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June 4, 2019

Via Electronic Mail

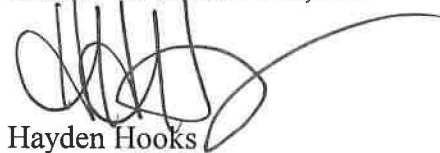
Clay Goode
foia@americanoversight.com

Dear Mr. Goode:

I represent Randolph County and its Board of Elections. Mr. Todd Black forwarded me a Georgia Open Records Act request for records dated June 3, 2019 from you to the Board of Elections. This Board of Elections has reviewed its records and has identified the attached document as responsive to your request. If you have any questions about this response, please do not hesitate to contact this office.

Sincerely,

PERRY & WALTERS, LLP



Hayden Hooks

cc Todd Black



OFFICIAL ELECTION BULLETIN

February 23, 2017

TO: County Election Officials and County Registrars
FROM: Chris Harvey, Elections Division Director
RE: Updated Pending Voters Action

Update to Pending Voter Registration Processing

A lawsuit has ended regarding the issue of the handling of voter registration applications that fail to verify with Division of Driver Services (DDS) and Social Security Administration (SSA). Prior to the lawsuit, when a voter registration failed to verify with DDS/SSA, a letter was generated by ENET and mailed to the applicant. If the applicant did not respond to the letter within 40 days, the application was rejected and the voter registration status in ENET was changed to cancelled.

Going forward, as required under the lawsuit, voter registration applications that fail verification will remain in pending status without a time limit. We have updated the failed verification letters generated in ENET to reflect these changes. Please make sure failed verification letters sent to voter applicants are substantively the same as the letter generated in ENET.

A voter in "pending" status can immediately update their status to "active" by providing appropriate verification documentation at your office or at any polling place.

Also pursuant to the lawsuit, we are sending two groups of voter registration applications back through the verification process so that they can be sent the updated failed verification letter. The first group are voter registrations in cancelled status since October 1, 2013 that were cancelled for failing to verify with DDS/SSA. This group is estimated to be about 4,000 voter registrations.

The second group are voter registrations that were already in pending status when the 40 day clock was stopped at the end of September 2016, and who were sent the old failed verification letter. That group is estimated to be about 11,000 voter registrations.

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These registrations will be sent back through the verification process later this week, and only those that fail to verify will appear on your dashboards to be timely processed and mailed failed verification letters.

Finally, going forward, please mail failed verification letters within seven (7) business days of the registration application being processed.

I appreciate your cooperation with this updated procedure.

Please feel free to contact me directly if you have any questions.



OFFICIAL ELECTION BULLETIN

August 18, 2017

TO: County Election Officials and County Registrars
FROM: Chris Harvey, Elections Division Director
RE: NCOA Changes in ENET

The National Change of Address (NCOA) comparison process, which is governed by O.C.G.A. § 21-2-233, was completed last month. Our office has recently implemented some changes that impacted a portion of the voter registration records that were sent NCOA notices.

Voters whose United States Postal Service NCOA information indicated that they changed addresses within the same county have been set to "Active" status, including those records that had their status initially changed to "Inactive" by virtue of your office receiving the NCOA notice back as undeliverable and processing the returned mail. However, if these voters responded to the NCOA notice with updated information such as address updates, name changes, transfers, etc., then all of those changes entered by your office into ENET will remain.

Voters whose USPS NCOA information indicated that they moved to a different county or state and were sent a confirmation notice have not been affected by these changes.



OFFICIAL ELECTION BULLETIN

August 18, 2017

TO: County Election Officials and County Registrars

FROM: Chris Harvey, Elections Division Director

RE: NVRA and Change of Residency Challenges

The National Voting Registration Act (52 U.S.C. § 20507(d)) limits when a jurisdiction can remove an elector from the voter rolls due to moving outside of the jurisdiction or due to a change of address. The statute prohibits removal unless:

1. There is written confirmation of the change in residency by the elector; or
2. The NVRA Confirmation Notice Process (NOACT2GE), described in 52 U.S.C. § 20507(d)(2), is followed.

O.C.G.A. § 21-2-228 allows county boards of registration to conduct hearings in order to determine the qualification of electors. O.C.G.A. § 21-2-229 allows electors of the county or municipality to challenge, in writing, the qualifications of any elector who appears on the list of electors. These challenge hearings for qualifications cannot, however, result in a voter being *removed from the list of electors* for any change of address. The NVRA does not prohibit removing an elector from the list of electors for other disqualifications such as citizenship, felony sentence, judicially declared mental incompetence, or insufficient age.

Options for Counties with Knowledge of a Change of Address: If a county has reason to believe a person has changed their address and hasn't updated their voter registration record, it is reasonable for the county to mail the elector a letter at their registered address to let the elector know that the county believes the elector may have moved and for the elector to provide a current address. Usually, the more specific you can be in the letter the better. There can be no consequence if the elector does not respond to the letter as none is provided by law. If the elector completes and returns the letter with a new address, the county now has written confirmation of a change in residency that it can act upon consistent with NVRA. However, if the letter is returned undeliverable, this would begin the "returned mail" list maintenance process and a confirmation notice would be issued to the elector. Because state law specifies instances when confirmation notices are to be sent, a county should not send a confirmation notice outside of the instances in state law (Returned Mail, NCOA, No Contact). Further, there is no current mechanism in eNet for a county to cause a confirmation notice to be printed by the print vendor outside

of those 3 list maintenance processes. If the elector then fails to respond to the confirmation notice as required by law, the elector's status will then become "Inactive."

National Voter Registration Act Citation

52 U.S.C. § 20507(d) Removal of names from voting rolls.

(1) A State shall not remove the name of a registrant from the official list of eligible voters in elections for Federal office on the ground that the registrant has changed residence unless the registrant--

(A) confirms in writing that the registrant has changed residence to a place outside the registrar's jurisdiction in which the registrant is registered; or

(B) (i) has failed to respond to a notice described in paragraph (2); and

(ii) has not voted or appeared to vote (and, if necessary, correct the registrar's record of the registrant's address) in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election for Federal office that occurs after the date of the notice.

I encourage you to review this information with your boards and county attorneys and to make sure that any cancellation of voters from the electors lists, or change in status to inactive, is done in compliance with this federal law. I also encourage you to share this information with any municipalities within your county as they prepare for municipal elections in November.



OFFICIAL ELECTION BULLETIN

February 7, 2018

TO: County Election Officials and County Registrars
FROM: Chris Harvey, Elections Division Director
RE: NCOA Changes for Within-County Moves

Due to a recent court case, we have decided to make changes to the list maintenance processes with regard to change-of-address information received from the U.S. Postal Service's National Change of Address database (NCOA) for voters that moved **within the county**. These changes are consistent with the process laid out in O.C.G.A. § 21-2-233(b) for voters that move within their county.

We will be working to improve the NCOA process so that by 2019, there will be an easier way to process NCOA information received regarding voters moving within the county. In the meantime, we need to update certain addresses of "**within-county**" movers from the 2017 NCOA list maintenance process.

This must be completed by February 20, 2018, at the latest.

Your liaison will email you an excel spreadsheet with the voter registration numbers and the USPS NCOA addresses that need to replace the existing residence addresses of "**within-county**" movers. The email will have specific Instructions on how to accomplish this.

We appreciate your prompt attention in implementing this solution.



OFFICIAL ELECTION BULLETIN

October 12, 2018

TO: County Election Officials and County Registrars
FROM: Chris Harvey, Elections Division Director
RE: Processing Voter Registration Applications after the VR Deadline

Voter Registration Deadline

Pursuant to O.C.G.A. § 21-2-224, Tuesday, October 9, 2018 was the voter registration deadline for the November 6, 2018 Election(s). If mail-in VR Applications (Site Codes 2, 9, and 14) do not have a legible postmark, then the Secretary of State's date stamp should be used to determine if the voter should be added or updated for the November 6, 2018 Election(s). O.C.G.A. § 21-2-224(c) provides that the Secretary of State's date stamp on the application must be no later than Friday, October 12, 2018 for the individual to be eligible to vote in the November 6, 2018 Election(s). If you receive a new mail application that meets these postmark requirements, then enter the voter registration deadline of October 9, 2018 as the voter's registration date into eNet.

The voter registration date for applications from site codes 5, 6, 8, 10, 12, and 13 are based on the date written next to the voter's signature.

New Voter Registration Applications

Although the October 9, 2018 deadline has passed, counties will still be able to add new voter registration applications into eNet. Pursuant to O.C.G.A. § 21-2-224, such applications will still be subject to the October 9, 2018 registration deadline, and voters who applied to register to vote after the October 9, 2018 deadline will not be eligible to vote in the November 6, 2018 Election(s).

New voters added during the period between the day after the registration cut-off date and Election Day or until after any subsequent run-off date will be visible within all modules in eNet.

THIS IS IMPORTANT: Because all new applicants (including those who register after the registration deadline) will appear in eNet, counties must double-check the registration date of each voter before allowing the voter to cast a ballot during the absentee/advance voting period.

Changes to Voter Address Information Within the County

Counties should not enter within-county address changes to voter information postmarked during the period between the day after the registration cut-off date and Election Day. Therefore, voter registration applications for within-county address changes postmarked after October 9, 2018

should not be entered until Wednesday, November 7, 2018 (if no runoff) or after any subsequent run-off date.

County-to-County Transfers

1. For county-to-county transfers of voters before the registration cut-off date, the process has not changed. Counties may transfer voters before a registration cut-off date for an election without issue.
2. Counties should not process county-to-county transfers postmarked after the registration cut-off date until after certification. Therefore, voter registration applications for county-to-county transfers postmarked after October 9, 2018 should not be entered until the county level certification, Monday after the election. Failure to adhere to these guidelines may result in voters not appearing on the electors list or ExpressPoll when they should.
3. Please be aware that the Secretary of State's My Voter Page (MVP) will show the voter's polling place for state & county elections as the most recent precinct entered into eNet.

Changes to Voter Information Other Than Address Change

Counties may not enter changes to voter information after the registration cut-off date except to update voters who are providing additional information as required in O.C.G.A. § 21-2-220(d).

Voter List Maintenance

Counties may continue to conduct specific individualized voter list maintenance efforts to ensure that ineligible voters are removed from the electors list in a timely manner. County list maintenance should be conducted as frequently as is practicable to ensure that ineligible individuals do not remain on the electors list.

As you continue list maintenance processes leading up to the election, please keep in mind the limitations on list maintenance activities established under the National Voter Registration Act of 1993 (NVRA). Specifically, NVRA provides that any program to systematically remove the names of ineligible voters from the official list of electors must be completed no later than ninety (90) days prior to the date of a primary or general election for federal office.

Removal of ineligible voters for the following reasons is not subject to the 90-day limitation:

1. at the request of the registrant;
2. the felony conviction or judicial determination of mental incompetency of the registrant;
3. the death of the registrant;
4. correction of registration records pursuant to the NVRA; or
5. the verification process of determining the eligibility of a person applying to register to vote in accordance with any applicable court order and federal law.

Registrars can continue with their list maintenance activities, as long as they fall into one of the above categories as authorized by law. If you have any additional questions, please contact your Liaison.



OFFICIAL ELECTION BULLETIN

November 2, 2018

TO: County Election Officials and County Registrars
FROM: Chris Harvey, Elections Division Director
RE: Pending Citizenship Registrations at Voting Locations

District Court Judge Eleanor Ross has just issued an injunction regarding the way voters in pending citizenship status are able to resolve their citizenship verification issue at the polls. The injunction will require posting information at the polls, additional training for poll managers, and a slight change to the procedure for verifying proof of citizenship at polling places. A copy of the full order is available as a separate OEB.

The Judge has ordered that **Poll Managers**, in addition to Deputy Registrars, be allowed to verify proof of citizenship at the polls. You should immediately communicate to your Poll Managers this information and the list of acceptable proof of citizenship. Please ensure that they are prepared to review and verify proof of citizenship documentation at the polls for any voter marked in the ExpressPoll with X (Pending Citizenship Verification). It is also important that poll managers separately document when someone in Pending Citizenship Verification status shows proof of citizenship and votes on the DRE so that the registrars can update the person's record in ENET after the election to reflect they are a citizen and in Active status.

The Judge has also ordered that the list of acceptable documentation to prove citizenship be posted at polling places. The list is available as a separate OEB. Below is guidance consistent with the injunction.

For the November 6, 2018 General Election, at a polling location, the individual whose registration did not match DDS records for citizenship status may provide proof of identity and acceptable proof of citizenship, to a poll manager or a deputy registrar, and after verification, cast a regular ballot. A single document that meets the standard for both proof of citizenship and photo ID is sufficient to satisfy both requirements. The following are forms of proof of citizenship:

- (1) Birth certificate, issued by a U.S. State (if the person was born in the U.S.), or by the U.S. Department of State (if the person was born overseas and the parents registered the child's birth and U.S. citizenship at birth with the U.S. Embassy or Consulate).
- (2) U.S. Passport, issued by the U.S. Department of State.
- (3) Certificate of Citizenship, issued to a person born outside the U.S. who was still a U.S. citizen at birth, or to a person who later automatically became a U.S. citizen.

(4) Naturalization Certificate, issued to a person who became a U.S. citizen after birth through the naturalization process.

(5) A Report of Birth Abroad of a U.S. Citizen.

(6) A Certification of birth issued by the Department of State.

(7) A U.S. Citizen ID card.

(8) An American Indian Card issued by the Department of Homeland Security with the classification code "KIC" (Issued by DHS to identify U.S. citizen members of the Texas Band of Kickapoos living near the U.S./Mexican border).

(9) Final adoption decree showing the child's name and U.S. birthplace.

(10) Evidence of civil service employment by the U.S. government before June 1976.

(11) An official U.S. military record of service showing a U.S. place of birth.

(12) A Northern Mariana Identification Card (Issued by the INS to a collectively naturalized citizen of the U.S. who was born in the Northern Mariana Islands before November 4, 1986).

(13) Extract of U.S. hospital record of birth established at the time of the person's birth indicating a U.S. place of birth.

(14) Life or health or other insurance record which indicates a U.S. place of birth and which is dated at least 5 years before the initial application date.

(15) Federal or State census record which indicates U.S. citizenship or a U.S. place of birth (Generally for persons born 1900 through 1950).

(16) Institutional admission papers from a nursing home, skilled nursing care facility or other institution which indicates a U.S. place of birth.

(17) Medical (clinical, doctor, or hospital) record which indicates a U.S. place of birth and which is dated at least 5 years before the application date.

(18) A driver's license or identification card issued by an agency of a U.S. state if that agency indicates on the driver's license or identification card that the applicant has provided satisfactory evidence of United States citizenship to the agency.

- A Georgia driver's license or ID card is proof of citizenship unless it says LIMITED-TERM.

(19) Other document that was created at least 5 years before the application. Document must be one of the following and show a U.S. place of birth: Seneca Indian tribal census record; Bureau of Indian Affairs tribal census records of the Navaho Indians; U.S. State Vital Statistics official notification of birth registration; an amended or delayed U.S. public birth record that is amended more than 5 years after the person's birth; or statement signed by the physician or midwife who was in attendance at the time of birth.

(20) If other forms of documentation cannot be obtained, documentation may be provided by a written affidavit, signed under penalty of perjury, from two citizens, one of whom cannot be related to the person in question, who have specific knowledge of event(s) establishing the person in question's citizenship status. The person in question or another knowledgeable individual must also submit an affidavit stating why the documents are not available. Affidavits are only expected to be used in rare circumstances.

If an applicant who is in pending status due to citizenship verification does not present one of the acceptable forms of proof of citizenship when a ballot is requested during early voting or on Election Day, the applicant shall be offered the opportunity to (a) cast a provisional ballot or (b) he or she may return to the polling location (before the polls close) with sufficient proof of citizenship. The applicant shall be instructed that he or she will be required to present proof of citizenship in person, via fax, email or text to the county registrar before the close of the provisional ballot period on the Friday following the election in order for the provisional ballot to count as a vote.

INSTRUCTIONS FOR PROCESSING PENDING CITIZENSHIP VOTERS ON THE EXPRESSPOLL UNITS

PENDING VOTERS IN "X" STATUS

Voters that are in pending status due to citizenship verification will be marked in the ExpressPoll units with a status of X and highlighted in purple. When the poll worker selects the voter, he or she will see the following message, also highlighted in purple:

- "Voter has been flagged in the Voter Registration System as a possible Noncitizen. Issue the Voter a Challenged Ballot. Contact the County Registrar for individual's current status."

When a poll worker encounters a voter highlighted in the X status and highlighted in purple, the poll worker should communicate to the voter that their record is currently in pending status due to a failure to verify citizenship with the Department of Driver Services. They should then ask the voter if he or she has one of the acceptable forms of documentation of proof of citizenship. There are two possible outcomes:

1. If the voter has proof of citizenship with them, the Poll Manager should review the proof of citizenship and determine if it is sufficient. If it is, the Poll Manager can override the X status for the voter using their supervisor password and issue a voter access card. The Poll Manager should also document the voter's information and that proof of citizenship was provided to ensure that the registrars can update the voter's registration record to reflect he or she is a citizen and place them in Active status after the election.
2. If the voter does not have proof of citizenship, the voter should be directed to the provisional ballot station to cast a provisional ballot. The provisional ballot envelope is to be marked "X". The applicant shall be instructed that he or she will be required to present proof of citizenship in person, via fax, email or text to the county registrar before the close of the provisional ballot period on the Friday following the election in order for the provisional ballot to count as a vote.



OFFICIAL ELECTION BULLETIN

January 31, 2019

TO: County Election Officials and County Registrars

FROM: Chris Harvey, State Elections Director

RE: DDS Citizenship Override

The verification process in ElectionNet has been updated so that when registrars are processing paper voter registration applications and proof of citizenship is provided with the application, the users can input the proof of citizenship document provided into ElectionNet and the system will override a negative citizenship verification response from the Department of Driver Services (DDS), because DDS may not be updated with the latest citizenship status.

When county registrars receive voter registration applications from voters that include proof of citizenship, this information should be entered into ElectionNet at the time the application is first entered into the system. Users should navigate to the **"Voter Information"** section of the new voter screen and select the document provided in the dropdown menu beside the **"Proof of Citizenship"** label.

Any selection made from this menu of citizenship verification documents other than **"None Provided"** will cause the system to override a failure to verify citizenship with DDS, and will properly show the voter's verified citizenship status on the registration record.

Voter Information Section

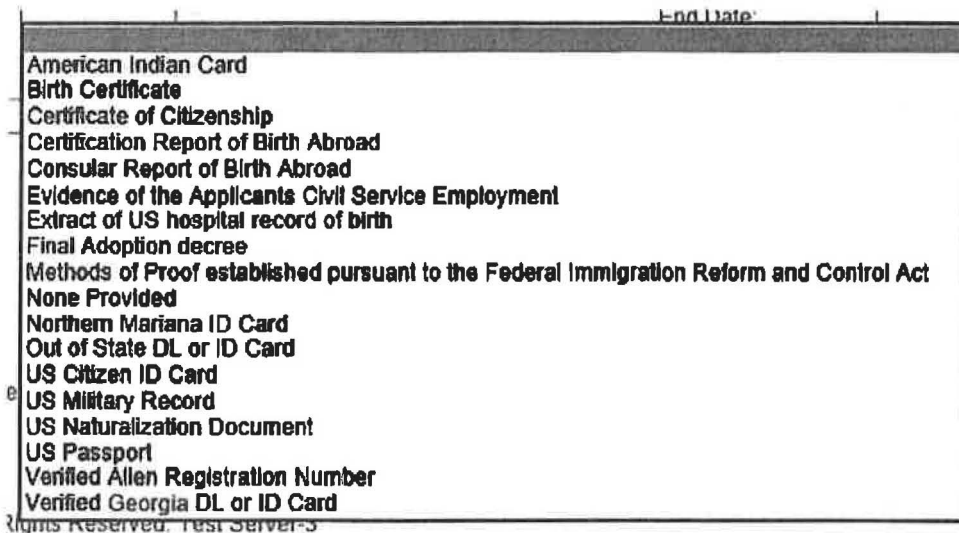
Voter Identification

Site ID/Location:	02 - Mail-In Applications		
US Citizen?	Yes	Proof of Citizenship:	None Provided
Proof of ID provided?		Proof of ID:	
Driver's License/State ID:		SSN (Full OR Last 4 Digits):	

☐ Applicant did not provide a DL, GA ID, or SSN

☐ The applicant indicated on their application that they did not have a Georgia Driver's License, Georgia ID Number or Social Security Number.

Proof of Citizenship Dropdown menu selections



The image shows a screenshot of a web application's dropdown menu for 'Proof of Citizenship'. The menu is open, displaying a list of document types. The text 'End Date' is visible at the top right of the dropdown box. The list includes: American Indian Card, Birth Certificate, Certificate of Citizenship, Certification Report of Birth Abroad, Consular Report of Birth Abroad, Evidence of the Applicants Civil Service Employment, Extract of US hospital record of birth, Final Adoption decree, Methods of Proof established pursuant to the Federal Immigration Reform and Control Act, None Provided, Northern Mariana ID Card, Out of State DL or ID Card, US Citizen ID Card, US Military Record, US Naturalization Document, US Passport, Verified Allen Registration Number, and Verified Georgia DL or ID Card. At the bottom of the dropdown, the text 'Rights Reserved. Test Server-5' is visible.

- American Indian Card
- Birth Certificate
- Certificate of Citizenship
- Certification Report of Birth Abroad
- Consular Report of Birth Abroad
- Evidence of the Applicants Civil Service Employment
- Extract of US hospital record of birth
- Final Adoption decree
- Methods of Proof established pursuant to the Federal Immigration Reform and Control Act
- None Provided
- Northern Mariana ID Card
- Out of State DL or ID Card
- US Citizen ID Card
- US Military Record
- US Naturalization Document
- US Passport
- Verified Allen Registration Number
- Verified Georgia DL or ID Card

Rights Reserved. Test Server-5

Note that if a record passes the citizenship verification process naturally through the verification process or through the citizenship failure override, but also fails verification for another item (name, date of birth, etc.), the record will still be placed in pending status.

Example

New Citizen X completes a paper voter registration immediately after the conclusion of her naturalization ceremony and encloses a copy of her naturalization certificate with her paper voter registration application. The application is delivered to the county election office the next day, but before Citizen X can go to the Department of Driver Services to update her citizenship status with DDS. The registrar in the county enters Citizen X's data into ElectionNet and inputs "US Naturalization Document" in the proof of citizenship field. When the verification process runs overnight, the fact that the registrar has received the naturalization documentation and entered it into ElectionNet will override the citizenship check against DDS's records that has yet to receive Citizen X's new citizenship status. If the other information (name, date of birth, etc.) verifies with DDS, Citizen X will be an active voter in the county.



OFFICIAL ELECTION BULLETIN

April 3, 2019

TO: County Election Officials and County Registrars
FROM: Chris Harvey, Elections Division Director
RE: Changes in Voter Registration System on HB 316 Becoming Law

HB 316, which became law yesterday, will make a number of significant changes to elections in Georgia. Over the next few weeks and at the joint conference, we will go over these changes with you. However, there are two procedures in ENET that will have to be changed immediately as a result of HB 316 becoming law.

1. Felon Cancellations

HB 316 requires giving prior notice to a registered voter who is having their voter registration cancelled as a result of the voter serving a felony sentence. The Secretary of State's Office has temporarily put on pause the process of sending the list of persons serving felony sentences to your dashboards through ENET until we change the programming of the ENET database.

The new procedure we are creating will require the printing of a notification letter to go to the voter giving them 30 days to contest or correct the record before their voter registration is cancelled.

2. Pending Verification Process: Unverified Status Changing to Active MIDR

HB 316 has voter registrations that would have previously been in an "Unverified" pending status (due to a lack of a match on certain data fields) now to go into "Active" status with an MIDR flag (ID Required: YES) on their voter registration. These voters will get precinct cards and will be able to vote upon showing HAVA ID (which will remove the MIDR from the registration status.) Until we are able to reprogram ENET to handle this change, these voter registrations will continue to initially go into "Unverified" pending status in ENET, however, we will convert their "Unverified" pending status to "Active MIDR" status manually until ENET is updated to accommodate this change in the law. It is important that all MIDR letters are mailed to voters so they are informed of the steps they need to take in order to remove the MIDR flag and have their vote counted.



OFFICIAL ELECTION BULLETIN

May 7, 2019

TO: County Election Officials and County Registrars
FROM: Chris Harvey, Elections Division Director
RE: Municipal Boundaries and Street Files

For Counties:

The Secretary of State's office reminds each county to send to all municipalities located within their jurisdiction, a municipal streets list to review in advance of the upcoming 2019 municipal elections. Every municipality has a streets list posted in a folder by county on Firefly under Downloads on the lower banner of Firefly, titled "Municipal Street List 2019". Please send to each municipality for review and mark any necessary changes. A Municipal Streets List Maintenance Checklist form should be sent as well. This form is located at the end of the streets list files in Firefly as well as under the Election Planner > Checklists, titled "Municipal Streets List Maintenance Checklist".

For Municipalities:

Each county registrar will send a streets list to every municipality in their jurisdiction. It is the municipalities' responsibility to review the list to ensure all streets are listed correctly. Please review for accuracy each item listed on the Maintenance Checklist. The review and return of the completed checklist with any necessary changes should be completed by June 28, 2019, to ensure sufficient time to make any changes prior to the review of the voter list.

O.C.G.A. § 21-2-226 (c)

(c) It shall be the duty of each incorporated municipality located wholly or partially within the boundaries of a county to provide a detailed map showing the municipal boundaries, municipal precinct boundaries, and voting district boundaries to the county board of registrars no later than January 1, 1995, and within 15 days of any changes in such municipal boundaries, precinct boundaries, or voting district boundaries. Upon receiving any changes in municipal boundaries, the county board of registrars shall provide to the municipality a list of all voters affected by such

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changes with the street addresses of such electors for the purpose of verifying the changes with the municipality. Upon receiving the list of electors affected by changes in municipal boundaries, the municipality shall immediately review the information provided by the county registrars and advise the county registrars of any discrepancies.