applicants that, if they are registering to vote for the first time in the jurisdiction by mail or through a private entity, they must present current and valid identification either when registering to vote by mail or through a private entity or when voting for the first time after registering to vote by mail or through a private entity;
- (d) Inform all applicants that they are required to:
 - (1) List their Georgia driver's license or Georgia state issued ID number if one has been issued;
 - (2) List the last four digits of their social security number if the applicants have not been issued a Georgia driver's license or Georgia state issued ID; and
 - (3) Indicate on the form if they do not have a Georgia driver's license, Georgia state issued ID, or social security number;

(7) Prohibited Activities

- (a) Represent to any person that the private entity is a representative of the Secretary of State or a board of registrars authorized by law to receive voter registration applications in person;
- (b) Make any statement to an applicant or take any action that the private entity knows or reasonably should know would discourage a qualified applicant from registering to vote;

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- (c) Refuse to accept and transmit a properly completed and contemporaneously dated voter registration application from any qualified individual;
 - (d) Be inebriated or otherwise impaired by drugs, alcohol, or other substances;
 - (e) Conduct voter registration activities at locations where the private entity knows that illegal or criminal activities are being conducted near the voter registration activities;
 - (f) Accept a completed registration application from the applicant unless such application has been sealed by the applicant, without a signed acknowledgement from the applicant that the applicant willingly and knowingly provided the unsealed application to the private entity;
 - (g) Copy a completed registration application without the express, written permission of the applicant;
 - (h) Conduct voter registration activities in places where the primary purpose of that place is the sale and consumption alcoholic beverages; and
 - (i) Tell applicants that they did not have to their Georgia driver's license or identification card number on the voter registration application if the applicant has been issued a Georgia driver's license or identification card.
- (8) **Transmittal of Completed Voter Registration Applications.**
- (a) A private entity shall promptly transmit all completed voter registration applications to the Secretary of State or the appropriate board of registrars within ten days after receiving the application or by the close of registration, whichever period is earlier. If a private entity receives a completed voter registration application fourteen days or less before the close of registration, the private entity should transmit the application to the Secretary of State or the appropriate board of registrars within seventy-two hours of the date of the execution of the application or by midnight on the close of registration, whichever period is earlier.
 - (b) Transmittal of completed voter registration applications may be accomplished by in-person delivery, mail, commercial courier, statutory overnight delivery, or any other form of delivery that is reasonably calculated to secure and ensure the confidential delivery and receipt of such applications by the Secretary of State or the appropriate board of registrars within three business days after

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transmittal and within the time frames required by these rules and regulations and state and federal law.

- (c) With each transmittal of completed voter registration applications, a private entity should include a transmittal summary sheet which, at a minimum, provides the name of the submitting individual, the name of the private entity sponsoring the voter registration programs (if different than the submitting individual), the physical residence or business address of the submitting individual, the daytime and evening telephone numbers of the submitting individual, and the total number of applications being submitted. The Secretary of State may design and make available to private entities a model transmittal summary sheet containing the information requested in this subparagraph. The failure to include the transmittal summary sheet shall not by itself be grounds for rejecting the submitted applications. The private entity may enclose a postage-prepaid, self-addressed envelope, along with a copy of the completed transmittal summary sheet, if the private entity desires a date stamped receipt of the transmittal summary sheet from the board of registrars, in which case the board of registrars shall promptly acknowledge such receipt by returning a date stamped copy of the transmittal summary sheet to the private entity.

Confidentiality of Completed Voter Registration Applications.

- (a) A private entity shall keep all completed original voter registration applications in the possession of the private entity in a secure and confidential manner at all times until such applications are submitted to the Secretary of State or the appropriate board of registrars. Except as otherwise provided in this rule, a private entity shall not disclose any such applications or information contained therein, except as specifically provided in these rules and regulations to any member of the public. A private entity may collaborate with another affiliated private entity in the securing of completed original voter registration applications that are received during the course of a jointly organized voter registration program.
- (b) With the express, written consent of the applicant, a private entity may make archival copies of an applicant's original voter registration application and retain such archival copies for use in aiding the applicant with verifying the timely and proper receipt and processing of his/her application by the applicable board of registrars. A private entity may engage the services of a commercial copying or document management service to make such archival copies provided that the company agrees to maintain the confidentiality and security of the original applications and any copies of the applications in the same manner as is required by private entities pursuant this rule.

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- (c) A private entity shall keep any such archival copies in a secure and confidential manner at all times and shall not disclose any such archival copies to any member of the public; provided, however, that a private entity may disclose such archival copies to another affiliated private entity as necessary for use in aiding the applicant with verifying the timely and proper receipt and processing of his/her application by the applicable board of registrars. Archival copies of completed voter registration applications must be discarded by the private entity not later than 90 days following the transmittal of the completed voter registration application to the Secretary of State or board of registrars. Whenever such archival copies are discarded by the private entity, they must be discarded in the manner contemplated by O.C.G.A. § 10-15-2 for the destruction by businesses of records containing personal information.
- (d) A private entity may create and keep a separate record of any information contained on the applicant's voter registration application that could otherwise be made available for public inspection pursuant to O.C.G.A. § 21-2-225(b) if collected and maintained by the Secretary of State on the official list of electors. No such information may be used by the private entity or any other person for commercial purposes. Whenever such information is discarded by the private entity, it must be discarded in the manner contemplated by O.C.G.A. § 10-15-2 for the destruction by businesses of records containing personal information.

Transmittal Guidelines

- If the private entity receives completed applications 14 days or less before the close of registration, they should transmit the application within 72 hours of the execution date of the application or by midnight on the close of registration.
- Transmittal may be done by in-person delivery, mail, commercial courier, statutory overnight delivery, or any form of delivery that ensures delivery and receipt within three business days.
- With each transmittal of completed voter registration application, a private entity should include a transmittal summary sheet.
- The failure to include the transmittal summary sheet shall not be grounds for rejecting the submitted applications.
- If the private entity desires a date stamped receipt of the transmittal summary sheet from the board of registrars, in which case the board of registrars shall promptly acknowledge such receipt.
- SOS provides a transmittal summary for this purpose