

STATE ELECTION BOARD

NOTICE OF PROPOSED RULEMAKING

Revisions to Subject 183-1-12-.02 *Definitions &*

183-1-12-.11(2)(a) Conducting 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-.02 (Definitions) 183-1-12-.11(2)(a) Conduction 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: electionboard@seb.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 the third day of the June meeting of the SEB, **Wednesday, June 3, 2026, at 9:00 A.M.** Following the public comment period, the Board will take a vote on whether to adopt the proposed rule amendment. The meeting will take place in Forsyth Convention Center at Lanier Technical College, 3410 Ronald Reagan Road Blvd, Cumming, GA 30041. Please be advised that if the Board is unable to address all items on the agenda for that day, the meeting will be continued on Thursday, June 4, 2026, at 9:00 A.M. Additional information will be available on the State Election Board's webpage at: <https://sos.ga.gov/page/state-election-board-meetings-events>


PUBLIC COMMENT: Members of the public may speak before the Board on matters related to the proposed rule. The first 30 people to sign up for public comment will have the opportunity to speak before the consideration of the proposed rule and will be limited to 2 minutes per speaker. Speakers will not be allowed to transfer their time to another individual. Any additional individuals who sign up will be able to speak before the end of the meeting. Public comment signup will be available before the start of the meeting. Additional comments may be given using the following means and must be received by noon on June 2, 2026, to be considered by the State Election Board:

- Electronically by emailing PublicComment@seb.ga.gov
- By mailing comments to:

State Election Board c/o Hope Coan
2 Martin Luther King Jr. Drive SE
West Tower Suite 802
Atlanta, Georgia 30334

This notice is given in compliance with O.C.G.A. §50-13-4. This 24th day of April 2026.

Posted: April 24, 2026



John Fervier
Chair, State Election Board

**SYNOPSIS OF THE PROPOSED
RULE OF THE STATE ELECTION
BOARD**

**Revisions to Subject 183-1-12-.02 *Definitions &
183-1-12-.11(2)(a) Conducting Elections***

PURPOSE OF THIS RULE: The purpose of the proposed rule is to clarify and ensure compliance with statutory requirements that a numbered list of voters be created, maintained, and preserved as part of the official election record during the conduct of primaries and elections.

With the introduction of electronic devices to the voting processes (promoted as time saving and automated conveniences), the paper record of the **numbered list of voters** has inadvertently been removed from election conduct and documentation. Digital counters and electronic poll books provide central office information and allow for rapid voter credit capture; however, an auditable paper document is lacking. The **numbered list of voters** serves as the paper election document to supplement the electronic numbered list of voters and fulfills the requirement for an auditable paper election record.

PARTIES WHO MAY BE AFFECTED BY THE PROPOSED RULE: Election officials who work in poll places and process voters shall record and keep the **numbered list of voters**. Election workers shall incorporate and implement the record as part of the check-in process for voters. The cost will be the cost of paper and pen. No additional poll workers will be required; however, a poll worker will need to be assigned the task of check-in and writing the voter's registered full name (as recorded in the electors list) on the **numbered list of voters** in a legible manner.

CITATIONS THAT AUTHORIZE, SUPPORT, OR REQUIRE THE ACTION

REQUESTED BY PETITION: Chapter 21 of Georgia election code defines and includes the numbered list of voters as an essential and important election document required in the conduct of primaries and elections. Article 8 through 12 of Chapter 21 covers voting equipment, voting methods, conduct of elections, and returns. Whatever the equipment or method of voting, the conduct and returns of elections require a numbered list of voters to be kept, recorded, and preserved as a key election document. While an electronic numbered list of voters may be efficient and useful for some election officials, it cannot be the only record. A handwritten paper **numbered list of voters** must be kept for audits, contested elections, and election material documentation.

O.C.G.A. § 21-2-2 DEFINITIONS (16) “**NUMBERED LIST OF VOTERS**” means one or more sheets of uniform size containing consecutively numbered blank spaces for the insertion of voters' names at the time of and in the order of receiving their ballots or number slips governing admissions to the voting machines.

O.C.G.A. § 21-2-386(a)(1)(B). “Each elector's name so certified shall be listed by the registrar or clerk on the **numbered list of absentee voters** prepared for his or her precinct.”

O.C.G.A. § 21-2-386(a)(1)(E). “Three copies of the **numbered list of voters** shall also be

prepared for such rejected absentee electors, giving the name of the elector and the reason for the rejection in each case. Three copies of the **numbered list of certified voters** for each precinct shall be turned over to the poll manager in charge of counting the absentee ballots and shall be distributed as required by law for **numbered lists of voters**.

O.C.G.A. § 21-2-405(c). “In all precincts, the chief manager shall assign an assistant manager or a clerk to keep a **numbered list of voters**, in sufficient counterparts, during the progress of voting.”

O.C.G.A. § 21-2-411. Return of checked list of electors and voter’s certificates to superintendent; disposition of list and certificates by registrars.

The chief manager in each precinct shall return a **checked list of electors**, reflecting those who voted.... To the superintendent, to be deposited with the registrars. The board of registrars shall keep such voter’s certificates for at least 24 months, and such **electors lists** for at least five years.

O.C.G.A. § 21-2-431(a). “...As each elector is found to be qualified and votes, the poll officers shall check off the elector’s name on the electors list... As each elector votes his or her name in the order of voting shall be recorded in the **numbered list of voters** provided for that purpose.”

O.C.G.A. § 21-2-436. Duties of poll officers after the close of polls.

“...The poll officer shall then compare the number of electors voting as shown by the stubs with the number of names shown as voting by the electors list, voter’s certificates, and the **numbered list of voters**, and shall announce the result, and shall enter on the general returns the number of electors who have voted, as reconciled, if possible; otherwise, they shall be noted on the general returns. The electors list, the voter’s certificates, the **numbered list of voters**, and the stubs of all ballots used, together with all unused ballots, all spoiled and canceled ballots, and all rejected voter’s certificates, shall then be placed in separate packages, containers, or envelopes and sealed before the ballot box is opened.

O.C.G.A. § 21-2-440(a). Duty of poll officers; delivery of copy of materials to superintendent.

“... The poll officer shall then replace all ballots cast, so counted and canvassed, in the ballot boxes, including those declared void, spoiled, and canceled, together with the voter’s certificates, one set of the tally papers, one general return sheet, **one numbered list of voters**, sealed as provided in this subsection,... and deliver to the custody of the superintendent.”

(b) “...All such envelopes and **one numbered list of voters**, previously sealed as provided in subsection (a) of this Code section, shall be entrusted to the chief manager to be delivered immediately to the superintendent.”

O.C.G.A. § 21-2-451. Execution of voter’s certificate; procedure upon qualification of elector; elector unable to sign name; voting outside of precinct of residence; registration prerequisite to voting. *As each elector votes, his or her name in the order of voting shall be recorded* (emphasis added) in the **numbered list of voters** provided for that purpose.

O.C.G.A. § 21-2-454. Duties of poll officers after the close of the polls.

(b) The poll officers shall then compare the number, as shown by the public counter of the machine, with the number of names appearing on the **numbered list of voters**, the electors list, and voter’s certificates, which shall then be placed in separate packages, containers, or envelopes and sealed.

O.C.G.A. § 21-2-455. Canvass and return of votes. There shall also be entered on the general

return sheet and statement the number of electors who have voted, as shown by the **numbered list of voters**, electors list, and voter's certificates, and the number on each machine, as shown by the public counters.

O.C.G.A. § 21-2-456. Form of general return sheet, duplicate return sheets, and statement; posting of vote results; delivery of documents to superintendent; seal and return of electors list upon completion of vote count and tabulation. Immediately after the vote has been ascertained, the statement thereof shall be posted on the door of the polling place. Duplicate return sheets, voter's certificates, **numbered list of voters**, ... shall be sealed and given to the chief manager, who shall deliver them, together with the general return sheet and the package of ballots deposited, written, or affixed in or upon the voting machine, to the superintendent.

O.C.G.A. § 21-2-496. Preparation and filing by superintendent of four copies of consolidated return of primary; electronic filing; superintendent to furnish final copy of each ballot used for primary. (a) Each county and municipal superintendent shall prepare.... To be filed immediately upon certification as follows: (3) One copy to be forwarded to the Secretary of State together with a copy of each precinct return, the **numbered list of voters of each precinct**, and the returns and the **numbered list of voters for absentee electors**; ...

O.C.G.A. § 21-2-497. Preparation and filing by superintendent of four copies of consolidated return of primary; electronic filing; superintendent to furnish final copy of each ballot used for election.

(a) Each county and municipal superintendent shall prepare...(4)(B) In the case of referendum elections provided for by an Act of the General Assembly, the returns shall immediately be certified by the authority holding such election to the Secretary of State, along with the precinct returns and **numbered list of voters** for each precinct.

O.C.G.A. § 21-2-500. Delivery of voting materials; presentation to grand jury in certain cases; preservation and destruction; destruction of unused ballots.

(a) Immediately upon completing the returns required by this article, in the case of elections other than municipal elections, the superintendent shall deliver in sealed containers to the clerk of the superior court or, if designated by the clerk of the superior court, to the county records manager or other office or officer under the jurisdiction of a county governing authority which maintains or is responsible for records, ... the used and void ballots and the stubs of all ballots used; one copy of the oaths of poll officers; and one copy of each **numbered list of voters**, tally paper, voting machine paper proof sheet, and return sheet involved in the primary or election.

(c) Immediately upon completing the returns required by this article, the municipal superintendent shall deliver in sealed containers to the city clerk the used and void ballots and the stubs of all ballots used; one copy of the oaths of poll officers; and one copy of each **numbered list of voters**, tally paper, voting machine paper proof sheet, and return sheet involved in the primary or election.

SEB Rule 183-1-12-.11(2)(a). When a person presents himself or herself at the polling place for the purpose of voting during the time during which the polls are open for voting, the person shall complete a voter certificate and submit it to the poll officers. The voter certificate may be an electronic or paper record. The poll officers shall verify the identity of the person and that the person is a registered voter of the precinct and, if so, shall approve the voter certificate and enter an appropriate designation on the electors list for the precinct reflecting that the voter has voted in the primary, election, or runoff being conducted. The voter's name shall then be entered on the appropriate **numbered list of voters**.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED
AMENDMENTS OF THE STATE ELECTION BOARD,
RULE 183-1-12-.02 *Definitions* & RULE 183-1-12-.11(2)(a). *Conducting Elections***

NOTE: Underlined text is proposed to be added.

Rule 183-1-12-.02. Definitions.

(1) As used in this rule, the term:

- (a) "Ballot" shall have the meaning set forth in O.C.G.A. § 21-2-2.
- (b) "Ballot scanner" shall have the meaning set forth in O.C.G.A. § 21-2-2.
- (c) "Ballot Style" shall mean the specific offices, candidates, and questions displayed on an electronic ballot marker or paper ballot for voters according to their assigned precinct.
- (d) "Electronic ballot marker" shall have the meaning set forth in O.C.G.A. § 21-2-2.
- (e) "Election management system" is an electronic system that contains databases for elections, allows for the creation of ballots, generates ballot scanner memory cards, and computes tabulated results, amongst performing other election functions.
- (f) "Electronic poll book" shall mean an electronic device that contains a list registered voters with sufficient information to look up voters, check them in, and encode voter access cards that bring up the correct ballot on an electronic ballot marker.
- (g) "Election Superintendent" or "superintendent" means a county board of elections and registrations, a county board of elections, a judge of the probate court, or an elections supervisor or director so designated by a county board or judge of the probate court. For municipal elections, the term shall include the municipal counterparts set forth in O.C.G.A. § 21-2-2.
- (h) "Enclosed space" shall mean that area within a polling place enclosed with a guardrail or barrier closing the inner portion of such area so that only such persons as are inside such guardrail or barrier can approach within six feet of the ballot box, voting compartments, voting booths, voting machines, electronic ballot markers, or ballot scanner.
- (i) "Numbered list of voters" means one or more sheets of uniform size containing consecutively numbered blank spaces for the insertion of voters' names at the time of and in the order of receiving their ballots.

(j) "Opening of the Polls" shall mean the commencement of voting in a particular primary, election, or runoff. Opening of the polls does not refer to the unlocking or opening of the doors of the polling place. Similarly, the term "Closing of the Polls" shall mean the cessation of voting in a particular primary, election, or runoff and not the locking or closing of the doors of the polling place.

(k) "Poll officer" shall have the meaning set forth in O.C.G.A. § 21-2-2.

(l) "Polling place" shall have the meaning set forth in O.C.G.A. § 21-2-2.

(m) "Precinct" shall have the meaning set forth in O.C.G.A. § 21-2-2.

(n) "Voter Access Card" shall mean the electronic card issued to a voter which is inserted into an electronic ballot marker to bring up the voter's correct ballot.

(o) "Zero Tape" shall mean a tape printed out by a ballot scanner unit which shows that no votes have been tabulated by the scanner for that election.

(p) "Voting system" or "voting system components" shall include electronic ballot markers, printers, ballot scanners, election management systems, electronic poll books, and voter access cards.

Authority: O.C.G.A. §§ 21-2-2, 21-2-31.

Rule 183-1-12-.11(2)(a). Conducting Elections

2(a) When a person presents himself or herself at the polling place for the purpose of voting during the time during which the polls are open for voting, the person shall complete a voter certificate and submit it to the poll officers. The voter certificate may be an electronic or paper record. The poll officers shall verify the identity of the person and that the person is a registered voter of the precinct and, if so, shall approve the voter certificate and enter an appropriate designation on the electors list for the precinct reflecting that the voter has voted in the primary, election, or runoff being conducted. The voter's name shall then be recorded in ink and entered on the appropriate numbered list of voters. "Numbered list of voters" means one or more sheets of uniform size containing consecutively numbered blank spaces for the insertion of voters' names at the time of and in the order of receiving their ballots.

Authority: O.C.G.A. §§ 21-2-31, 21-2-263, 21-2-409, 21-2-410.

COPY OF THE PROPOSED NEW RULE

Rule 183-1-12-.02. Definitions.

(1) As used in this rule, the term:

- (a) "Ballot" shall have the meaning set forth in O.C.G.A. § 21-2-2.
- (b) "Ballot scanner" shall have the meaning set forth in O.C.G.A. § 21-2-2.
- (c) "Ballot Style" shall mean the specific offices, candidates, and questions displayed on an electronic ballot marker or paper ballot for voters according to their assigned precinct.
- (d) "Electronic ballot marker" shall have the meaning set forth in O.C.G.A. § 21-2-2.
- (e) "Election management system" is an electronic system that contains databases for elections, allows for the creation of ballots, generates ballot scanner memory cards, and computes tabulated results, amongst performing other election functions.
- (f) "Electronic poll book" shall mean an electronic device that contains a list registered voters with sufficient information to look up voters, check them in, and encode voter access cards that bring up the correct ballot on an electronic ballot marker.
- (g) "Election Superintendent" or "superintendent" means a county board of elections and registrations, a county board of elections, a judge of the probate court, or an elections supervisor or director so designated by a county board or judge of the probate court. For municipal elections, the term shall include the municipal counterparts set forth in O.C.G.A. § 21-2-2.
- (h) "Enclosed space" shall mean that area within a polling place enclosed with a guardrail or barrier closing the inner portion of such area so that only such persons as are inside such guardrail or barrier can approach within six feet of the ballot box, voting compartments, voting booths, voting machines, electronic ballot markers, or ballot scanner.
- (i) "Numbered list of voters" means one or more sheets of uniform size containing consecutively numbered blank spaces for the insertion of voters' names at the time of and in the order of receiving their ballots.
- (j) "Opening of the Polls" shall mean the commencement of voting in a particular primary, election, or runoff. Opening of the polls does not refer to the unlocking or opening of the doors of the polling place. Similarly, the term "Closing of the Polls" shall mean the cessation of voting in a particular primary, election, or runoff and not the locking or closing of the doors of the polling place.
- (k) "Poll officer" shall have the meaning set forth in O.C.G.A. § 21-2-2.

(l) "Polling place" shall have the meaning set forth in O.C.G.A. § 21-2-2.

(m) "Precinct" shall have the meaning set forth in O.C.G.A. § 21-2-2.

(n) "Voter Access Card" shall mean the electronic card issued to a voter which is inserted into an electronic ballot marker to bring up the voter's correct ballot.

(o) "Zero Tape" shall mean a tape printed out by a ballot scanner unit which shows that no votes have been tabulated by the scanner for that election.

(p) "Voting system" or "voting system components" shall include electronic ballot markers, printers, ballot scanners, election management systems, electronic poll books, and voter access cards.

Authority: O.C.G.A. §§ 21-2-2, 21-2-31.

Rule 183-1-12-.11(2)(a). Conducting Elections

2(a) When a person presents himself or herself at the polling place for the purpose of voting during the time during which the polls are open for voting, the person shall complete a voter certificate and submit it to the poll officers. The voter certificate may be an electronic or paper record. The poll officers shall verify the identity of the person and that the person is a registered voter of the precinct and, if so, shall approve the voter certificate and enter an appropriate designation on the electors list for the precinct reflecting that the voter has voted in the primary, election, or runoff being conducted. The voter's name shall then be recorded in ink and entered on the appropriate numbered list of voters. "Numbered list of voters" means one or more sheets of uniform size containing consecutively numbered blank spaces for the insertion of voters' names at the time of and in the order of receiving their ballots.

Authority: O.C.G.A. §§ 21-2-31, 21-2-263, 21-2-409, 21-2-410.

SYNOPSIS OF THE PROPOSED RULE

Revisions to Rule 183-1-12-.02 (Definitions) and Rule 183-1-12-.11(2)(a) (Conducting Elections)

The proposed amendments clarify the requirement that a **numbered list of voters be maintained as part of the official election record** during the conduct of primaries and elections.

The amendments define "numbered list of voters" consistent with statutory language and specify that each voter's name shall be **recorded in ink and in sequential order at the time of voting**.

The rule further clarifies that this record must be maintained at the polling place as part of the election documentation.

The proposed rule ensures consistency with Georgia law and provides a clear, auditable record of voters to support reconciliation, review, and retention of election materials.

LEGAL AUTHORITY

The State Election Board is authorized to promulgate rules and regulations governing primaries and elections pursuant to **O.C.G.A. § 21-2-31**.

The proposed amendments are supported by and consistent with the following provisions of Georgia law, which require the preparation, maintenance, and preservation of a numbered list of voters:

- **O.C.G.A. § 21-2-2(16)**
- **O.C.G.A. § 21-2-386**
- **O.C.G.A. § 21-2-405(c)**
- **O.C.G.A. § 21-2-431(a)**
- **O.C.G.A. § 21-2-436**
- **O.C.G.A. § 21-2-440**
- **O.C.G.A. § 21-2-451**
- **O.C.G.A. § 21-2-454**
- **O.C.G.A. § 21-2-455**
- **O.C.G.A. § 21-2-456**
- **O.C.G.A. § 21-2-496**
- **O.C.G.A. § 21-2-497**
- **O.C.G.A. § 21-2-500**

These provisions collectively establish the numbered list of voters as a required election record and support the Board's authority to clarify its use through rulemaking.