

**SYNOPSIS OF THE PROPOSED
RULE OF THE STATE ELECTION
BOARD
RULE 183-1-11-.01 *Ballot Secrecy***

Purpose: This rule amendment is promulgated pursuant to the authority granted to the State Election Board by Georgia Laws (O.C.G.A. § 21-2-31). It is the intent and purpose of the rule to establish reasonable, necessary, and uniform rules and regulations to carry out the responsibilities of the State of Georgia with respect to the use of voting equipment in elections to provide for the secrecy of the ballot.

Main Features: The main feature of the rule amendment is to update the rule to establish conditions required for the use of the current voting system to ensure that all voters are provided with guaranteed secrecy of their ballot. The rule also addresses the requirement to provide for privacy in voting for voters using accessibility units. The proposed rule requires that voting system software be updated to provide for proper randomization of electronic ballot image identifiers, to ensure the anonymity of ballot images.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED
AMENDMENTS OF THE STATE ELECTION BOARD
RULE 183-1-11-.01 *Ballot Secrecy***

Note: Underlined text is proposed to be added. ~~Strikethrough~~ text is proposed to be deleted.

183-1-11-.01 Ballot Secrecy

1. Each Superintendent of Elections shall ensure that ~~handicapped~~ all persons ~~electors~~ casting their vote at the polls are able to do so in private by providing such facilities and equipment as necessary to ~~maintain~~ protect the absolute secrecy of the each elector's ballot as provided by O.C.G.A. §§ 21-2-70(13), 21-2-379.22(5), 21-2-2(7.1), 21-2-365(6), and 21-2-373.

2. Each superintendent shall arrange for electronic ballot marking devices outfitted for accessibility devices to be positioned in the polling place to ensure that voters requiring such devices are afforded privacy, including the ability to communicate in private with authorized persons providing assistance.

3. If ballots cast on precinct scanners are required, for any reason, to be rescanned on central scanners, county election officials shall thoroughly shuffle the ballots prior to rescanning on the central scanner to randomize the order of ballots to be scanned, while maintaining strict ballot accounting documentation for each batch to be scanned.

4. Not later than September 15, 2026, the Secretary of State shall update the software on all voting system scanners, county election management servers, and all accessible unit electronic ballot marking devices to be used in polling places, to provide for proper randomization of ballot image identifying numbers. Where feasible, such software and hardware updates shall permit casting of accessible unit electronic ballot marking device paper ballots similar in style and appearance to hand marked ballots when hand marked ballots are the primary method of polling place voting.

Statutory Authority

O.C.G.A. Secs. 21-2-218, 21-2-31, 21-2-21-2-70(13), 21-2-379.22(5), 21-2-365(6), 21-2-373; Ga. Const. Art II §1¶1; 52 USC §21081(a)(1)(A)(i) and (ii) and (C),

COPY OF THE PROPOSED NEW RULE

183-1-11-.01 Ballot Secrecy

1. Each Superintendent of Elections shall ensure that all electors casting their vote at the polls are able to do so in private by providing such facilities and equipment as necessary to protect the absolute secrecy of each elector's ballot as provided by O.C.G.A. §§ 21-2-70(13), 21-2-379.22(5), 21-2-2(7.1), 21-2-365(6), and 21-2-373.
2. Each superintendent shall arrange for electronic ballot marking devices outfitted for accessibility devices to be positioned in the polling place to ensure that voters requiring such devices are afforded privacy, including the ability to communicate in private with authorized persons providing assistance.
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