

# **STATE ELECTION BOARD**

## **NOTICE OF PROPOSED RULEMAKING**

### **Revisions to Subject 183-1-12-.01 *Conduct of Elections***

TO ALL INTERESTED PERSON AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Election Board, (hereinafter “SEB”) proposes the attached amendments to Subject 183-1-12-.01 (Conduct of Elections).

This notice, together with an exact copy of the proposed new rules and a synopsis of the proposed rules, is being distributed to all persons who have requested, in writing, that they be placed on a distribution list. A copy of this notice, an exact copy of the proposed rule amendments, and a synopsis of the proposed rule amendments may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official state holidays, at the Office of the Secretary of State, Elections Division, 2 Martin Luther King Jr. Drive, S.E., 8th Floor West Tower, Atlanta, Georgia 30334. These documents will also be available for review on the State Election Board’s web page at: <https://sos.ga.gov/page/proposed-state-election-board-rules-and-rule-amendments> . Copies may also be requested by contacting the State Election Board at: [ahardin@sos.ga.gov](mailto:ahardin@sos.ga.gov) .

To provide the public an opportunity to comment upon and provide input into the proposed rule amendments, a public hearing will be held on Friday, September 20, 2024 at 9:00 A.M. The meeting will take place at the Georgia State Capitol, Room 341.

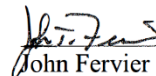
Information regarding how to join and provide public comment at the meeting will be available on the State Election Board’s webpage at: <https://sos.ga.gov/page/state-election-board-meetings-events> .

Public comments given at the meeting will be limited to two minutes per person. Additional comments may be given using the following means and must be received by noon on September 19 to be considered by the State Election Board:

- Electronically by emailing [SEBPublicComments@sos.ga.gov](mailto:SEBPublicComments@sos.ga.gov)
- By mailing comments to:  
State Election Board  
C/O Alexandra Hardin  
2 Martin Luther King Jr. Drive, S.E.  
8th Floor West Tower Suite 802  
Atlanta, Georgia 30334

This notice is given in compliance with O.C.G.A. §50-13-4.

This 21<sup>st</sup> day of August 2024.



John Fervier  
Chair, State Election Board

Posted: August 21, 2024

**SYNOPSIS OF THE PROPOSED RULE  
OF THE STATE ELECTION BOARD  
RULE 183-1-12-.01 *Conduct of Elections***

Purpose: The purpose of the rule is to improve security and chain of custody by making scanned copies of absentee ballots visually distinct from provisional and emergency ballots.

Main Features: The main feature of the amendments to this rule is that it requires the printing of two separate and distinct batches of ballots: emergency/provisional and absentee ballots. Absentee ballots marked distinctly from provisional/emergency ballots will serve as a visual cue to assist in chain of custody.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED  
AMENDMENTS OF THE STATE ELECTION BOARD,  
RULE 183-1-12-.01 *Conduct of Elections***

NOTE: Underlined text is proposed to be added.

**Rule 183-1-12-.01 *Conduct of Elections***

Beginning with the 2020 Presidential Preference Primary, all federal, state, and county general primaries and elections, special primaries and elections, and referendums in the State of Georgia shall be conducted via an Optical Scanning Voting System as defined by O.C.G.A. 21-2-1(19.1). Voting at the polls, including both Election Day and absentee-in-person voting shall be conducted via ballots marked by electronic ballot markers and tabulated by ballot scanners. The electronic ballot markers and ballot scanners shall be supplied by the Secretary of State or purchased by the counties with the authorization of the Secretary of State. Absentee-by-mail voting shall also be conducted through the use of an optical scanning voting system.

The Superintendent shall cause every polling place and advance voting location to have a sufficient number of Emergency/Provisional blank paper ballots that can be marked by pen available for use in the event of emergency. Emergency/Provisional Ballots shall be marked in the top margin separately and distinctly from Absentee by Mail ballots. The election superintendent shall also be prepared to resupply polling places with emergency paper ballots in needed ballot styles in a timely manner while voting is occurring so that polling places do not run out of emergency paper ballots.

Authority: O.C.G.A. § 21-2-283

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