

Subject: RE: GASOS ORR #21-902, #21-904, #21-905, #21-908 #21-909
Date: Wednesday, December 15, 2021 at 8:16:22 AM Pacific Standard Time
From: ORR Administration
To: Khahilia Shaw, AO Records
Attachments: image001.jpg

EXTERNAL SENDER

Good Morning,

Also please note that redactions are made only to the extent authorized by law. Pursuant to state law, such confidential or exempt information found in the responsive records will be redacted, including, but not limited to, the following: individuals' day and month of birth; unlisted telephone number; personal email address; personal cellular telephone number; social security number; driver's license number; financial information; health information; information that (if disclosed) would compromise election security; records of election cases pending investigation; communications subject to attorney-client privilege; and attorney-work product. See O.C.G.A. § 50-18-72(a)(1)-(4), (20) (A), (21), (25)(A), (34), (41), (42), and (44); O.C.G.A. § 21-2-225; and O.C.G.A. § 21-2-379.24. I will send the invoices in just a moment.

Stephany Sheriff

Open Records Request Officer

Georgia Secretary of State

Phone: 4705839100



From: Sterling, Gabriel <gsterling@sos.ga.gov>

To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>

Date: 6/21/2021 10:10:00 AM

Subject: Apprenticeships

Ethan,

Here is the basic information on what and how we handle apprenticeships.

We register the following apprentices:

Trades 2 - Cosmetology and Barbers:

- Barber Apprentice
- Cosmetology Apprentice
- Esthetician Apprentice
- Hair Design Apprentice
- Nail Technician Apprentice

Health Care 1 • Dispensing Opticians:

- Dispensing Optician Apprentice

Health Care 1 • Hearing Aid Dealers & Dispenser:

- Hearing Aid Apprentice Dispenser

Trades 3 • Funeral Service:

- Funeral Service Apprentice

All Cosmetology Apprentices:

APPRENTICE REQUIREMENTS: Rule 240-5-.01

1. Cosmetology Apprentice training is on-the-job training in a salon/shop and under the direct supervision of a licensed

master licensee with at least 36 months experience. Barber Apprentice training is on-the-job training in a salon/shop and under the direct supervision of a licensed master barber with at least 18 months experience.

2. Each master barber, cosmetologist, esthetician, hair designer, or nail technician licensee in a salon/shop may train only

one (1) apprentice at a time.

3. Any person at least 16 years of age may qualify to train as an apprentice.

4. Apprentice hours are accumulated according to the actual number of hours of performance and training.

Apprentice

hours are subtotaled 1st of January, the 1st of April, and the 1st of September. Hours reported will be kept on file by the salon/shop owner or manager for inspector review.

The salon/shop owner and master level trainer are responsible for submitting the apprentice hours after the apprentice has completed the hours or is no longer apprenticing under the current master level trainer.

DO NOT SUBMIT DAILY LOGS, ONLY THE ACTUAL TRANSCRIPT.

5. Any individual serving as an apprentice in a beauty shop, beauty salon, or barber shop shall take the theory portion of

the examination provided for in Code Section 43-10-9 within the first 12 months of his or her apprenticeship. It is the master's responsibility to properly complete and submit a transcript for the required theory hours so that the apprentice may receive their letter of eligibility for the theory examination. Per O.C.G.A. § 43-10-13(c).

6. Upon completion of the required hours within the appropriate minimum months of training, it is the apprentice's responsibility to obtain and submit an application for examination and/or licensure. Examinations will be administered only by PSI. If you have previously passed your theory examination within the first 12 months of your training, you will only need to register for the practical examination. Contact PSI about the examinations, fee, dates, locations, exam content and grades notifications using one of the following:

- Online 24/7 at www.psiexams.com or by phone 24/7 at (855) 744-0314.

• PSI Registrar at (855) 744-0314 Monday-Friday 7:30 a.m.-8:00 p.m., Saturday 11:00 a.m. -5:00 p.m. EST.

CREDIT FOR TRAINING HOURS BEGINS WHEN THE APPRENTICE LICENSE IS ISSUED,
NOT WHEN THE APPLICATION IS MAILED TO THE BOARD OFFICE.

APPRENTICE TRAINING:

1. The apprentice will receive a certificate of registration for a period of four (4) years. THERE ARE NO RENEWALS OF THE 4-YEAR APPRENTICE LICENSE; only a current 2-year Apprentice may renew for \$90. If the apprentice is changing a master, or salon/shop location, or if the salon/shop where the apprentice is working has a change in its license status, the apprentice must submit a salon/shop change application.
2. Upon the expiration of the last certificate of registration issued, such apprentice shall not be permitted to practice the occupation in any way until he or she obtains his or her license.
3. Hours can only be obtained during the period of time that the apprentice is licensed.

Dispensing Optician Apprentice:

Rule 420-8-.01 Practical Training and Experience

In order to be admitted to the examination pursuant to that provision of O.C.G.A. § 43-29-7(b)(4) which provides "practical training and experience of a grade and character satisfactory to the Board for not less than two years under the supervision of a dispensing optician, a licensed physician, or a licensed optometrist: Provided, however, that any time spent in a recognized school shall be considered as a part of the apprenticeship period provided herein", the applicant must submit documentation to the Board with his/her application to establish the satisfaction of such provisions, the satisfaction of which will be determined under the following standards:

- (a) Effective July 1, 2008, any person wishing to qualify under the apprenticeship statute shall make application to register with the Board prior to beginning the apprenticeship along with the application fee as determined by the Board. The registration shall identify the supervising licensed physician, licensed optometrist, or licensed dispensing optician and the mailing address and telephone number of the primary location where the apprenticeship training shall occur; provided, however, that in addition to the primary location, such training may be furnished at other locations under proper supervision.
- (b) "Practical training and experience of a grade and character satisfactory to the Board for not less than two years" means two (2) calendar years and shall include, at a minimum, 3,000 hours experience engaged in apprenticeship functions and studies which shall include (but not be limited to) instruction in ophthalmic optics, optical laboratory materials and techniques, eye anatomy and physiology, related laws and regulations, ophthalmic dispensing theory and application, and basic contact lens theory.
- (c) Instruction may also be evidenced by certificates from recognized schools of opticianry with the Georgia Department of Technical and Adult Education or formal home study programs through the Career Progression Program with the National Academy of Opticianry or other programs approved in advance by the Board.
- (d) "Under the supervision of a licensed dispensing optician, licensed physician or a licensed optometrist" means that the appropriate licensed practitioner(s) must be on the premises where the practical training and experience is being acquired for every hour of apprenticeship sought to be considered in fulfillment of this requirement.
- (e) There may be no more than three (3) apprentices under a supervising sponsor at any given time. Apprentices must cause a current supervising sponsor to submit to the Board in writing that they are no longer the apprentices sponsor, and the reason for the disassociation in order for an apprentice to obtain a new supervising sponsor.

In order for an apprentice's hours earned under a prior supervising sponsor to be counted, the apprentice must cause the prior supervising sponsor to sign off on a board approved form to be submitted with the application for licensure.

The forms for supervising sponsors are available on the Board's website, www.sos.ga.gov/plb/opticians .

- (f) Upon completion by the applicant, such training and experience shall be certified by the supervising licensed dispensing optician, licensed physician or licensed optometrist to the board.
- (g) Applicants who have received practical training and experience in the trade or occupation of dispensing optician prior to July 1, 2008, shall receive credit toward the practical training and experience requirements if they register with the board in accordance with the provisions of this rule no later than August 31, 2008 and such training and experience is deemed satisfactory by the board.

(h) The date that the application is received by the Georgia State Board of Dispensing Opticians will designate the actual commence date of the apprenticeship pending approval of the application.

Hearing Aid Apprentice Permit

Rule 276-9-.01 Apprentice Permit

(1) In order to apply for a hearing aid apprentice permit, the applicant shall:

- (a) Submit an Application for a Hearing Aid Apprenticeship Permit and the required fee;
- (b) Submit a "Statement of Supervision" from the licensed Georgia hearing aid dispenser who will supervise the apprentice permit holder's practice;
- (c) Submit a "Statement of Supervision" from the licensed Georgia hearing aid dealer who will employ the apprentice permit holder, supervise the apprentice permit holder and who can attest that the applicant is capable of making the tests and applying the techniques required to dispense hearing aids in accordance with OCGA 43-20;
- (d) Submit proof of age as confirmed in a secure and verifiable document, as defined in Code Section 50-36-2;
- (e) Submit proof of passage of the practical portion of the examination required for a license to dispense hearing aids.

(2) Upon approval of the application, a non-renewable apprentice permit will be issued for a period of one (1) year. A non-renewable, one-year apprentice permit allows the permit holder to practice while in an apprenticeship and under the supervision of a licensed dispenser.

(a) The applicant may request delay in issuance of the apprentice permit for good cause shown, and the granting, or denial, of such request is within the discretion of the Board. The holder of an apprentice permit may request a stay of the effective period of the permit for good cause shown, and the granting, or denial, of such request is within the discretion of the Board.

(b) Every apprentice permit holder shall be approved to sit for the next available written exam and every subsequent scheduled examination until all sections of the written exam are passed, or the permit expires or is revoked by the Board. The board shall have the power to revoke a permit without a hearing if the holder of an apprentice dispenser permit fails to pass the written portion of the examination on two occasions.

(3) An apprentice permit holder shall be at all times the permit is in force in an "apprenticeship" under the indirect supervision of a Georgia licensed hearing aid dispenser. Adequate supervision by a Georgia licensed hearing aid dispenser shall include, but not be limited to, the following:

(a) Indirect supervision means the Georgia licensed hearing aid dispenser responsible for the apprentice permit holder's supervision is, at a minimum, accessible by telephone during working hours and must be readily available to the apprentice permit holder for direction, guidance and instruction;

(b) The supervising Georgia licensed hearing aid dispenser shall be in face-to-face contact for a minimum of eight (8) hours during the apprentice permit holder's work week. The onsite contacts shall include, but are not be limited to, a documented review by the supervisor of all paperwork prepared, and the direct observation of testing procedures by the apprentice permit holder;

(c) Both supervisors and supervisees are required to maintain a contemporaneous record of the date, duration and a brief summary of the pertinent activity for each supervision session to be submitted to the Board upon request. At any time the Board has the right to request documentation of supervision.

(d) While under indirect supervision of a Georgia licensed hearing aid dispenser, an apprentice permit holder may engage in the practice of dispensing of hearing aid devices.

(4) There may be no more than two (2) apprentice permit holders under a supervising Georgia licensed hearing aid dispenser at any given time. Apprentice permit holders must cause a current supervising Georgia licensed hearing aid dispenser to submit to the Board in writing that they are no longer the apprentice permit holder's supervisor, and the reason for the disassociation in order for an apprentice permit holder to obtain a new supervising Georgia licensed hearing aid dispenser.

(5) All apprentice permit holders must be identified as such by name tags. Dealers employing apprentice permit holders shall post office signage indicating apprentice permit holders are present and may be involved in the fitting and dispensing of hearing aid devices.

Rule 276-9-.02 Training Permit

(1) In order to apply for a hearing aid training permit, the applicant shall:

- (a) Submit an Application for a Hearing Aid Training Permit and the required fee;
- (b) Submit a "Statement of Supervision" from the licensed Georgia hearing aid dispenser who will supervise the training permit holder's practice;
- (c) Proof of Age as confirmed in a secure and verifiable document, as defined in Code Section 50-36-2.

(2) Once approved and issued, the training permit shall authorize the person to dispense hearing aids only under

"DIRECT SUPERVISION AND IMMEDIATE OBSERVATION" of a Georgia licensed hearing aid dispenser who shall be responsible for trainee's compliance with this chapter. Adequate supervision by a Georgia licensed hearing aid dispenser shall include, but not be limited to, the following:

- (a) Direct supervision means the Georgia licensed hearing aid supervising dispenser shall be physically present with the training permit holder at all times in the Georgia licensed dealership.
- (b) A training permit is issued only for a six (6) month period and may be renewed as often as necessary for subsequent six (6) month time periods so long as the requirements for issuance of permits are met for each renewal. In order to renew a training permit, the permit holder must submit an application for a training permit indicating renewal and the required fee.
- (c) Both supervisors and supervisees are required to maintain a contemporaneous record of the dates, duration, type and a brief summary of the pertinent activity of the supervision to be submitted to the Board upon request. At any time the Board has the right to request documentation of supervision.
- (d) While under the direct supervision and immediate observation of a Georgia licensed hearing aid dispenser, a training permit holder may engage in the practice of dispensing of hearing aid devices.
- (3) In order to become a licensed Hearing Aid Dispenser the holder of a training permit must pass all portions of the practical and written examinations required for licensure.
- (4) The holder of a training permit may apply for an apprentice permit at any time pursuant to Board rule 276-9-.01, however, both permits cannot be held at the same time.
- (5) There may be no more than one (1) training permit holder under a supervising Georgia licensed hearing aid dispenser at any given time. Training permit holders must cause a current supervising Georgia licensed hearing aid dispenser to submit to the Board in writing that they are no longer the training permit holder's supervisor, and the reason for the disassociation in order for a training permit holder to obtain a new supervising Georgia licensed hearing aid dispenser.
- (6) All training permit holders must be identified as such by name tags. Dealers employing training permit holders shall post office signage indicating training permit holders are present and may be involved in the fitting and dispensing of hearing aid devices.

Funeral Service Apprentice

INSTRUCTIONS FOR APPLICANTS

FOR INITIAL REGISTRATION OR ANY CHANGE IN LOCATION OR SUPERVISOR

RULE 250-4

Before filing an application for registration as a Funeral Service Apprentice, you are encouraged to review Board Rule Chapter 250-4, which details specifically the requirements for apprenticeship.

View the Rule at www.sos.ga.gov. FEE Refer to fee schedule. Application fees are non-refundable. Make payment by check or money

order to Georgia State Board of Funeral Service. AGE You must be 18 years of age on the date that the Board receives your application.

EDUCATION

At minimum, high school graduation or GED - You must attach a copy of your high school diploma, GED Certificate, or college diploma to this application. If not available, submit a notarized statement from Board of Education or College Dean.

APPRENTICESHIP DETAILS

DATE OF REGISTRATION:

Your apprenticeship period begins as of the date that your application is approved by the Board. Only fully completed applications will be reviewed by the Board. Incomplete applications will result in application processing delays.

REQUIRED HOURS:

3120 hours (equivalent to 18 months of full-time service). No more than 40 hours may be credited per week. If the apprenticeship is served while the apprentice is also enrolled in Mortuary School, no more than 20 hours per week may be credited (4 hours per day).

TERM OF SERVICE:

A minimum of 18 months. The apprenticeship registration, which is valid for up to two (2) years, expires on March 31 of even years, and may be renewed two (2) times. The 18 month requirement is in addition to the time required to graduate from a college of funeral service or other college.

SUPERVISION: An apprentice must serve at a Board-approved establishment and under a Board-approved embalmer and funeral director.

REPORTS: An apprentice must complete report forms and submit those to the Board every six (6) months. It is the responsibility of the apprentice to maintain records of service.

CHANGES: A change in supervising embalmer or director, or change in establishment requires submission of an application noting such and review / approval by the Board. You will not be credited for hours served under changed circumstances without prior board approval.

If further information is needed, we can follow up with the Executive Directors in each Trade for assistance.

Hope this gives you a decent starting point.

Gabriel Sterling
COO/CFO
Interim Director, Professional Licensing Board
Georgia Secretary of State
Phone: 470-312-2700
Cell: 404-615-9337



From: Germany, Ryan <rgermany@sos.ga.gov>
To: Stiles, EthanEthan.Stiles@senate.ga.gov
Date: 8/3/2021 8:12:01 AM
Subject: Re: SEB cases - Request from Senator Dugan *** External Email ***

Ethan- those numbers where you have x's were in Frances's email that I forwarded to you. AGs office only gets things that are referred to them so they wouldn't have a full count.

—
Ryan Germany
678-672-9230

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Tuesday, August 3, 2021 3:50:48 AM
To: Germany, Ryan <rgermany@sos.ga.gov>
Cc: Teasley, Sam <samteasley@sos.ga.gov>
Subject: RE: SEB cases - Request from Senator Dugan *** External Email ***

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hey All•

To start, I greatly appreciate Francis and his team of investigators efforts to go through their larger-than-normal load and procure this information for the caucus. I do have a few questions regarding total counts and referrals •some of which I alluded to in a previous email.

I am wanting to correctly catalog all actions, or potential actions, of the total 165 case count in year-to-September SEB meetings. I wrote a preferred format in the attachment I sent via email •basically I just want all listed fields to come to the 165 total.

It also seems that the AG's office has a different case count than Francis. Any thoughts on this?

--E

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304



From: Germany, Ryan <rgermany@sos.ga.gov>
Sent: Monday, August 2, 2021 8:29 PM
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Cc: Teasley, Sam <samteasley@sos.ga.gov>
Subject: FW: SEB cases - Request from Senator Dugan *** External Email ***

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Ethan,

See below review of November 2020 investigations from our Chief Investigator. They have already presented 289 cases to the State Election Board in the first 4 meetings this year. Secretary Raffensperger wanted to make sure that all older cases were cleared so the board heard a lot of older cases before November 2020 so that they could be ready to respond to 2020 complaints.

There were 252 investigations opened regarding the November 2020 election. 165 have already been presented to the State Election Board or will be in the August and September meetings. Of those, 29 have been referred by the to the Attorney General's office for prosecution and another 41 will have that recommendation in the next two meetings. Keep in mind that those violations include cases where counties did not follow the law as well as individuals. There are 87 cases regarding the November election that are still being worked and completed.

One of the cases that will be presented at the September meeting regards some of the things that have been in the news re. Fulton County. Our investigators found some violations, but I will tell you confidentially that many of the allegations were not substantiated. For example, when our investigator reviewed the batch of ballots that Suzi Voyles said contained "pristine ballots," he did not see anything like she described in her interview with the investigator.

Hope this is helpful. Let me know if you have any follow up questions.

Thanks,
Ryan

We

--

C. Ryan Germany
Georgia Secretary of State
Direct: 470-312-2808
Cell: 678-672-9230
rgermany@sos.ga.gov



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From: Watson, Frances <fwatson@sos.ga.gov>
Sent: Monday, August 2, 2021 2:59 PM

To: Germany, Ryan <rgermany@sos.ga.gov>
Subject: RE: SEB cases - Request from Senator Dugan

Ryan

My rough numbers are:

Thus far this year we have presented to the State Election Board already 289 cases in the first 4 meetings. More than any other year, with an additional 88 on agenda for August and Sept.

For the cases related to the November election we have:

29 cases that have been referred to the AG
32 Dismissed
17 Letter of Instruction

(next two meetings)

41 recommendations for referral to the AG
38 recommended for Dismissal- no violation substantiated
9 recommendations for Letter of Instruction-

I showed a total of 252 cases that were opened for the Nov election leaving 87 that are still in the process of being worked and completed.

I would like to say that our team of investigators have worked very hard on these cases as well as continuing to work the June, August, September, and January election complaints (not included in these numbers) as well as the complaints that we are responsible for from the Professional Licensing Boards, and our other assigned task such as election monitoring, Inspections, and Ballot runs. They have continued to display professionalism even while being called names and criticized. Our team of 20 investigators include those that are budgeted for PLB investigations with 2 that are budgeted for SEB. We have utilized all our resources in the investigation of these cases regardless of assignment as we recognize these as a priority.

Frances Watson
Chief Investigator
Investigations Division
Georgia Secretary of State
Main: 470-312-2774
Cell: 404-683-3226



From: Germany, Ryan <rgermany@sos.ga.gov>
Sent: Monday, August 2, 2021 2:01 PM
To: Teasley, Sam <samteasley@sos.ga.gov>; Sterling, Gabriel <gsterling@sos.ga.gov>; Watson, Frances <fwatson@sos.ga.gov>
Cc: Horvath, Abigail <ahorvath@sos.ga.gov>; Watson, Frances <fwatson@sos.ga.gov>
Subject: Re: SEB cases - Request from Senator Dugan

That's what Ethan asked me for and Frances was working on it. She send me something this morning but I haven't looked at it yet. Tell him it was already in progress from Ethan's request and they should have something shortly. Hopefully today. Tomorrow at the latest.

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Ryan Germany
678-672-9230

From: Teasley, Sam <samteasley@sos.ga.gov>
Sent: Monday, August 2, 2021 1:57 PM
To: Germany, Ryan; Sterling, Gabriel; Watson, Frances
Cc: Horvath, Abigail
Subject: SEB cases - Request from Senator Dugan

Good afternoon. Majority Leader Dugan stopped by the office this afternoon. He asked me to pass on the following request:

Can he get a breakdown of 2020 election SEB cases and their status? They have a caucus meeting this coming Wednesday. Essentially, what he'd like is something like this (as an example) - there have 207 cases regarding the 2020 election, 92 of them have been dismissed for no findings, 75 have been referred to the AG's office, 30 have been given a letter of instruction, and 10 were referred a district attorney.

He wants to be able to update the caucus on the action being taken • in part to calm those that say, • nothing is happening. •

Is this something we can provide to him before Wednesday?

Sam Teasley
Office of Secretary of State

From: Germany, Ryan <rgermany@sos.ga.gov>
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Date: 8/2/2021 8:29:18 PM
Subject: FW: SEB cases - Request from Senator Dugan

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To: Sterling, Gabriel <gsterling@sos.ga.gov>
Teasley, Sam <samteasley@sos.ga.gov>
Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Kirkpatrick, Kay <Kay.Kirkpatrick@senate.ga.gov>

Date: 4/16/2021 4:42:56 PM

Subject: RE: Senate District # 32 Questions RE : SB 202

See below for my thoughts on these questions.

1. Please discuss your thoughts on the need for the governor to sign SB 202 into law on the end of the same day the bill cleared the legislature? (i.e. It is rare that a bill in Georgia moved so quickly even as changes were being made, legislators were not sure on what they were voting.)

- This was one of the most discussed issues in the entire session in both chambers, so I don't think it's fair to say legislators didn't know what they were voting on.

2. Please discuss the fiscal impact of implementing the changes required by this law? (i.e. who will cover the costs?) Will these be paid for from state taxes/ state revenue or county by county based on population? : .Are there thoughts to what will happen if some economically challenged counties cannot comply?

- I don't think the fiscal impact will be that large. The only thing that will really have an increased cost is security paper, and that is something that we were probably going to do anyway.

3. Please discuss what the legislature envisions as allowable costs for :

A. Cost of overtime for election workers to work -overtime until all ballots are processed? ••This already occurs. This won't be an increased cost. There will probably be less overtime because the legislature codified early scanning.

B. Cost of special paper for ballot readers.?

(I understand the special paper requirement was due to one witness stating she did not think a paper ballot "felt right ". Yet experts state the ballot scanners do not differentiate between this special paper & the paper currently in use.

- This will be an increased cost but again one that we were probably going to do anyway. Security paper can be distinguished from paper that doesn't have those security requirements, so not sure what experts she's referring to.

4. Can you please discuss the education plan/ and funding to inform voters of changes in law? Specifically :

A. How to obtain state approved ID if you do not have Georgia, Driver's license B. The new deadlines /time period for absentee ballot request.

C. The disqualification of provisional votes .

D. the process for notifications for new voting districts.

- We are working on an education/voter outreach plan for the new parts of the law and will roll that out before next year's elections.

--

C. Ryan Germany
Georgia Secretary of State
Direct: 470-312-2808
Cell: 678-672-9230
rgermany@sos.ga.gov



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read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by e-mail and delete all copies of the message.

From: Sterling, Gabriel <gsterling@sos.ga.gov>
Sent: Thursday, April 15, 2021 4:15 PM
To: Teasley, Sam <samteasley@sos.ga.gov>; Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Cc: Germany, Ryan <rgermany@sos.ga.gov>
Subject: RE: Senate District # 32 Questions RE : SB 202

AT the state level, it is as yet unclear as we are still reviewing the full impact of the law and what this office has to do to implement it.

Further, county costs are their costs. The state has already absorbed millions of dollars of costs for the implementation for counties, especially when compared to other states. The security paper difference is only being changed for absentee ballots as security paper is already required for BMDs and the cost is locked in for counties through the statewide voting system contract at \$0.14 per sheet.

From: Teasley, Sam <samteasley@sos.ga.gov>
Sent: Thursday, April 15, 2021 3:50 PM
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Cc: Germany, Ryan <rgermany@sos.ga.gov>; Sterling, Gabriel <gsterling@sos.ga.gov>
Subject: Re: Senate District # 32 Questions RE : SB 202

Copying Ryan as the email address used might not have gotten to him and Gabriel Sterling, our COO.

Sam Teasley
Office of Secretary of State

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Wednesday, April 14, 2021 2:19:08 PM
To: Teasley, Sam <samteasley@sos.ga.gov>
Cc: ryan.germany@sos.ga.gov <ryan.germany@sos.ga.gov>
Subject: FW: Senate District # 32 Questions RE : SB 202

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See quoted • any insight?

--E

From: ethanstiles21 <[REDACTED]>
Sent: Wednesday, April 14, 2021 11:13 AM
To: sam.teasley@sos.ga.gov
Cc: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>; ryan.germany@sos.ga.gov
Subject: FW: Senate District # 32 Questions RE : SB 202

Sam and Ryan--

Any ideas yet on what the fiscal impact of SB 202 will be?

Best--
Ethan Stiles

----- Original message -----

From: "Kirkpatrick, Kay" <Kay.Kirkpatrick@senate.ga.gov>

Date: 4/14/21 10:59 AM (GMT-05:00)

To: [REDACTED]

Subject: FW: Senate District # 32 Questions RE : SB 202

I need to be able to answer the questions below about the fiscal impact of the bill.

Senator Kay Kirkpatrick, M.D.
District 32
Coverdell Legislative Office Building
Suite 324-A
18 Capitol Square SW
Atlanta, Ga 30334
404-656-3932

-----Original Message-----

From: Donna Court <[REDACTED]>

Sent: Tuesday, April 13, 2021 9:46 PM

To: Kirkpatrick, Kay <Kay.Kirkpatrick@senate.ga.gov>

Subject: Senate District # 32 Questions RE : SB 202

Dear Dr Kirkpatrick

Thankyou for agreeing to meet this week. Friday 4/16/21 at -10am.

If you wish me to forward the zoom e-vite to this address please advise or provide your preferred e-mail , and I will send it with our group e-vite . (Ibelieve 3 other constituents may join on call) Many citizens have concerns regarding SB 202.

I am so happy you kept your word and did not support the original bill which would have demolished " NO EXCUSE " absentee voting.. Thank you. Thankyou. Thankyou.

Conversations lead to collaboration.

My hope is that discussion of the following four points will start positive conversations and collaboration:

1. Please discuss your thoughts on the need for the governor to sign SB 202 into law on the end of the same day the bill cleared the legislature? (i.e. It is rare that a bill in Georgia moved so quickly even as changes were being made, legislators were not sure on what they were voting.) 2. Please discuss the fiscal impact of implementing the changes required by this law ?

(i.e. who will cover the costs ?) Will these be paid for from state taxes/ state revenue or county by county based on population ? : .Are there thoughts to what will happen if some economically challenged counties cannot comply ?

3. Please discuss what the legislature envisions as allowable costs for :

A. Cost of overtime for election workers to work -overtime until all ballots are processed?

B. Cost of special paper for ballot readers.?

(I understand the special paper requirement was due to one witness sting she did not think a paper ballot"felt right ". Yet experts state the ballot scanners do not differentiate between this special paper & the paper currently in use.

4. Can you please discuss the education plan/ and funding to inform voters of changes in law ? Specifically :
- A. How to obtain state approved ID if you do not have Georgia, Driver's license
 - B. The new deadlines /time period for absentee ballot request.
 - C. The disqualification of provisional votes .
 - D. the process for notifications for new voting districts.

Lastly , as a woman, a wife, a mother and a physician, I know that you understand what it means to care. Also as a COVID survivor, (emphasis on survivor), you know what it is to deal with this beast of a disease, cCOVID-19. The sociological, mental and fiscal disruptions will continue to ripple through our society.I appreciate you being bold to take a stand when history has its eyes on Georgia, Most Sincerely, your constituent, Donna Court, MN RN CCM District #32

[REDACTED]

[REDACTED]

From: Teasley, Sam <samteasley@sos.ga.gov>
To: Blake Tilleryblake@tilleryfirm.com
Miller, ButchButch.Miller@senate.ga.gov
Dugan, MikeMike.Dugan@senate.ga.gov
Date: 3/23/2021 1:24:44 PM
Subject: Fiscal Note: HB 410
Attachments: HB 410 Fiscal Note LC 41 2899.pdf

I was able to get a fiscal note for the Bingo Bill - HB 410

Sam Teasley
Office of Secretary of State

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
To: Teasley, Samsamteasley@sos.ga.gov
Date: 7/13/2021 8:48:16 AM
Subject: RE: Questions RE: Elections

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Also looping in Jordan Watson from the AGs office.

Jordan, you may be able to answer two questions below. Do you know the status of pieces in your office?

Thanks!

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: [404-463-1304](tel:404-463-1304)

----- Original message -----
From: "Stiles, Ethan" <Ethan.Stiles@senate.ga.gov>
Date: 7/12/21 6:10 PM (GMT-05:00)
To: samteasley@sos.ga.gov
Cc: "Sterling, Gabriel" <gsterling@sos.ga.gov>
Subject: Questions RE: Elections

Sam and Gabe•

Need some help consolidating some information. Do you have the following readily available?

- < How many consent cases were submitted to the SBOE in from the 2020 election cycle?
- < How many consent cases became consent orders and were given to the AG's office?
- < How many consent orders have been reviewed and acted upon by the AG?
- < How many case redactions have been made?
- < Sec Raffensperger took action against the Fulton County BOE •what specific action did he take?

Thank you for any and all help you can provide re: this information.

--E

Best
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan

Office: 404-463-1304



www.senate.ga.gov

From: Sterling, Gabriel <gsterling@sos.ga.gov>
To: Teasley, Sam <samteasley@sos.ga.gov>
Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Date: 4/15/2021 4:15:00 PM
Subject: RE: Senate District # 32 Questions RE : SB 202

AT the state level, it is as yet unclear as we are still reviewing the full impact of the law and what this office has to do to implement it.

Further, county costs are their costs. The state has already absorbed millions of dollars of costs for the implementation for counties, especially when compared to other states. The security paper difference is only being changed for absentee ballots as security paper is already required for BMDs and the cost is locked in for counties through the statewide voting system contract at \$0.14 per sheet.

From: Teasley, Sam <samteasley@sos.ga.gov>
Sent: Thursday, April 15, 2021 3:50 PM
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Cc: Germany, Ryan <rgermany@sos.ga.gov>; Sterling, Gabriel <gsterling@sos.ga.gov>
Subject: Re: Senate District # 32 Questions RE : SB 202

Copying Ryan as the email address used might not have gotten to him and Gabriel Sterling, our COO.

Sam Teasley
Office of Secretary of State

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Wednesday, April 14, 2021 2:19:08 PM
To: Teasley, Sam <samteasley@sos.ga.gov>
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From: ethanstiles21 <[REDACTED]>
Sent: Wednesday, April 14, 2021 11:13 AM
To: sam.teasley@sos.ga.gov
Cc: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>; ryan.germany@sos.ga.gov
Subject: FW: Senate District # 32 Questions RE : SB 202

Sam and Ryan--

Any ideas yet on what the fiscal impact of SB 202 will be?

Best--
Ethan Stiles
[REDACTED]

----- Original message -----

From: "Kirkpatrick, Kay" <Kay.Kirkpatrick@senate.ga.gov>

Date: 4/14/21 10:59 AM (GMT-05:00)

To: [REDACTED]

Subject: FW: Senate District # 32 Questions RE : SB 202

I need to be able to answer the questions below about the fiscal impact of the bill.

Senator Kay Kirkpatrick, M.D.
District 32
Coverdell Legislative Office Building
Suite 324-A
18 Capitol Square SW
Atlanta, Ga 30334
404-656-3932

-----Original Message-----

From: Donna Court <[REDACTED]>

Sent: Tuesday, April 13, 2021 9:46 PM

To: Kirkpatrick, Kay <Kay.Kirkpatrick@senate.ga.gov>

Subject: Senate District # 32 Questions RE : SB 202

Dear Dr Kirkpatrick

Thankyou for agreeing to meet this week. Friday 4/16/21 at -10am.

If you wish me to forward the zoom e-vite to this address please advise or provide your preferred e-mail , and I will send it with our group e-vite . (Ibelieve 3 other constituents may join on call) Many citizens have concerns regarding SB 202.

I am so happy you kept your word and did not support the original bill which would have demolished " NO EXCUSE " absentee voting.. Thank you. Thankyou. Thankyou.

Conversations lead to collaboration.

My hope is that discussion of the following four points will start positive conversations and collaboration:

1. Please discuss your thoughts on the need for the governor to sign SB 202 into law on the end of the same day the bill cleared the legislature? (i.e. It is rare that a bill in Georgia moved so quickly even as changes were being made, legislators were not sure on what they were voting.) 2. Please discuss the fiscal impact of implementing the changes required by this law ?

(i.e. who will cover the costs ?) Will these be paid for from state taxes/ state revenue or county by county based on population ? : .Are there

thoughts to what will happen if some economically challenged counties cannot comply ?

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B. Cost of special paper for ballot readers.?

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4. Can you please discuss the education plan/ and funding to inform voters of changes in law ? Specifically :

A. How to obtain state approved ID if you do not have Georgia, Driver's license B. The new deadlines /time

GA-SOS-21-0312-A-000021

period for absentee ballot request.

C. The disqualification of provisional votes .

D. the process for notifications for new voting districts.

Lastly , as a woman, a wife, a mother and a physician, I know that you understand what it means to care. Also as a COVID survivor, (emphasis on survivor), you know what it is to deal with this beast of a disease, cCOVID-19. The sociological, mental and fiscal disruptions will continue to ripple through our society.I appreciate you being bold to take a stand when history has its eyes on Georgia, Most Sincerely, your constituent, Donna Court, MN RN CCM District #32

[REDACTED]

[REDACTED]

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
To: Germany, Ryan <rgermany@sos.ga.gov>
Date: 8/3/2021 3:50:48 AM
Subject: RE: SEB cases - Request from Senator Dugan *** External Email ***
Attachments: [Current Status of Elections Allegations.docx](#)

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Hey All•

To start, I greatly appreciate Francis and his team of investigators efforts to go through their larger-than-normal load and procure this information for the caucus. I do have a few questions regarding total counts and referrals • some of which I alluded to in a previous email.

I am wanting to correctly catalog all actions, or potential actions, of the total 165 case count in year-to-September SEB meetings. I wrote a preferred format in the attachment I sent via email • basically I just want all listed fields to come to the 165 total.

It also seems that the AG's office has a different case count than Francis. Any thoughts on this?

--E

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304



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From: Germany, Ryan <rgermany@sos.ga.gov>
Sent: Monday, August 2, 2021 8:29 PM
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Cc: Teasley, Sam <samteasley@sos.ga.gov>
Subject: FW: SEB cases - Request from Senator Dugan *** External Email ***

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Ethan,

See below review of November 2020 investigations from our Chief Investigator. They have already presented 289 cases to the State Election Board in the first 4 meetings this year. Secretary Raffensperger wanted to make sure that all older cases were cleared so the board heard a lot of older cases before November 2020 so that they could be ready to respond to 2020 complaints.

There were 252 investigations opened regarding the November 2020 election. 165 have already been presented to the State Election Board or will be in the August and September meetings. Of those, 29 have been referred by the to the Attorney General's office for prosecution and another 41 will have that recommendation in the next two meetings. Keep in mind that those violations include cases where counties did not follow the law as well as individuals. There are 87 cases regarding the November election that are still being worked and completed.

One of the cases that will be presented at the September meeting regards some of the things that have been in the news re. Fulton County. Our investigators found some violations, but I will tell you confidentially that many of the allegations were not substantiated. For example, when our investigator reviewed the batch of ballots that Suzi Voyles said contained "pristine ballots," he did not see anything like she described in her interview with the investigator.

Hope this is helpful. Let me know if you have any follow up questions.

Thanks,
Ryan

We

--

C. Ryan Germany
Georgia Secretary of State
Direct: 470-312-2808
Cell: 678-672-9230
rgermany@sos.ga.gov



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From: Watson, Frances <fwatson@sos.ga.gov>
Sent: Monday, August 2, 2021 2:59 PM
To: Germany, Ryan <rgermany@sos.ga.gov>
Subject: RE: SEB cases - Request from Senator Dugan

Ryan

My rough numbers are:

Thus far this year we have presented to the State Election Board already 289 cases in the first 4 meetings. More than any other year, with an additional 88 on agenda for August and Sept.

For the cases related to the November election we have:

29 cases that have been referred to the AG
32 Dismissed

17 Letter of Instruction

(next two meetings)

41 recommendations for referral to the AG

38 recommended for Dismissal- no violation substantiated

9 recommendations for Letter of Instruction-

I showed a total of 252 cases that were opened for the Nov election leaving 87 that are still in the process of being worked and completed.

I would like to say that our team of investigators have worked very hard on these cases as well as continuing to work the June, August, September, and January election complaints (not included in these numbers) as well as the complaints that we are responsible for from the Professional Licensing Boards, and our other assigned task such as election monitoring, Inspections, and Ballot runs. They have continued to display professionalism even while being called names and criticized. Our team of 20 investigators include those that are budgeted for PLB investigations with 2 that are budgeted for SEB. We have utilized all our resources in the investigation of these cases regardless of assignment as we recognize these as a priority.

Frances Watson
Chief Investigator
Investigations Division
Georgia Secretary of State
Main: 470-312-2774
Cell: 404-683-3226



From: Germany, Ryan <rgermany@sos.ga.gov>
Sent: Monday, August 2, 2021 2:01 PM
To: Teasley, Sam <samteasley@sos.ga.gov>; Sterling, Gabriel <gsterling@sos.ga.gov>; Watson, Frances <fwatson@sos.ga.gov>
Cc: Horvath, Abigail <ahorvath@sos.ga.gov>; Watson, Frances <fwatson@sos.ga.gov>
Subject: Re: SEB cases - Request from Senator Dugan

That's what Ethan asked me for and Frances was working on it. She send me something this morning but I haven't looked at it yet. Tell him it was already in progress from Ethan's request and they should have something shortly. Hopefully today. Tomorrow at the latest.

.

Ryan Germany
678-672-9230

From: Teasley, Sam <samteasley@sos.ga.gov>
Sent: Monday, August 2, 2021 1:57 PM
To: Germany, Ryan; Sterling, Gabriel; Watson, Frances
Cc: Horvath, Abigail
Subject: SEB cases - Request from Senator Dugan

Good afternoon. Majority Leader Dugan stopped by the office this afternoon. He asked me to pass on the following request:

Can he get a breakdown of 2020 election SEB cases and their status? They have a caucus meeting this coming Wednesday. Essentially, what he'd like is something like this (as an example) - there have 207 cases regarding the 2020 election, 92 of them have been dismissed for no findings, 75 have been referred to the AG's office, 30 have been given a letter of instruction, and 10 were referred a district attorney.

He wants to be able to update the caucus on the action being taken • in part to calm those that say, • nothing is happening. •

Is this something we can provide to him before Wednesday?

Sam Teasley
Office of Secretary of State

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
To: Teasley, Samsamteasley@sos.ga.gov
Date: 7/21/2021 1:43:13 PM
Subject: RE: Questions RE: Elections

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Also pulling in Ryan.

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: [404-463-1304](tel:404-463-1304)

----- Original message -----

From: "Stiles, Ethan" <Ethan.Stiles@senate.ga.gov>
Date: 7/13/21 8:48 AM (GMT-05:00)
To: samteasley@sos.ga.gov
Cc: "Sterling, Gabriel" <gsterling@sos.ga.gov>, jwatson@law.ga.gov
Subject: RE: Questions RE: Elections

Also looping in Jordan Watson from the AGs office.

Jordan, you may be able to answer two questions below. Do you know the status of pieces in your office?

Thanks!

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: [404-463-1304](tel:404-463-1304)

----- Original message -----

From: "Stiles, Ethan" <Ethan.Stiles@senate.ga.gov>
Date: 7/12/21 6:10 PM (GMT-05:00)
To: samteasley@sos.ga.gov

Cc: "Sterling, Gabriel" <gsterling@sos.ga.gov>
Subject: Questions RE: Elections

Sam and Gabe•

Need some help consolidating some information. Do you have the following readily available?

- < How many consent cases were submitted to the SBOE in from the 2020 election cycle?
- < How many consent cases became consent orders and were given to the AG's office?
- < How many consent orders have been reviewed and acted upon by the AG?
- < How many case redactions have been made?
- < Sec Raffensperger took action against the Fulton County BOE --what specific action did he take?

Thank you for any and all help you can provide re: this information.

--E

Best
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304



www.senate.ga.gov

From: Teasley, Sam <samteasley@sos.ga.gov>
To: Stiles, EthanEthan.Stiles@senate.ga.gov
Date: 8/4/2021 10:05:06 AM
Subject: Fwd: SEB cases - Request from Senator Dugan *** External Email ***

Please see below

Sam Teasley
Office of Secretary of State

From: Watson, Frances <fwatson@sos.ga.gov>
Sent: Wednesday, August 4, 2021 10:04 AM
To: Teasley, Sam
Subject: RE: SEB cases - Request from Senator Dugan *** External Email ***

For the cases related to the November election we have:

29 cases that have been referred to the AG
32 Dismissed
17 Letter of Instruction

(next two meetings)
41 recommendations for referral to the AG
38 recommended for Dismissal- no violation substantiated
9 recommendations for Letter of Instruction-

I believe the math comes to 166

Let me know if I can pull any other information

Frances Watson
Chief Investigator
Investigations Division
Georgia Secretary of State
Main: 470-312-2774
Cell: 404-683-3226



From: Moghimi, Madeleine <Madeleine.Moghimi@house.ga.gov>

To: Horvath, Abigailahorvath@sos.ga.gov

Aileen Nakamura aileen@abney.us

Alan Sunshine [REDACTED]

Alice Croft [REDACTED]

Andre Fields andre@fairfightaction.com

Andrew Lewis [REDACTED]

Anita Jones aljones01@etcmail.com

Annette Davis Jackson annettedjackson@yahoo.com

Anthony [REDACTED]

Becky Arrington becky@arringtonassoc.com

Bill Wickham [REDACTED]

[REDACTED]

Bryan Tyson <btyson@taylorenghish.com>btyson@taylorenghish.com

Campbell, Jasmine <Jasmine.Campbell@fultoncountygga.gov>Jasmine.Campbell@fultoncounty

[REDACTED]

Charles Holmes chuck.holmes@cdhpartners.com

Cheri Johnson cherij.2018@gmail.com

[REDACTED]

Chris Bridgeway (cridgeway@law.ga.gov)cridgeway@law.ga.gov

Christopher Bruce cbruce@acluga.org

[REDACTED]

cindy battles cbattles@thepeoplesagenda.org

Cindy Martin cindycmartin777@gmail.com

Daniel Carpenter daniel.carpenter@sctmail.org

Daniel Myers daniel@ohioriversouth.com

[REDACTED]

Diane Fisher dfisher@lwvga.org

[REDACTED]

Duesler, Kailyn Kailyn.Duesler@house.ga.gov

Emily Yona emily@impactpublic.com

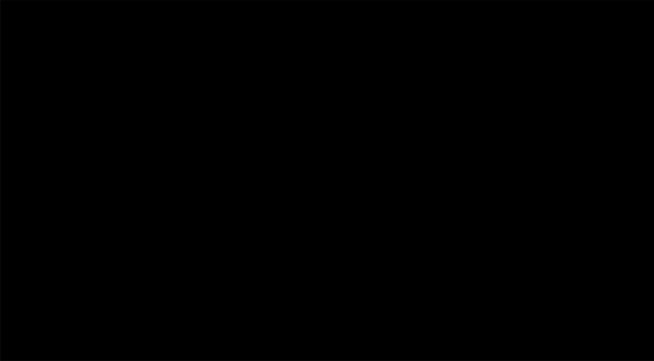
[REDACTED]

Fetzer, ElizabethElizabeth.Fetzer@senate.ga.gov



McCloud, Hayleyhmccloud@sos.ga.gov

HowardHoward@ohioriversouth.com



Joe Mulhollandjmulholland@pacga.org

Joeljoel@ohioriversouth.com



John Cusick jcusick@naacpldf.org



John WatsonJohn@impactpublic.com



Jordan Watsonjwatson@law.ga.gov

Jorge Balbonabalbonag@mac.com

Joseph Kirk kirkj@bartowga.org

Jourdan Readjread@gtla.org

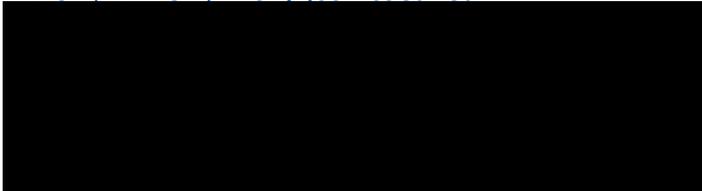


Kat Reiboldtkreiboldt@cokergroup.com



Kelly Menakelly.mena@cnn.com

Kerry Hillkerryhill37@comcast.net



Lanier, JeffJeff.Lanier@legis.ga.gov

[REDACTED]
[Lauren Fralicklauren@georgialink.com](mailto:Lauren.Fralicklauren@georgialink.com)

[REDACTED]
[Loree Anne Paradiseparadise@taylorenghish.com](mailto:Loree.Anne.Paradiseparadise@taylorenghish.com)

[REDACTED]
[Marcia Haginsmarcia.hagins@comcast.net](mailto:Marcia.Haginsmarcia.hagins@comcast.net)

[Marcie Wilhelmimwilhelmi2@icloud.com](mailto:Marcie.Wilhelmimwilhelmi2@icloud.com)

[marijke Kylstra](mailto:marijke.Kylstra) [REDACTED]

[Marilyn Marks Marilyn@USCGG.org](mailto:Marilyn.Marks.Marilyn@USCGG.org)

[Mark Niessemark.niesse@ajc.com](mailto:Mark.Niessemark.niesse@ajc.com)

[Martha Ashworthtravelservices@charter.net](mailto:Martha.Ashworthtravelservices@charter.net)

[REDACTED]
[Nicole Robinsonrobinson@acluga.org](mailto:Nicole.Robinsonrobinson@acluga.org)

[REDACTED]
[Poy Winichakul poy.Winichakul@splcenter.org](mailto:Poy.Winichakul.poy.Winichakul@splcenter.org)

[REDACTED]
[Rick Jasperserick@rickjasperse.org](mailto:Rick.Jasperserick@rickjasperse.org)

[Ronald Ledfordrledford@etcmail.com](mailto:Ronald.Ledfordrledford@etcmail.com)

[Saira Drapersaira@georgiademocrat.org](mailto:Saira.Drapersaira@georgiademocrat.org)

[Teasley, Samsamteasley@sos.ga.gov](mailto:Teasley.Samsamteasley@sos.ga.gov)

[REDACTED]
[Parham, ShalamarShalamar.Parham@house.ga.gov](mailto:Parham.ShalamarShalamar.Parham@house.ga.gov)

[REDACTED]
[Stephen Fowler SFowler@GPB.ORG](mailto:Stephen.Fowler.SFowler@GPB.ORG)

[Susan Edwardswvedwards@knology.net](mailto:Susan.Edwardswvedwards@knology.net)
[REDACTED]



[Vanessa Kellypeanutgallery@newgeorgiaproject.org](mailto:Vanessa.Kellypeanutgallery@newgeorgiaproject.org)

[Vasu Abhiramanvabhiraman@acluga.org](mailto:Vasu.Abhiramanvabhiraman@acluga.org)

[Wendy Hayehayew@lycos.com](mailto:Wendy.Hayehayew@lycos.com)



Date: 3/23/2021 5:54:00 PM

Subject: Special Committee on Election Integrity Meeting Notice

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M E M O R A N D U M

March 23, 2021

TO: SPECIAL COMMITTEE ON ELECTION INTEGRITY COMMITTEE MEMBERS

- Barry Fleming - Chairman
- Alan Powell - Vice Chairman
- Kimberly Alexander
- Shaw Blackmon
- Rhonda Burnough
- Buddy DeLoach
- Demetrius Douglas
- Houston Gaines
- Jan Jones
- Chuck Martin
- Bonnie Rich
- Lynn Smith
- Calvin Smyre
- Rick Williams

FROM: Chairman Barry Fleming
SUBJECT: Special Committee on Election Integrity

DATE: Wednesday, March 24, 2021

TIME: 3:00 PM

PLACE: 606 CLOB

AGENDA:

HR 98 (Representatives Thomas of the 21st, Carson of the 46th, Wade of the 9th, Crowe of the 110th, Cheokas of the 138th)

Congress; avoid any federal action that infringes on the constitutional power of states to manage, control, and administer elections; urge

The Chairman reserves the right to change agenda at his discretion

cc: Clerk's Office
Legislative Counsel

Speaker's Office
Policy Analyst

MADELEINE MOGHIMI | ADMINISTRATIVE ASSISTANT
GEORGIA HOUSE OF REPRESENTATIVES

131 State Capitol | Atlanta, GA 30334
404.656.5105

EMAIL: madeleine.moghimi@house.ga.gov

REPRESENTATIVE James Burchett, DIST 176
Chairman, Judiciary Non-Civil

REPRESENTATIVE Barry Fleming, DIST 121
Chairman, Special Committee on Election Integrity



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From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
To: Teasley, Samsamteasley@sos.ga.gov
Date: 4/14/2021 2:19:08 PM
Subject: FW: Senate District # 32 Questions RE : SB 202

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See quoted • any insight?

--E

From: ethanstiles21 <[REDACTED]>
Sent: Wednesday, April 14, 2021 11:13 AM
To: sam.teasley@sos.ga.gov
Cc: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>; ryan.germany@sos.ga.gov
Subject: FW: Senate District # 32 Questions RE : SB 202

Sam and Ryan--

Any ideas yet on what the fiscal impact of SB 202 will be?

Best--
Ethan Stiles
[REDACTED]

----- Original message -----

From: "Kirkpatrick, Kay" <Kay.Kirkpatrick@senate.ga.gov>
Date: 4/14/21 10:59 AM (GMT-05:00)
To: [REDACTED]
Subject: FW: Senate District # 32 Questions RE : SB 202

I need to be able to answer the questions below about the fiscal impact of the bill.

Senator Kay Kirkpatrick, M.D.
District 32
Coverdell Legislative Office Building
Suite 324-A
18 Capitol Square SW
Atlanta, Ga 30334
404-656-3932

-----Original Message-----

From: Donna Court <[REDACTED]>
Sent: Tuesday, April 13, 2021 9:46 PM
To: Kirkpatrick, Kay <Kay.Kirkpatrick@senate.ga.gov>

Subject: Senate District # 32 Questions RE : SB 202

Dear Dr Kirkpatrick

Thankyou for agreeing to meet this week. Friday 4/16/21 at -10am.

If you wish me to forward the zoom e-vite to this address please advise or provide your preferred e-mail , and I will send it with our group e-vite . (Ibelieve 3 other constituents may join on call) Many citizens have concerns regarding SB 202.

I am so happy you kept your word and did not support the original bill which would have demolished " NO EXCUSE " absentee voting.. Thank you. Thankyou. Thankyou.

Conversations lead to collaboration.

My hope is that discussion of the following four points will start positive conversations and collaboration:

1. Please discuss your thoughts on the need for the governor to sign SB 202 into law on the end of the same day the bill cleared the legislature? (i.e. It is rare that a bill in Georgia moved so quickly even as changes were being made, legislators were not sure on what they were voting.)
2. Please discuss the fiscal impact of implementing the changes required by this law ? (i.e. who will cover the costs ?) Will these be paid for from state taxes/ state revenue or county by county based on population ? : .Are there thoughts to what will happen if some economically challenged counties cannot comply ?
3. Please discuss what the legislature envisions as allowable costs for :
 - A. Cost of overtime for election workers to work -overtime until all ballots are processed?
 - B. Cost of special paper for ballot readers.?
(I understand the special paper requirement was due to one witness sting she did not think a paper ballot"felt right ". Yet experts state the ballot scanners do not differentiate between this special paper & the paper currently in use.
4. Can you please discuss the education plan/ and funding to inform voters of changes in law ? Specifically :
 - A. How to obtain state approved ID if you do not have Georgia, Driver's license
 - B. The new deadlines /time period for absentee ballot request.
 - C. The disqualification of provisional votes .
 - D. the process for notifications for new voting districts.

Lastly , as a woman, a wife, a mother and a physician, I know that you understand what it means to care. Also as a COVID survivor, (emphasis on survivor), you know what it is to deal with this beast of a disease, cCOVID-19. The sociological, mental and fiscal disruptions will continue to ripple through our society.I appreciate you being bold to take a stand when history has its eyes on Georgia, Most Sincerely, your constituent, Donna Court, MN RN CCM District #32

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
To: Watson, Francesfwatson@sos.ga.gov
Date: 8/4/2021 10:04:36 AM
Subject: RE: SEB cases - Request from Senator Dugan *** External Email *** *** External Email ***
Attachments: Current Status of Elections Allegations.docx

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Francis•

See quoted and attached. Can you help me with numbers related to #4 on attached?

Thank you!

--E

From: Germany, Ryan <rgermany@sos.ga.gov>
Sent: Tuesday, August 3, 2021 8:12 AM
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Cc: Teasley, Sam <samteasley@sos.ga.gov>
Subject: Re: SEB cases - Request from Senator Dugan *** External Email *** *** External Email ***

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Ethan- those numbers where you have x's were in Frances's email that I forwarded to you. AGs office only gets things that are referred to them so they wouldn't have a full count.

—
Ryan Germany
678-672-9230

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Tuesday, August 3, 2021 3:50:48 AM
To: Germany, Ryan <rgermany@sos.ga.gov>
Cc: Teasley, Sam <samteasley@sos.ga.gov>
Subject: RE: SEB cases - Request from Senator Dugan *** External Email ***

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Hey All•

To start, I greatly appreciate Francis and his team of investigators efforts to go through their larger-than-normal load

and procure this information for the caucus. I do have a few questions regarding total counts and referrals • some of which I alluded to in a previous email.

I am wanting to correctly catalog all actions, or potential actions, of the total 165 case count in year-to-September SEB meetings. I wrote a preferred format in the attachment I sent via email • basically I just want all listed fields to come to the 165 total.

It also seems that the AG's office has a different case count than Francis. Any thoughts on this?

--E

Best
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304



www.senate.ga.gov

From: Germany, Ryan <rgermany@sos.ga.gov>
Sent: Monday, August 2, 2021 8:29 PM
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Cc: Teasley, Sam <samteasley@sos.ga.gov>
Subject: FW: SEB cases - Request from Senator Dugan *** External Email ***

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Ethan,

See below review of November 2020 investigations from our Chief Investigator. They have already presented 289 cases to the State Election Board in the first 4 meetings this year. Secretary Raffensperger wanted to make sure that all older cases were cleared so the board heard a lot of older cases before November 2020 so that they could be ready to respond to 2020 complaints.

There were 252 investigations opened regarding the November 2020 election. 165 have already been presented to the State Election Board or will be in the August and September meetings. Of those, 29 have been referred by the to the Attorney General's office for prosecution and another 41 will have that recommendation in the next two meetings. Keep in mind that those violations include cases where counties did not follow the law as well as individuals. There are 87 cases regarding the November election that are still being worked and completed.

One of the cases that will be presented at the September meeting regards some of the things that have been in the news re. Fulton County. Our investigators found some violations, but I will tell you confidentially that many of the allegations were not substantiated. For example, when our investigator reviewed the batch of ballots that Suzi Voyles said contained •pristine ballots,•he did not see anything like she described in her interview with the investigator.

Hope this is helpful. Let me know if you have any follow up questions.

Thanks,
Ryan

We

--

C. Ryan Germany
Georgia Secretary of State
Direct: 470-312-2808
Cell: 678-672-9230
rgermany@sos.ga.gov



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From: Watson, Frances <fwatson@sos.ga.gov>
Sent: Monday, August 2, 2021 2:59 PM
To: Germany, Ryan <rgermany@sos.ga.gov>
Subject: RE: SEB cases - Request from Senator Dugan

Ryan

My rough numbers are:

Thus far this year we have presented to the State Election Board already 289 cases in the first 4 meetings. More than any other year, with an additional 88 on agenda for August and Sept.

For the cases related to the November election we have:

29 cases that have been referred to the AG
32 Dismissed
17 Letter of Instruction

(next two meetings)

41 recommendations for referral to the AG
38 recommended for Dismissal- no violation substantiated
9 recommendations for Letter of Instruction-

I showed a total of 252 cases that were opened for the Nov election leaving 87 that are still in the process of being worked and completed.

I would like to say that our team of investigators have worked very hard on these cases as well as continuing to work the June, August, September, and January election complaints (not included in these numbers) as well as the complaints that we are responsible for from the Professional Licensing Boards, and our other assigned task such as election monitoring, Inspections, and Ballot runs. They have continued to display professionalism even while being called names and criticized. Our team of 20 investigators include those that are budgeted for PLB investigations with 2 that are budgeted for SEB. We have utilized all our resources in the investigation of these cases regardless of assignment as we recognize these as a priority.

Frances Watson
Chief Investigator
Investigations Division
Georgia Secretary of State
Main: 470-312-2774
Cell: 404-683-3226



From: Germany, Ryan <rgermany@sos.ga.gov>
Sent: Monday, August 2, 2021 2:01 PM
To: Teasley, Sam <samteasley@sos.ga.gov>; Sterling, Gabriel <gsterling@sos.ga.gov>; Watson, Frances <fwatson@sos.ga.gov>
Cc: Horvath, Abigail <ahorvath@sos.ga.gov>; Watson, Frances <fwatson@sos.ga.gov>
Subject: Re: SEB cases - Request from Senator Dugan

That's what Ethan asked me for and Frances was working on it. She send me something this morning but I haven't looked at it yet. Tell him it was already in progress from Ethan's request and they should have something shortly. Hopefully today. Tomorrow at the latest.

•
Ryan Germany
678-672-9230

From: Teasley, Sam <samteasley@sos.ga.gov>
Sent: Monday, August 2, 2021 1:57 PM
To: Germany, Ryan; Sterling, Gabriel; Watson, Frances
Cc: Horvath, Abigail
Subject: SEB cases - Request from Senator Dugan

Good afternoon. Majority Leader Dugan stopped by the office this afternoon. He asked me to pass on the following request:

Can he get a breakdown of 2020 election SEB cases and their status? They have a caucus meeting this coming Wednesday. Essentially, what he'd like is something like this (as an example) - there have 207 cases regarding the 2020 election, 92 of them have been dismissed for no findings, 75 have been referred to the AG's office, 30 have been given a letter of instruction, and 10 were referred a district attorney.

He wants to be able to update the caucus on the action being taken • in part to calm those that say, • nothing is happening. •

Is this something we can provide to him before Wednesday?

Sam Teasley
Office of Secretary of State

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
To: Watson, Francesfwatson@sos.ga.gov
Date: 8/4/2021 11:08:50 AM
Subject: Draft Document
Attachments: [Current Status of Elections Cases.docx](#)

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Hey All•

Thank you all for the discussions we've had this morning. I am attaching the working draft to this document. Some wordage has changed along with some numbers. Please let me know that these are accurate.

Thanks again!

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304



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From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
To: Teasley, Samsamteasley@sos.ga.gov
Date: 7/26/2021 5:52:39 PM
Subject: RE: Questions RE: Elections *** External Email ***

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Hey All•

I•ve spoken to each person on this thread independently • just wanted to pull everything together. After some discussion, I•m going to outline my understanding of the process of elections allegations and will have revised questions at the end of this.

Allegations are submitted to the Secretary of State•s office, who then deploys investigatory teams for each allegation. Once the fact-finding elements of the investigation are completed, the Secretary sends this information to the State Election Board (SEB). The SEB then decides whether to dismiss a case, send a case to the local district attorney (criminal cases), or send cases to the Attorney General (administrative cases). From there, the AG works with the Office of State Administrative Hearings and creates consent orders accordingly • all of which are taken back up by the SEB. Did I map this correctly?

If so, here are my revised questions:

1. How many elections allegations were submitted to the SOS in the 2020 election cycle?
2. How many elections allegations were reviewed by the SEB in the 2020 election cycle?
3. How many elections allegations were referred to a local district attorney•s office or the attorney general•s office in the 2020 elections cycle?
4. Of those referred to various attorney offices, what is the status of all cases? (still litigating, dropped, etc?)

In short, we are trying to find all related information and see where all elections-related allegations currently sit. Expanding on anything notable, like the Favorito case, would be particularly helpful.

Let me know if I can further clear anything up or if my understanding is incorrect.

Thanks!

--E

From: Teasley, Sam <samteasley@sos.ga.gov>
Sent: Wednesday, July 21, 2021 2:40 PM
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Cc: Sterling, Gabriel <gsterling@sos.ga.gov>; jwatson@law.ga.gov; ryan.germany@sos.ga.gov
Subject: Re: Questions RE: Elections *** External Email ***

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Ethan,

Is there a time we can meet? Either in person or over the phone? Our team wants to get you the answers you need, but need a little more clarification so that we are answering the right questions.

Sam Teasley
Office of Secretary of State

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Wednesday, July 21, 2021 1:43:13 PM
To: Teasley, Sam <samteasley@sos.ga.gov>
Cc: Sterling, Gabriel <gsterling@sos.ga.gov>; jwatson@law.ga.gov <jwatson@law.ga.gov>; ryan.germany@sos.ga.gov <ryan.germany@sos.ga.gov>
Subject: RE: Questions RE: Elections

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Also pulling in Ryan.

Best
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: [404-463-1304](tel:404-463-1304)

----- Original message -----

From: "Stiles, Ethan" <Ethan.Stiles@senate.ga.gov>
Date: 7/13/21 8:48 AM (GMT-05:00)
To: samteasley@sos.ga.gov
Cc: "Sterling, Gabriel" <gsterling@sos.ga.gov>, jwatson@law.ga.gov
Subject: RE: Questions RE: Elections

Also looping in Jordan Watson from the AGs office.

Jordan, you may be able to answer two questions below. Do you know the status of pieces in your office?

Thanks!

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: [404-463-1304](tel:404-463-1304)

----- Original message -----

From: "Stiles, Ethan" <Ethan.Stiles@senate.ga.gov>

Date: 7/12/21 6:10 PM (GMT-05:00)

To: samteasley@sos.ga.gov

Cc: "Sterling, Gabriel" <gsterling@sos.ga.gov>

Subject: Questions RE: Elections

Sam and Gabe•

Need some help consolidating some information. Do you have the following readily available?

- < How many consent cases were submitted to the SBOE in from the 2020 election cycle?
- < How many consent cases became consent orders and were given to the AG's office?
- < How many consent orders have been reviewed and acted upon by the AG?
- < How many case redactions have been made?
- < Sec Raffensperger took action against the Fulton County BOE --what specific action did he take?

Thank you for any and all help you can provide re: this information.

--E

Best

Ethan A. Stiles

Chief of Staff

The Office of the Senate Majority Leader

Senator Mike Dugan

Office: 404-463-1304



www.senate.ga.gov

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
To: Teasley, Samsamteasley@sos.ga.gov
Date: 8/3/2021 3:43:06 AM
Subject: RE: Questions RE: Elections *** External Email ***
Attachments: Current Status of Elections Allegations.docx

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Hey All•

I wanted to follow up to this email. First, I really appreciate the collective efforts of your offices to get this information • I know the caucus greatly appreciates it.

I'm attaching a Word document with a process map and numbers per a series of emails. I do want to point out we have some conflicting numbers • how do we rectify this? The discrepancies I have are around the total action count of the SEB, the number of referrals received by the AG's office, and the total number of actions taken by the AGs office to be taken back up by the SEB board.

See attached and let me know if I can explain further. I will reply to independent threads shortly.

--E

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304



www.senate.ga.gov

From: Stiles, Ethan
Sent: Monday, July 26, 2021 5:53 PM
To: 'Teasley, Sam' <samteasley@sos.ga.gov>
Cc: Sterling, Gabriel <gsterling@sos.ga.gov>; jwatson@law.ga.gov; ryan.germany@sos.ga.gov; 'Travis Johnson' <TJohnson@LAW.GA.GOV>
Subject: RE: Questions RE: Elections *** External Email ***

Hey All•

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Let me know if I can further clear anything up or if my understanding is incorrect.

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Sam Teasley
Office of Secretary of State

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Wednesday, July 21, 2021 1:43:13 PM
To: Teasley, Sam <samteasley@sos.ga.gov>
Cc: Sterling, Gabriel <gsterling@sos.ga.gov>; jwatson@law.ga.gov <jwatson@law.ga.gov>; ryan.germany@sos.ga.gov <ryan.germany@sos.ga.gov>
Subject: RE: Questions RE: Elections

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Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: [404-463-1304](tel:404-463-1304)

----- Original message -----

From: "Stiles, Ethan" <Ethan.Stiles@senate.ga.gov>
Date: 7/13/21 8:48 AM (GMT-05:00)
To: samteasley@sos.ga.gov
Cc: "Sterling, Gabriel" <gsterling@sos.ga.gov>, jwatson@law.ga.gov
Subject: RE: Questions RE: Elections

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Jordan, you may be able to answer two questions below. Do you know the status of pieces in your office?

Thanks!

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: [404-463-1304](tel:404-463-1304)

----- Original message -----

From: "Stiles, Ethan" <Ethan.Stiles@senate.ga.gov>
Date: 7/12/21 6:10 PM (GMT-05:00)
To: samteasley@sos.ga.gov
Cc: "Sterling, Gabriel" <gsterling@sos.ga.gov>
Subject: Questions RE: Elections

Sam and Gabe•

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Best
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304



www.senate.ga.gov

From: Germany, Ryan <rgermany@sos.ga.gov>
To: david.ralston@house.ga.gov <david.ralston@house.ga.gov>
geoff.duncan@ltgov.ga.gov <geoff.duncan@ltgov.ga.gov>
butch.miller@senate.ga.gov <butch.miller@senate.ga.gov>
jan.jones@house.ga.gov <jan.jones@house.ga.gov>
Date: 10/1/2021 3:14:20 PM
Subject: Letter re. State Election Report on accepting and distributing grants
Attachments: Letter to General Assembly from SEB.pdf

Lt. Gov. Duncan, Speaker Ralston, President Pro Tem Jones, and President Pro Tem Miller,

Please see the attached correspondence regarding the report from the State Election Board regarding accepting and distributing grants. SB 202 stated that we were to have a report to the General Assembly due today. Unfortunately, despite actively working on it, it is not yet final. We hope to have it in final form prior to the special session. I regret any inconvenience.

Sincerely,
Ryan

--

C. Ryan Germany
General Counsel and Asst. Commissioner of Securities and Charities
Georgia Secretary of State
Direct: 470-312-2808
Cell: 678-672-9230
rgermany@sos.ga.gov



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From: Teasley, Sam <samteasley@sos.ga.gov>
To: Stiles, EthanEthan.Stiles@senate.ga.gov
Date: 7/21/2021 2:41:10 PM
Subject: Re: Questions RE: Elections

Ethan,

Is there a time we can meet? Either in person or over the phone? Our team wants to get you the answers you need, but need a little more clarification so that we are answering the right questions.

Sam Teasley
Office of Secretary of State

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Wednesday, July 21, 2021 1:43 PM
To: Teasley, Sam
Cc: Sterling, Gabriel; jwatson@law.ga.gov; ryan.germany@sos.ga.gov
Subject: RE: Questions RE: Elections

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Also pulling in Ryan.

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: [404-463-1304](tel:404-463-1304)

----- Original message -----

From: "Stiles, Ethan" <Ethan.Stiles@senate.ga.gov>
Date: 7/13/21 8:48 AM (GMT-05:00)
To: samteasley@sos.ga.gov
Cc: "Sterling, Gabriel" <gsterling@sos.ga.gov>, jwatson@law.ga.gov
Subject: RE: Questions RE: Elections

Alsp looping in Jordan Watson from the AGs office.

Jordan, you may be able to answer two questions below. Do you know the status of pieces in your office?

Thanks!

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304

----- Original message -----

From: "Stiles, Ethan" <Ethan.Stiles@senate.ga.gov>
Date: 7/12/21 6:10 PM (GMT-05:00)
To: samteasley@sos.ga.gov
Cc: "Sterling, Gabriel" <gsterling@sos.ga.gov>
Subject: Questions RE: Elections

Sam and Gabe•

Need some help consolidating some information. Do you have the following readily available?

- < How many consent cases were submitted to the SBOE in from the 2020 election cycle?
- < How many consent cases became consent orders and were given to the AG's office?
- < How many consent orders have been reviewed and acted upon by the AG?
- < How many case redactions have been made?
- < Sec Raffensperger took action against the Fulton County BOE --what specific action did he take?

Thank you for any and all help you can provide re: this information.

--E

Best
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304



www.senate.ga.gov

From: Teasley, Sam <samteasley@sos.ga.gov>
To: Stiles, EthanEthan.Stiles@senate.ga.gov
Date: 4/15/2021 3:50:11 PM
Subject: Re: Senate District # 32 Questions RE : SB 202

Copying Ryan as the email address used might not have gotten to him and Gabriel Sterling, our COO.

Sam Teasley
Office of Secretary of State

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Wednesday, April 14, 2021 2:19:08 PM
To: Teasley, Sam <samteasley@sos.ga.gov>
Cc: ryan.germany@sos.ga.gov <ryan.germany@sos.ga.gov>
Subject: FW: Senate District # 32 Questions RE : SB 202

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See quoted ↔ any insight?

--E

From: ethanstiles21 <[REDACTED]>
Sent: Wednesday, April 14, 2021 11:13 AM
To: sam.teasley@sos.ga.gov
Cc: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>; ryan.germany@sos.ga.gov
Subject: FW: Senate District # 32 Questions RE : SB 202

Sam and Ryan--

Any ideas yet on what the fiscal impact of SB 202 will be?

Best--
Ethan Stiles
[REDACTED]

----- Original message -----

From: "Kirkpatrick, Kay" <Kay.Kirkpatrick@senate.ga.gov>
Date: 4/14/21 10:59 AM (GMT-05:00)
To: [REDACTED]
Subject: FW: Senate District # 32 Questions RE : SB 202

I need to be able to answer the questions below about the fiscal impact of the bill.

Senator Kay Kirkpatrick, M.D.
District 32
Coverdell Legislative Office Building
Suite 324-A
18 Capitol Square SW
Atlanta, Ga 30334
404-656-3932

-----Original Message-----

From: Donna Court <[REDACTED]>
Sent: Tuesday, April 13, 2021 9:46 PM
To: Kirkpatrick, Kay <Kay.Kirkpatrick@senate.ga.gov>
Subject: Senate District # 32 Questions RE : SB 202

Dear Dr Kirkpatrick

Thankyou for agreeing to meet this week. Friday 4/16/21 at -10am.

If you wish me to forward the zoom e-vite to this address please advise or provide your preferred e-mail , and I will send it with our group e-vite . (Ibelieve 3 other constituents may join on call) Many citizens have concerns regarding SB 202.

I am so happy you kept your word and did not support the original bill which would have demolished " NO EXCUSE " absentee voting.. Thank you. Thankyou. Thankyou.

Conversations lead to collaboration.

My hope is that discussion of the following four points will start positive conversations and collaboration:

1. Please discuss your thoughts on the need for the governor to sign SB 202 into law on the end of the same day the bill cleared the legislature?
(i.e. It is rare that a bill in Georgia moved so quickly even as changes were being made, legislators were not sure on what they were voting.)
2. Please discuss the fiscal impact of implementing the changes required by this law ?
(i.e. who will cover the costs ?) Will these be paid for from state taxes/ state revenue or county by county based on population ? : .Are there thoughts to what will happen if some economically challenged counties cannot comply ?
3. Please discuss what the legislature envisions as allowable costs for :
 - A. Cost of overtime for election workers to work -overtime until all ballots are processed?
 - B. Cost of special paper for ballot readers.?
(I understand the special paper requirement was due to one witness sting she did not think a paper ballot"felt right ". Yet experts state the ballot scanners do not differentiate between this special paper & the paper currently in use.
4. Can you please discuss the education plan/ and funding to inform voters of changes in law ? Specifically :
 - A. How to obtain state approved ID if you do not have Georgia, Driver's license
 - B. The new deadlines /time period for absentee ballot request.
 - C. The disqualification of provisional votes .
 - D. the process for notifications for new voting districts.

Lastly , as a woman, a wife, a mother and a physician, I know that you understand what it means to care. Also as a COVID survivor, (emphasis on survivor), you know what it is to deal with this beast of a disease, cCOVID-19. The sociological, mental and fiscal disruptions will continue to ripple through our society.I appreciate you being bold to take a stand when history has its eyes on Georgia, Most Sincerely, your constituent, Donna Court, MN RN CCM District #32
[REDACTED]

From: Murphey, Natalie <Natalie.Murphey@senate.ga.gov>
To: Murphey, NatalieNatalie.Murphey@senate.ga.gov
Date: 1/22/2021 10:59:38 AM
Subject: Veterans Meeting Notice 01/28/21
Attachments: Veterans Meeting Notice 1.28.21.pdf

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Hello all:

Please see the attached meeting notice for the Veterans, Military and Homeland Security Committee. This meeting will take place Thursday, January 28, 2021 at 8:00 AM in room 310 CLOB. Please let me know if you have any questions.

Thank you,



Natalie Murphey | Legislative Assistant
Sen. Brian Strickland, 17th | Chairman, Judiciary
Sen. Kay Kirkpatrick, M.D., 32nd | Chairwoman, Veterans, Military and Homeland Security
Georgia State Senate | 18 Capitol Square, Suite 324 CLOB | Atlanta, GA 30334

404.656.0508 phone | natalie.murphey@senate.ga.gov | www.georgia.gov

From: Germany, Ryan <rgermany@sos.ga.gov>
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Watson, Frances <fwatson@sos.ga.gov>
Date: 8/4/2021 11:48:41 AM
Subject: RE: SEB cases - Request from Senator Dugan *** External Email *** *** External Email ***

Ethan,

Those numbers were in Frances's email below. I just cut and past them again below. Frances• I think the only numbers not included are the ones that were referred to local prosecutors. Can you pull those? Ethan• just so you are aware, generally the ones that are referred to local prosecutors will also be bound over to the AG's office. And I talked to Charlene at the AG's office• she was using all cases in 2020 and 2021 and we limited our numbers to only ones that related to the November election per your request.

29 cases that have been referred to the AG
32 Dismissed
17 Letter of Instruction

(next two meetings)
41 recommendations for referral to the AG
38 recommended for Dismissal- no violation substantiated
9 recommendations for Letter of Instruction-

--

C. Ryan Germany
Georgia Secretary of State
Direct: 470-312-2808
Cell: 678-672-9230
rgermany@sos.ga.gov



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From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Wednesday, August 4, 2021 10:05 AM
To: Watson, Frances <fwatson@sos.ga.gov>
Cc: Teasley, Sam <samteasley@sos.ga.gov>; Germany, Ryan <rgermany@sos.ga.gov>
Subject: RE: SEB cases - Request from Senator Dugan *** External Email *** *** External Email ***

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See quoted and attached. Can you help me with numbers related to #4 on attached?

Thank you!

--E

From: Germany, Ryan <rgermany@sos.ga.gov>
Sent: Tuesday, August 3, 2021 8:12 AM
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Cc: Teasley, Sam <samteasley@sos.ga.gov>
Subject: Re: SEB cases - Request from Senator Dugan *** External Email *** *** External Email ***

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Ethan- those numbers where you have x's were in Frances's email that I forwarded to you. AG's office only gets things that are referred to them so they wouldn't have a full count.

—
Ryan Germany
678-672-9230

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Tuesday, August 3, 2021 3:50:48 AM
To: Germany, Ryan <rgermany@sos.ga.gov>
Cc: Teasley, Sam <samteasley@sos.ga.gov>
Subject: RE: SEB cases - Request from Senator Dugan *** External Email ***

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Hey All•

To start, I greatly appreciate Francis and his team of investigators efforts to go through their larger-than-normal load and procure this information for the caucus. I do have a few questions regarding total counts and referrals •some of which I alluded to in a previous email.

I am wanting to correctly catalog all actions, or potential actions, of the total 165 case count in year-to-September SEB meetings. I wrote a preferred format in the attachment I sent via email •basically I just want all listed fields to come to the 165 total.

It also seems that the AG's office has a different case count than Francis. Any thoughts on this?

--E

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304



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From: Germany, Ryan <rgermany@sos.ga.gov>
Sent: Monday, August 2, 2021 8:29 PM
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Cc: Teasley, Sam <samteasley@sos.ga.gov>
Subject: FW: SEB cases - Request from Senator Dugan *** External Email ***

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Ethan,

See below review of November 2020 investigations from our Chief Investigator. They have already presented 289 cases to the State Election Board in the first 4 meetings this year. Secretary Raffensperger wanted to make sure that all older cases were cleared so the board heard a lot of older cases before November 2020 so that they could be ready to respond to 2020 complaints.

There were 252 investigations opened regarding the November 2020 election. 165 have already been presented to the State Election Board or will be in the August and September meetings. Of those, 29 have been referred by the to the Attorney General's office for prosecution and another 41 will have that recommendation in the next two meetings. Keep in mind that those violations include cases where counties did not follow the law as well as individuals. There are 87 cases regarding the November election that are still being worked and completed.

One of the cases that will be presented at the September meeting regards some of the things that have been in the news re. Fulton County. Our investigators found some violations, but I will tell you confidentially that many of the allegations were not substantiated. For example, when our investigator reviewed the batch of ballots that Suzi Voyles said contained pristine ballots, he did not see anything like she described in her interview with the investigator.

Hope this is helpful. Let me know if you have any follow up questions.

Thanks,
Ryan

We

--

C. Ryan Germany
Georgia Secretary of State
Direct: 470-312-2808
Cell: 678-672-9230
rgermany@sos.ga.gov



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From: Watson, Frances <fwatson@sos.ga.gov>
Sent: Monday, August 2, 2021 2:59 PM
To: Germany, Ryan <rgermany@sos.ga.gov>
Subject: RE: SEB cases - Request from Senator Dugan

Ryan

My rough numbers are:

Thus far this year we have presented to the State Election Board already 289 cases in the first 4 meetings. More than any other year, with an additional 88 on agenda for August and Sept.

For the cases related to the November election we have:

29 cases that have been referred to the AG
32 Dismissed
17 Letter of Instruction

(next two meetings)

41 recommendations for referral to the AG
38 recommended for Dismissal- no violation substantiated
9 recommendations for Letter of Instruction-

I showed a total of 252 cases that were opened for the Nov election leaving 87 that are still in the process of being worked and completed.

I would like to say that our team of investigators have worked very hard on these cases as well as continuing to work the June, August, September, and January election complaints (not included in these numbers) as well as the complaints that we are responsible for from the Professional Licensing Boards, and our other assigned task such as election monitoring, Inspections, and Ballot runs. They have continued to display professionalism even while being called names and criticized. Our team of 20 investigators include those that are budgeted for PLB investigations with 2 that are budgeted for SEB. We have utilized all our resources in the investigation of these cases regardless of assignment as we recognize these as a priority.

Frances Watson
Chief Investigator
Investigations Division
Georgia Secretary of State
Main: 470-312-2774
Cell: 404-683-3226



From: Germany, Ryan <rgermany@sos.ga.gov>
Sent: Monday, August 2, 2021 2:01 PM
To: Teasley, Sam <samteasley@sos.ga.gov>; Sterling, Gabriel <gsterling@sos.ga.gov>; Watson, Frances <fwatson@sos.ga.gov>
Cc: Horvath, Abigail <ahorvath@sos.ga.gov>; Watson, Frances <fwatson@sos.ga.gov>
Subject: Re: SEB cases - Request from Senator Dugan

That's what Ethan asked me for and Frances was working on it. She send me something this morning but I haven't looked at it yet. Tell him it was already in progress from Ethan's request and they should have something shortly. Hopefully today. Tomorrow at the latest.

•
Ryan Germany
678-672-9230

From: Teasley, Sam <samteasley@sos.ga.gov>
Sent: Monday, August 2, 2021 1:57 PM
To: Germany, Ryan; Sterling, Gabriel; Watson, Frances
Cc: Horvath, Abigail
Subject: SEB cases - Request from Senator Dugan

Good afternoon. Majority Leader Dugan stopped by the office this afternoon. He asked me to pass on the following request:

Can he get a breakdown of 2020 election SEB cases and their status? They have a caucus meeting this coming Wednesday. Essentially, what he'd like is something like this (as an example) - there have 207 cases regarding the 2020 election, 92 of them have been dismissed for no findings, 75 have been referred to the AG's office, 30 have been given a letter of instruction, and 10 were referred a district attorney.

He wants to be able to update the caucus on the action being taken in part to calm those that say, nothing is happening.

Is this something we can provide to him before Wednesday?

Sam Teasley
Office of Secretary of State

From: Teasley, Sam <samteasley@sos.ga.gov>
To: Stiles, EthanEthan.Stiles@senate.ga.gov
Date: 7/13/2021 9:10:44 AM
Subject: Re: Questions RE: Elections

Received. Will get back to you as soon as possible.

Sam Teasley
Office of Secretary of State

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Tuesday, July 13, 2021 8:48:16 AM
To: Teasley, Sam <samteasley@sos.ga.gov>
Cc: Sterling, Gabriel <gsterling@sos.ga.gov>; jwatson@law.ga.gov <jwatson@law.ga.gov>
Subject: RE: Questions RE: Elections

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Also looping in Jordan Watson from the AGs office.

Jordan, you may be able to answer two questions below. Do you know the status of pieces in your office?

Thanks!

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: [404-463-1304](tel:404-463-1304)

----- Original message -----

From: "Stiles, Ethan" <Ethan.Stiles@senate.ga.gov>
Date: 7/12/21 6:10 PM (GMT-05:00)
To: samteasley@sos.ga.gov
Cc: "Sterling, Gabriel" <gsterling@sos.ga.gov>
Subject: Questions RE: Elections

Sam and Gabe•

Need some help consolidating some information. Do you have the following readily available?

- < How many consent cases were submitted to the SBOE in from the 2020 election cycle?
- < How many consent cases became consent orders and were given to the AG's office?
- < How many consent orders have been reviewed and acted upon by the AG?

- < How many case redactions have been made?
- < Sec Raffensperger took action against the Fulton County BOE --what specific action did he take?

Thank you for any and all help you can provide re: this information.

--E

Best
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304



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From: Teasley, Sam <samteasley@sos.ga.gov>
To: Stiles, EthanEthan.Stiles@senate.ga.gov
Date: 7/21/2021 2:40:20 PM
Subject: Re: Questions RE: Elections

Ethan,

Is there a time we can meet? Either in person or over the phone? Our team wants to get you the answers you need, but need a little more clarification so that we are answering the right questions.

Sam Teasley
Office of Secretary of State

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Wednesday, July 21, 2021 1:43:13 PM
To: Teasley, Sam <samteasley@sos.ga.gov>
Cc: Sterling, Gabriel <gsterling@sos.ga.gov>; jwatson@law.ga.gov <jwatson@law.ga.gov>; ryan.germany@sos.ga.gov <ryan.germany@sos.ga.gov>
Subject: RE: Questions RE: Elections

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Also pulling in Ryan.

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: [404-463-1304](tel:404-463-1304)

----- Original message -----

From: "Stiles, Ethan" <Ethan.Stiles@senate.ga.gov>
Date: 7/13/21 8:48 AM (GMT-05:00)
To: samteasley@sos.ga.gov
Cc: "Sterling, Gabriel" <gsterling@sos.ga.gov>, jwatson@law.ga.gov
Subject: RE: Questions RE: Elections

Also looping in Jordan Watson from the AGs office.

Jordan, you may be able to answer two questions below. Do you know the status of pieces in your office?

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: [404-463-1304](tel:404-463-1304)

----- Original message -----

From: "Stiles, Ethan" <Ethan.Stiles@senate.ga.gov>
Date: 7/12/21 6:10 PM (GMT-05:00)
To: samteasley@sos.ga.gov
Cc: "Sterling, Gabriel" <gsterling@sos.ga.gov>
Subject: Questions RE: Elections

Sam and Gabe•

Need some help consolidating some information. Do you have the following readily available?

- < How many consent cases were submitted to the SBOE in from the 2020 election cycle?
- < How many consent cases became consent orders and were given to the AG's office?
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- < How many case redactions have been made?
- < Sec Raffensperger took action against the Fulton County BOE --what specific action did he take?

Thank you for any and all help you can provide re: this information.

--E

Best
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: [404-463-1304](tel:404-463-1304)



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From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>

To: Stiles, EthanEthan.Stiles@senate.ga.gov

Gomez, MariaMaria.Gomez@senate.ga.gov

Germany, Ryanrgermany@sos.ga.gov

Date: 2/25/2021 4:34:27 PM

Subject: Meeting

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From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>

To: Stiles, EthanEthan.Stiles@senate.ga.gov

Germany, Ryanrgermany@sos.ga.gov

Gomez, MariaMaria.Gomez@senate.ga.gov

Date: 2/26/2021 8:27:08 AM

Subject: Elections bill meeting

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From: Germany, Ryan <rgermany@sos.ga.gov>
To: Stiles, Ethan Ethan.Stiles@senate.ga.gov
Date: 2/26/2021 8:45:29 AM
Subject: Re: Accepted: Meeting

Yes. Sounds good.

—
Ryan Germany
678-672-9230

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Friday, February 26, 2021 8:23:49 AM
To: Germany, Ryan <rgermany@sos.ga.gov>
Cc: Fetzer, Elizabeth <Elizabeth.Fetzer@senate.ga.gov>; Gomez, Maria <Maria.Gomez@senate.ga.gov>
Subject: RE: Accepted: Meeting

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Ryan--

I screwed this up on my phone. Lizzie is about to send a 10 a.m. invite for today. Does that work with you?

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304

----- Original message -----
From: "Germany, Ryan" <rgermany@sos.ga.gov>
Date: 2/25/21 4:38 PM (GMT-05:00)
To: "Stiles, Ethan" <Ethan.Stiles@senate.ga.gov>
Subject: Accepted: Meeting

From: Fetzer, Elizabeth <Elizabeth.Fetzer@senate.ga.gov>
To: Germany, Ryanrgermany@sos.ga.gov
Date: 3/1/2021 1:22:10 PM
Subject: FW: Bill Summaries Request

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Good afternoon Ryan,

Could you please look at the bills below and let me know if there is any legal issue with any of them?

Thank you for your help!

Best,
Elizabeth Fetzer
Legislative Assistant
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-656-7872



www.senate.ga.gov

From: Fetzer, Elizabeth
Sent: Monday, March 1, 2021 1:09 PM
To: Holcomb, Elizabeth <Elizabeth.Holcomb@senate.ga.gov>
Subject: Bill Summaries Request

Good Afternoon Elizabeth,

I'm sorry if this is out of order, but could I please get bill summaries for the following bills?

SB 72
SB 74
SB 178
SB 67
SB 184
SB 188
SB 62
SB 89
SB 40
SB 71
SB 253
SB 69

Thank you for all your help!

Best,
Elizabeth Fetzer
Legislative Assistant
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-656-7872



www.senate.ga.gov

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
To: Germany, Ryan <rgermany@sos.ga.gov>
Date: 2/26/2021 8:09:48 PM
Subject: RE: Edits to LC 28 0244

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Starts at 8:00 a.m. in 307 CLOB - if you swing by our office early we'll be there.

Best—

Ethan A. Stiles

Chief of Staff

The Office of the Senate Majority Leader

Senator Mike Dugan

Office: [404-463-1304](tel:404-463-1304)

----- Original message -----

From: "Germany, Ryan" <rgermany@sos.ga.gov>
Date: 2/26/21 7:40 PM (GMT-05:00)
To: "Stiles, Ethan" <Ethan.Stiles@senate.ga.gov>
Cc: Mike Dugan <mdugan36@gmail.com>
Subject: Re: Edits to LC 28 0244

Happy to be there. 7:30 or 8:00 Monday morning?

—
Ryan Germany
678-672-9230

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Friday, February 26, 2021 6:23:56 PM
To: Germany, Ryan <rgermany@sos.ga.gov>
Cc: Mike Dugan <mdugan36@gmail.com>
Subject: RE: Edits to LC 28 0244

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sender and know the content is safe.

Thank you for doing this. I just CC'd you in an email with Jeff Lanier.

I spoke with Leader Dugan. He would like you to attend the Ethics committee meeting on SB 241 and field questions and concerns from members as presented.

Thanks again for doing all of this.

--E

From: Germany, Ryan <rgermany@sos.ga.gov>
Sent: Friday, February 26, 2021 5:38 PM
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Subject: Edits to LC 28 0244

Ethan,

See attached edits as discussed this morning. I'm at 678-672-9230 if you would like to discuss.

Thanks,
Ryan

From: Germany, Ryan
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Date: 2/26/2021 5:37:35 PM
Subject: Edits to LC 28 0244
Attachments: Edits to LC 28 0244.docx

Ethan,

See attached edits as discussed this morning. I'm at 678-672-9230 if you would like to discuss.

Thanks,
Ryan

From: Germany, Ryan <rgermany@sos.ga.gov>
To: Stiles, Ethan Ethan.Stiles@senate.ga.gov
Date: 2/26/2021 7:40:17 PM
Subject: Re: Edits to LC 28 0244

Happy to be there. 7:30 or 8:00 Monday morning?

—

Ryan Germany
678-672-9230

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Friday, February 26, 2021 6:23:56 PM
To: Germany, Ryan <rgermany@sos.ga.gov>
Cc: Mike Dugan <mdugan36@gmail.com>
Subject: RE: Edits to LC 28 0244

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Thank you for doing this. I just CC'd you in an email with Jeff Lanier.

I spoke with Leader Dugan. He would like you to attend the Ethics committee meeting on SB 241 and field questions and concerns from members as presented.

Thanks again for doing all of this.

--E

From: Germany, Ryan <rgermany@sos.ga.gov>
Sent: Friday, February 26, 2021 5:38 PM
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Subject: Edits to LC 28 0244

Ethan,

See attached edits as discussed this morning. I'm at 678-672-9230 if you would like to discuss.

Thanks,
Ryan

From: Germany, Ryan
Required: Stiles, EthanEthan.Stiles@senate.ga.gov
Subject: Accepted: Elections bill meeting
Location: Sec. of State's office
When: 3/1/2021 10:00:00 AM - 10:30:00 AM

From:
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Watson, Frances <fwatson@sos.ga.gov>
Date: 8/4/2021 11:35:35 AM
Subject: RE: SEB cases - Request from Senator Dugan *** External Email *** *** External Email

Ethan,

Those numbers were in France's email below. I just cut and past them again below. Frances• do we track the ones

29 cases that have been referred to the AG
32 Dismissed
17 Letter of Instruction

(next two meetings)
41 recommendations for referral to the AG
38 recommended for Dismissal- no violation substantiated
9 recommendations for Letter of Instruction-

--
C. Ryan Germany
Georgia Secretary of State
Direct: 470-312-2808
Cell: 678-672-9230
rgermany@sos.ga.gov



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From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Wednesday, August 4, 2021 10:05 AM
To: Watson, Frances <fwatson@sos.ga.gov>
Cc: Teasley, Sam <samteasley@sos.ga.gov>; Germany, Ryan <rgermany@sos.ga.gov>
Subject: RE: SEB cases - Request from Senator Dugan *** External Email *** *** External Email ***

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Francis•

See quoted and attached. Can you help me with numbers related to #4 on attached?

Thank you!

--E

From: Germany, Ryan <rgermany@sos.ga.gov>
Sent: Tuesday, August 3, 2021 8:12 AM
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Cc: Teasley, Sam <samteasley@sos.ga.gov>
Subject: Re: SEB cases - Request from Senator Dugan *** External Email *** *** External Email ***

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Ethan- those numbers where you have x's were in Frances's email that I forwarded to you. AG's office only gets things that are referred to them so they wouldn't have a full count.

—
Ryan Germany
678-672-9230

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Tuesday, August 3, 2021 3:50:48 AM
To: Germany, Ryan <rgermany@sos.ga.gov>
Cc: Teasley, Sam <samteasley@sos.ga.gov>
Subject: RE: SEB cases - Request from Senator Dugan *** External Email ***

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Hey All•

To start, I greatly appreciate Francis and his team of investigators efforts to go through their larger-than-normal load and procure this information for the caucus. I do have a few questions regarding total counts and referrals •some of which I alluded to in a previous email.

I am wanting to correctly catalog all actions, or potential actions, of the total 165 case count in year-to-September SEB meetings. I wrote a preferred format in the attachment I sent via email •basically I just want all listed fields to come to the 165 total.

It also seems that the AG's office has a different case count than Francis. Any thoughts on this?

--E

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304



www.senate.ga.gov

From: Germany, Ryan <rgermany@sos.ga.gov>
Sent: Monday, August 2, 2021 8:29 PM
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Cc: Teasley, Sam <samteasley@sos.ga.gov>
Subject: FW: SEB cases - Request from Senator Dugan *** External Email ***

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Ethan,

See below review of November 2020 investigations from our Chief Investigator. They have already presented 289 cases to the State Election Board in the first 4 meetings this year. Secretary Raffensperger wanted to make sure that all older cases were cleared so the board heard a lot of older cases before November 2020 so that they could be ready to respond to 2020 complaints.

There were 252 investigations opened regarding the November 2020 election. 165 have already been presented to the State Election Board or will be in the August and September meetings. Of those, 29 have been referred by the to the Attorney General's office for prosecution and another 41 will have that recommendation in the next two meetings. Keep in mind that those violations include cases where counties did not follow the law as well as individuals. There are 87 cases regarding the November election that are still being worked and completed.

One of the cases that will be presented at the September meeting regards some of the things that have been in the news re. Fulton County. Our investigators found some violations, but I will tell you confidentially that many of the allegations were not substantiated. For example, when our investigator reviewed the batch of ballots that Suzi Voyles said contained pristine ballots, he did not see anything like she described in her interview with the investigator.

Hope this is helpful. Let me know if you have any follow up questions.

Thanks,
Ryan

We

--

C. Ryan Germany
Georgia Secretary of State
Direct: 470-312-2808
Cell: 678-672-9230
rgermany@sos.ga.gov



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From: Watson, Frances <fwatson@sos.ga.gov>
Sent: Monday, August 2, 2021 2:59 PM
To: Germany, Ryan <rgermany@sos.ga.gov>
Subject: RE: SEB cases - Request from Senator Dugan

Ryan

My rough numbers are:

Thus far this year we have presented to the State Election Board already 289 cases in the first 4 meetings. More than any other year, with an additional 88 on agenda for August and Sept.

For the cases related to the November election we have:

29 cases that have been referred to the AG
32 Dismissed
17 Letter of Instruction

(next two meetings)

41 recommendations for referral to the AG
38 recommended for Dismissal- no violation substantiated
9 recommendations for Letter of Instruction-

I showed a total of 252 cases that were opened for the Nov election leaving 87 that are still in the process of being worked and completed.

I would like to say that our team of investigators have worked very hard on these cases as well as continuing to work the June, August, September, and January election complaints (not included in these numbers) as well as the complaints that we are responsible for from the Professional Licensing Boards, and our other assigned task such as election monitoring, Inspections, and Ballot runs. They have continued to display professionalism even while being called names and criticized. Our team of 20 investigators include those that are budgeted for PLB investigations with 2 that are budgeted for SEB. We have utilized all our resources in the investigation of these cases regardless of assignment as we recognize these as a priority.

Frances Watson
Chief Investigator
Investigations Division
Georgia Secretary of State
Main: 470-312-2774
Cell: 404-683-3226



From: Germany, Ryan <rgermany@sos.ga.gov>
Sent: Monday, August 2, 2021 2:01 PM

To: Teasley, Sam <samteasley@sos.ga.gov>; Sterling, Gabriel <gsterling@sos.ga.gov>; Watson, Frances <fwatson@sos.ga.gov>
Cc: Horvath, Abigail <ahorvath@sos.ga.gov>; Watson, Frances <fwatson@sos.ga.gov>
Subject: Re: SEB cases - Request from Senator Dugan

That's what Ethan asked me for and Frances was working on it. She send me something this morning but I haven't looked at it yet. Tell him it was already in progress from Ethan's request and they should have something shortly. Hopefully today. Tomorrow at the latest.

•
Ryan Germany
678-672-9230

From: Teasley, Sam <samteasley@sos.ga.gov>
Sent: Monday, August 2, 2021 1:57 PM
To: Germany, Ryan; Sterling, Gabriel; Watson, Frances
Cc: Horvath, Abigail
Subject: SEB cases - Request from Senator Dugan

Good afternoon. Majority Leader Dugan stopped by the office this afternoon. He asked me to pass on the following request:

Can he get a breakdown of 2020 election SEB cases and their status? They have a caucus meeting this coming Wednesday. Essentially, what he'd like is something like this (as an example) - there have 207 cases regarding the 2020 election, 92 of them have been dismissed for no findings, 75 have been referred to the AG's office, 30 have been given a letter of instruction, and 10 were referred a district attorney.

He wants to be able to update the caucus on the action being taken in part to calm those that say, nothing is happening.

Is this something we can provide to him before Wednesday?

Sam Teasley
Office of Secretary of State

From: Germany, Ryan
To: Lanier, Jeff <Jeff.Lanier@legis.ga.gov>
Date: 2/28/2021 5:33:42 PM
Subject: Edits to LC 28 0273S and 0274S
Attachments: Edits to LC 28 0273S and 0274S.docx

Jeff,

Great work. A few minor edits to each bill are attached. They're the same edits in each one, just different line numbers.

Thanks,
Ryan

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Required: Gomez, MariaMaria.Gomez@senate.ga.gov
Germany, Ryanrgermany@sos.ga.gov
Subject: Meeting
Location: SoS Office
When: 2/25/2021 5:00:00 PM - 5:30:00 PM

From: Germany, Ryan
Required: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Subject: Accepted: Meeting
Location: SoS Office
When: 2/25/2021 5:00:00 PM - 5:30:00 PM

From: Germany, Ryan
Required: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Subject: Accepted: Elections bill meeting
Location: Sec. of State's office
When: 2/26/2021 10:00:00 AM - 10:30:00 AM

From:
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Date: 8/2/2021 8:16:47 PM
Subject: FW: SEB cases - Request from Senator Dugan

Ethan,

See below review of November 2020 investigations from our Chief Investigator. They have already presented 289 cases to the State Election Board in the first 4 meetings this year. Secretary Raffensperger wanted to make sure that all older cases were cleared so the board heard a lot of older cases before November 2020 so that they could be ready to respond to 2020 complaints.

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We

--

C. Ryan Germany
Georgia Secretary of State
Direct: 470-312-2808
Cell: 678-672-9230
rgermany@sos.ga.gov



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From: Watson, Frances <fwatson@sos.ga.gov>
Sent: Monday, August 2, 2021 2:59 PM
To: Germany, Ryan <rgermany@sos.ga.gov>
Subject: RE: SEB cases - Request from Senator Dugan

Ryan

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(next two meetings)

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I showed a total of 252 cases that were opened for the Nov election leaving 87 that are still in the process of being worked and completed.

I would like to say that our team of investigators have worked very hard on these cases as well as continuing to work the June, August, September, and January election complaints (not included in these numbers) as well as the complaints that we are responsible for from the Professional Licensing Boards, and our other assigned task such as election monitoring, Inspections, and Ballot runs. They have continued to display professionalism even while being called names and criticized. Our team of 20 investigators include those that are budgeted for PLB investigations with 2 that are budgeted for SEB. We have utilized all our resources in the investigation of these cases regardless of assignment as we recognize these as a priority.

Frances Watson
Chief Investigator
Investigations Division
Georgia Secretary of State
Main: 470-312-2774
Cell: 404-683-3226



From: Germany, Ryan <rgermany@sos.ga.gov>
Sent: Monday, August 2, 2021 2:01 PM
To: Teasley, Sam <samteasley@sos.ga.gov>; Sterling, Gabriel <gsterling@sos.ga.gov>; Watson, Frances <fwatson@sos.ga.gov>
Cc: Horvath, Abigail <ahorvath@sos.ga.gov>; Watson, Frances <fwatson@sos.ga.gov>
Subject: Re: SEB cases - Request from Senator Dugan

That's what Ethan asked me for and Frances was working on it. She send me something this morning but I haven't looked at it yet. Tell him it was already in progress from Ethan's request and they should have something shortly. Hopefully today. Tomorrow at the latest.

•
Ryan Germany
678-672-9230

From: Teasley, Sam <samteasley@sos.ga.gov>
Sent: Monday, August 2, 2021 1:57 PM
To: Germany, Ryan; Sterling, Gabriel; Watson, Frances
Cc: Horvath, Abigail
Subject: SEB cases - Request from Senator Dugan

Good afternoon. Majority Leader Dugan stopped by the office this afternoon. He asked me to pass on the following request:

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He wants to be able to update the caucus on the action being taken • in part to calm those that say, • nothing is happening.

Is this something we can provide to him before Wednesday?

Sam Teasley
Office of Secretary of State

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
To: Lanier, JeffJeff.Lanier@legis.ga.gov
Date: 2/26/2021 6:22:56 PM
Subject: FW: Edits to LC 28 0244
Attachments: Edits to LC 28 0244.docx

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Jeff•

Attached are edits to the Senate omnibus bill from Ryan Germany in the SoS office. Our terminal goal is to have two substitutes prepared for the Monday morning Ethics committee meeting. Both substitutes will accept all language edits to attached • the difference being one will contain the excuse requirements for absentee ballots, and the other will not.

Will you please incorporate all edits from attached into two substitute bills?

Let me know if you have any questions.

--E

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304



www.senate.ga.gov

From: Germany, Ryan <rgermany@sos.ga.gov>
Sent: Friday, February 26, 2021 5:38 PM
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Subject: Edits to LC 28 0244

Ethan,

See attached edits as discussed this morning. I'm at 678-672-9230 if you would like to discuss.

Thanks,
Ryan

From: Elizabeth.Fetzer@senate.ga.gov <Elizabeth.Fetzer@senate.ga.gov>
Required: Germany, Ryanrgermany@sos.ga.gov
Gomez, MariaMaria.Gomez@senate.ga.gov
Subject: Elections bill meeting
Location: Sec. of State's office
When: 2/26/2021 10:00:00 AM - 10:30:00 AM

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From:

To: Sterling, Gabriel <gsterling@sos.ga.gov>
Teasley, Sam <samteasley@sos.ga.gov>
Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Kirkpatrick, Kay <Kay.Kirkpatrick@senate.ga.gov>

Date: 4/16/2021 2:47:17 PM

Subject: RE: Senate District # 32 Questions RE : SB 202

See below for my thoughts on these questions.

1. Please discuss your thoughts on the need for the governor to sign SB 202 into law on the end of the same day the bill cleared the legislature? (i.e. It is rare that a bill in Georgia moved so quickly even as changes were being made, legislators were not sure on what they were voting.)

- This was one of the most discussed issues in the entire session in both chambers, so I don't think it's fair to say legislators didn't know what they were voting on.

2. Please discuss the fiscal impact of implementing the changes required by this law? (i.e. who will cover the costs?) Will these be paid for from state taxes/ state revenue or county by county based on population? : .Are there thoughts to what will happen if some economically challenged counties cannot comply? - I don't think the fiscal impact will be as great as some of the

3. Please discuss what the legislature envisions as allowable costs for :

A. Cost of overtime for election workers to work -overtime until all ballots are processed?

B. Cost of special paper for ballot readers.?

(I understand the special paper requirement was due to one witness sting she did not think a paper ballot "felt right ". Yet experts state the ballot scanners do not differentiate between this special paper & the paper currently in use.

4. Can you please discuss the education plan/ and funding to inform voters of changes in law? Specifically :

A. How to obtain state approved ID if you do not have Georgia, Driver's license B. The new deadlines /time period for absentee ballot request.

C. The disqualification of provisional votes .

D. the process for notifications for new voting districts.

--

C. Ryan Germany
Georgia Secretary of State
Direct: 470-312-2808
Cell: 678-672-9230
rgermany@sos.ga.gov



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From: Sterling, Gabriel <gsterling@sos.ga.gov>
Sent: Thursday, April 15, 2021 4:15 PM

To: Teasley, Sam <samteasley@sos.ga.gov>; Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Cc: Germany, Ryan <rgermany@sos.ga.gov>
Subject: RE: Senate District # 32 Questions RE : SB 202

At the state level, it is as yet unclear as we are still reviewing the full impact of the law and what this office has to do to implement it.

Further, county costs are their costs. The state has already absorbed millions of dollars of costs for the implementation for counties, especially when compared to other states. The security paper difference is only being changed for absentee ballots as security paper is already required for BMDs and the cost is locked in for counties through the statewide voting system contract at \$0.14 per sheet.

From: Teasley, Sam <samteasley@sos.ga.gov>
Sent: Thursday, April 15, 2021 3:50 PM
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Cc: Germany, Ryan <rgermany@sos.ga.gov>; Sterling, Gabriel <gsterling@sos.ga.gov>
Subject: Re: Senate District # 32 Questions RE : SB 202

Copying Ryan as the email address used might not have gotten to him and Gabriel Sterling, our COO.

Sam Teasley
Office of Secretary of State

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Wednesday, April 14, 2021 2:19:08 PM
To: Teasley, Sam <samteasley@sos.ga.gov>
Cc: ryan.germany@sos.ga.gov <ryan.germany@sos.ga.gov>
Subject: FW: Senate District # 32 Questions RE : SB 202

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See quoted • any insight?

--E

From: ethanstiles21 <[REDACTED]>
Sent: Wednesday, April 14, 2021 11:13 AM
To: sam.teasley@sos.ga.gov
Cc: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>; ryan.germany@sos.ga.gov
Subject: FW: Senate District # 32 Questions RE : SB 202

Sam and Ryan--

Any ideas yet on what the fiscal impact of SB 202 will be?

Best--
Ethan Stiles
[REDACTED]

----- Original message -----

From: "Kirkpatrick, Kay" <Kay.Kirkpatrick@senate.ga.gov>
Date: 4/14/21 10:59 AM (GMT-05:00)

To: [REDACTED]
Subject: FW: Senate District # 32 Questions RE : SB 202

I need to be able to answer the questions below about the fiscal impact of the bill.

Senator Kay Kirkpatrick, M.D.
District 32
Coverdell Legislative Office Building
Suite 324-A
18 Capitol Square SW
Atlanta, Ga 30334
404-656-3932

-----Original Message-----

From: Donna Court <[REDACTED]>
Sent: Tuesday, April 13, 2021 9:46 PM
To: Kirkpatrick, Kay <Kay.Kirkpatrick@senate.ga.gov>
Subject: Senate District # 32 Questions RE : SB 202

Dear Dr Kirkpatrick

Thankyou for agreeing to meet this week. Friday 4/16/21 at -10am.

If you wish me to forward the zoom e-vite to this address please advise or provide your preferred e-mail , and I will send it with our group e-vite . (Ibelieve 3 other constituents may join on call) Many citizens have concerns regarding SB 202.

I am so happy you kept your word and did not support the original bill which would have demolished " NO EXCUSE " absentee voting.. Thank you. Thankyou. Thankyou.

Conversations lead to collaboration.

My hope is that discussion of the following four points will start positive conversations and collaboration:

1. Please discuss your thoughts on the need for the governor to sign SB 202 into law on the end of the same day the bill cleared the legislature?
(i.e. It is rare that a bill in Georgia moved so quickly even as changes were being made, legislators were not sure on what they were voting.)
2. Please discuss the fiscal impact of implementing the changes required by this law ?
(i.e. who will cover the costs ?) Will these be paid for from state taxes/ state revenue or county by county based on population ? : .Are there thoughts to what will happen if some economically challenged counties cannot comply ?
3. Please discuss what the legislature envisions as allowable costs for :
 - A. Cost of overtime for election workers to work -overtime until all ballots are processed?
 - B. Cost of special paper for ballot readers.?
(I understand the special paper requirement was due to one witness sting she did not think a paper ballot"felt right ". Yet experts state the ballot scanners do not differentiate between this special paper & the paper currently in use.
4. Can you please discuss the education plan/ and funding to inform voters of changes in law ? Specifically :
 - A. How to obtain state approved ID if you do not have Georgia, Driver's license B. The new deadlines /time period for absentee ballot request.
 - C. The disqualification of provisional votes .
 - D. the process for notifications for new voting districts.

Lastly , as a woman, a wife, a mother and a physician, I know that you understand what it means to care. Also as a COVID survivor, (emphasis on survivor), you know what it is to deal with this beast of a disease, cCOVID-19. The sociological, mental and fiscal disruptions will continue to ripple through our society.I appreciate you being bold to take a stand when history has its eyes on Georgia, Most Sincerely, your constituent, Donna Court, MN RN CCM District #32

[REDACTED]

[REDACTED]

From: Germany, Ryan <rgermany@sos.ga.gov>
To: Stiles, Ethan Ethan.Stiles@senate.ga.gov
Date: 3/1/2021 6:57:18 AM
Subject: Re: Edits to LC 28 0273S and 0274S

Committee is now at 3 pm, correct?

—
Ryan Germany
678-672-9230

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Monday, March 1, 2021 6:47:16 AM
To: Germany, Ryan <rgermany@sos.ga.gov>; Lanier, Jeff <Jeff.Lanier@legis.ga.gov>
Cc: Mike Dugan <mdugan36@gmail.com>
Subject: RE: Edits to LC 28 0273S and 0274S

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Thanks, all! We will grab these from counsel when edits are incorporated.

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304

----- Original message -----

From: "Germany, Ryan" <rgermany@sos.ga.gov>
Date: 2/28/21 5:33 PM (GMT-05:00)
To: "Lanier, Jeff" <Jeff.Lanier@legis.ga.gov>
Cc: "Stiles, Ethan" <Ethan.Stiles@senate.ga.gov>, Mike Dugan <mdugan36@gmail.com>
Subject: Edits to LC 28 0273S and 0274S

Jeff,

Great work. A few minor edits to each bill are attached. They're the same edits in each one, just different line numbers.

Thanks,
Ryan

From: Elizabeth.Fetzer@senate.ga.gov <Elizabeth.Fetzer@senate.ga.gov>
Required: Germany, Ryanrgermany@sos.ga.gov
Gomez, MariaMaria.Gomez@senate.ga.gov
Subject: Elections bill meeting
Location: Sec. of State's office
When: 3/1/2021 10:00:00 AM - 10:30:00 AM

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From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
To: Germany, Ryanrgermany@sos.ga.gov
Date: 2/3/2021 11:26:03 AM
Subject: Elections Legislation

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Ryan•

I wanted to talk to you prior to getting underway with elections legislation in the Senate. Can you call my cell at [REDACTED]?

Thanks!

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304



www.senate.ga.gov

From: Lanier, Jeff <Jeff.Lanier@legis.ga.gov>
To: Stiles, EthanEthan.Stiles@senate.ga.gov
Date: 2/28/2021 3:08:14 PM
Subject: RE: Edits to LC 28 0244
Attachments: LC280274.pdf
LC280273.pdf

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Here are the two bills.

H. Jeff Lanier
Deputy Legislative Counsel
Office of Legislative Counsel
316 State Capitol
Atlanta, GA 30334
(404) 656-5000
(404) 651-9292 (fax)

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From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Sunday, February 28, 2021 9:17 AM
To: Lanier, Jeff <Jeff.Lanier@legis.ga.gov>
Cc: rgermany@sos.ga.gov; Mike Dugan <mdugan36@gmail.com>
Subject: RE: Edits to LC 28 0244

Jeff--

Following up - have the edits been implemented into two working drafts?

Being presented at 8 a.m. tomorrow.

Best—
Ethan A. Stiles

Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304

----- Original message -----

From: "Stiles, Ethan" <Ethan.Stiles@senate.ga.gov>
Date: 2/26/21 6:22 PM (GMT-05:00)
To: "Lanier, Jeff" <Jeff.Lanier@legis.ga.gov>
Cc: rgermany@sos.ga.gov, Mike Dugan <mdugan36@gmail.com>
Subject: FW: Edits to LC 28 0244

Jeff•

Attached are edits to the Senate omnibus bill from Ryan Germany in the SoS office. Our terminal goal is to have two substitutes prepared for the Monday morning Ethics committee meeting. Both substitutes will accept all language edits to attached •the difference being one will contain the excuse requirements for absentee ballots, and the other will not.

Will you please incorporate all edits from attached into two substitute bills?

Let me know if you have any questions.

--E

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304



www.senate.ga.gov

From: Germany, Ryan <rgermany@sos.ga.gov>
Sent: Friday, February 26, 2021 5:38 PM
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Subject: Edits to LC 28 0244

Ethan,

See attached edits as discussed this morning. I'm at 678-672-9230 if you would like to discuss.

Thanks,

Ryan

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
To: Germany, Ryan <ryangermany@sos.ga.gov>
Date: 2/26/2021 8:23:49 AM
Subject: RE: Accepted: Meeting

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Ryan--

I screwed this up on my phone. Lizzie is about to send a 10 a.m. invite for today. Does that work with you?

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: [404-463-1304](tel:404-463-1304)

----- Original message -----

From: "Germany, Ryan" <ryangermany@sos.ga.gov>
Date: 2/25/21 4:38 PM (GMT-05:00)
To: "Stiles, Ethan" <Ethan.Stiles@senate.ga.gov>
Subject: Accepted: Meeting

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
To: Germany, Ryan <rgermany@sos.ga.gov>
Date: 3/1/2021 6:58:26 AM
Subject: RE: Edits to LC 28 0273S and 0274S

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Correct.

Best—

Ethan A. Stiles

Chief of Staff

The Office of the Senate Majority Leader

Senator Mike Dugan

Office: 404-463-1304

----- Original message -----

From: "Germany, Ryan" <rgermany@sos.ga.gov>
Date: 3/1/21 6:57 AM (GMT-05:00)
To: "Stiles, Ethan" <Ethan.Stiles@senate.ga.gov>
Subject: Re: Edits to LC 28 0273S and 0274S

Committee is now at 3 pm, correct?

—
Ryan Germany
678-672-9230

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Monday, March 1, 2021 6:47:16 AM
To: Germany, Ryan <rgermany@sos.ga.gov>; Lanier, Jeff <Jeff.Lanier@legis.ga.gov>
Cc: Mike Dugan <mdugan36@gmail.com>
Subject: RE: Edits to LC 28 0273S and 0274S

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Thanks, all! We will grab these from counsel when edits are incorporated.

Best
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304

----- Original message -----

From: "Germany, Ryan" <rgermany@sos.ga.gov>
Date: 2/28/21 5:33 PM (GMT-05:00)
To: "Lanier, Jeff" <Jeff.Lanier@legis.ga.gov>
Cc: "Stiles, Ethan" <Ethan.Stiles@senate.ga.gov>, Mike Dugan <mdugan36@gmail.com>
Subject: Edits to LC 28 0273S and 0274S

Jeff,

Great work. A few minor edits to each bill are attached. They're the same edits in each one, just different line numbers.

Thanks,
Ryan

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
To: Germany, Ryan <rgermany@sos.ga.gov>
Date: 2/26/2021 6:23:56 PM
Subject: RE: Edits to LC 28 0244

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Thank you for doing this. I just CC'd you in an email with Jeff Lanier.

I spoke with Leader Dugan. He would like you to attend the Ethics committee meeting on SB 241 and field questions and concerns from members as presented.

Thanks again for doing all of this.

--E

From: Germany, Ryan <rgermany@sos.ga.gov>
Sent: Friday, February 26, 2021 5:38 PM
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Subject: Edits to LC 28 0244

Ethan,

See attached edits as discussed this morning. I'm at 678-672-9230 if you would like to discuss.

Thanks,
Ryan

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
To: Germany, Ryan <ryan.germany@sos.ga.gov>
Date: 8/3/2021 3:52:21 AM
Subject: FW: Questions RE: Elections *** External Email ***
Attachments: Current Status of Elections Allegations.docx

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Realized I did not send to correct email originally • I will correct when I receive responses.

--E

From: Stiles, Ethan
Sent: Tuesday, August 3, 2021 3:43 AM
To: 'Teasley, Sam' <samteasley@sos.ga.gov>
Cc: 'jwatson@law.ga.gov' <jwatson@law.ga.gov>; 'ryan.germany@sos.ga.gov' <ryan.germany@sos.ga.gov>; 'Travis Johnson' <TJohnson@LAW.GA.GOV>
Subject: RE: Questions RE: Elections *** External Email ***

Hey All•

I wanted to follow up to this email. First, I really appreciate the collective efforts of your offices to get this information • I know the caucus greatly appreciates it.

I'm attaching a Word document with a process map and numbers per a series of emails. I do want to point out we have some conflicting numbers • how do we rectify this? The discrepancies I have are around the total action count of the SEB, the number of referrals received by the AG's office, and the total number of actions taken by the AGs office to be taken back up by the SEB board.

See attached and let me know if I can explain further. I will reply to independent threads shortly.

--E

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304



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From: Stiles, Ethan
Sent: Monday, July 26, 2021 5:53 PM
To: 'Teasley, Sam' <samteasley@sos.ga.gov>
Cc: Sterling, Gabriel <gsterling@sos.ga.gov>; jwatson@law.ga.gov; ryan.germany@sos.ga.gov; 'Travis Johnson' <TJohnson@LAW.GA.GOV>
Subject: RE: Questions RE: Elections *** External Email ***

Hey All•

I•ve spoken to each person on this thread independently • j•ust wanted to pull everything together. After some discussion, I•m going to outline my understanding of the process of elections allegations and will have revised questions at the end of this.

Allegations are submitted to the Secretary of State•s office, who then deploys investigatory teams for each allegation. Once the fact-finding elements of the investigation are completed, the Secretary sends this information to the State Election Board (SEB). The SEB then decides whether to dismiss a case, send a case to the local district attorney (criminal cases), or send cases to the Attorney General (administrative cases). From there, the AG works with the Office of State Administrative Hearings and creates consent orders accordingly • •all of which are taken back up by the SEB. Did I map this correctly?

If so, here are my revised questions:

1. How many elections allegations were submitted to the SOS in the 2020 election cycle?
2. How many elections allegations were reviewed by the SEB in the 2020 election cycle?
3. How many elections allegations were referred to a local district attorney•s office or the attorney general•s office in the 2020 elections cycle?
4. Of those referred to various attorney offices, what is the status of all cases? (still litigating, dropped, etc?)

In short, we are trying to find all related information and see where all elections-related allegations currently sit. Expanding on anything notable, like the Favorito case, would be particularly helpful.

Let me know if I can further clear anything up or if my understanding is incorrect.

Thanks!

--E

From: Teasley, Sam <samteasley@sos.ga.gov>
Sent: Wednesday, July 21, 2021 2:40 PM
To: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Cc: Sterling, Gabriel <gsterling@sos.ga.gov>; jwatson@law.ga.gov; ryan.germany@sos.ga.gov
Subject: Re: Questions RE: Elections *** External Email ***

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Ethan,

Is there a time we can meet? Either in person or over the phone? Our team wants to get you the answers you need, but need a little more clarification so that we are answering the right questions.

Sam Teasley
Office of Secretary of State

From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
Sent: Wednesday, July 21, 2021 1:43:13 PM
To: Teasley, Sam <samteasley@sos.ga.gov>

Cc: Sterling, Gabriel <gsterling@sos.ga.gov>; jwatson@law.ga.gov <jwatson@law.ga.gov>; ryan.germany@sos.ga.gov <ryan.germany@sos.ga.gov>
Subject: RE: Questions RE: Elections

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Also pulling in Ryan.

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: [404-463-1304](tel:404-463-1304)

----- Original message -----

From: "Stiles, Ethan" <Ethan.Stiles@senate.ga.gov>
Date: 7/13/21 8:48 AM (GMT-05:00)
To: samteasley@sos.ga.gov
Cc: "Sterling, Gabriel" <gsterling@sos.ga.gov>, jwatson@law.ga.gov
Subject: RE: Questions RE: Elections

Also looping in Jordan Watson from the AGs office.

Jordan, you may be able to answer two questions below. Do you know the status of pieces in your office?

Thanks!

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: [404-463-1304](tel:404-463-1304)

----- Original message -----

From: "Stiles, Ethan" <Ethan.Stiles@senate.ga.gov>
Date: 7/12/21 6:10 PM (GMT-05:00)
To: samteasley@sos.ga.gov
Cc: "Sterling, Gabriel" <gsterling@sos.ga.gov>
Subject: Questions RE: Elections

Need some help consolidating some information. Do you have the following readily available?

- < How many consent cases were submitted to the SBOE in from the 2020 election cycle?
- < How many consent cases became consent orders and were given to the AG's office?
- < How many consent orders have been reviewed and acted upon by the AG?
- < How many case redactions have been made?
- < Sec Raffensperger took action against the Fulton County BOE --what specific action did he take?

Thank you for any and all help you can provide re: this information.

--E

Best

Ethan A. Stiles

Chief of Staff

The Office of the Senate Majority Leader

Senator Mike Dugan

Office: 404-463-1304



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From: Stiles, Ethan <Ethan.Stiles@senate.ga.gov>
To: Stiles, EthanEthan.Stiles@senate.ga.gov
Date: 7/16/2021 10:59:52 AM
Subject: FW: Apprenticeship Inquiry

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BCC'ing stakeholders in Leader Dugan's apprenticeship inquiry. See quoted text for related info.

Let me know if you have any questions • I will send over information as it is received.

--E

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304



www.senate.ga.gov

From: Stiles, Ethan
Sent: Friday, July 16, 2021 10:58 AM
To: 'Kraus.william@dol.gov' <Kraus.william@dol.gov>
Subject: Apprenticeship Inquiry

Bill•

Your information was sent to me from Mark Whitlock as I have been pursuing information related to apprenticeships in Georgia. Senate Majority Leader Mike Dugan, who I work for, is looking for options to expand the network of apprenticeships recognized in Georgia. I am in the process of tracking down all information related to apprenticeships with the hopes of localizing all stakeholders and moving the collective in a more unified direction.

There are two parts that I am trying to meld together:

1. Apprenticeships are decentralized in regards to their certifying body which makes sense as industry types are varied. However, there seems to be no centralized list as to what all apprenticeships are offered and the requirements to become certified in each. Is there a way I can be sent all federally recognized apprenticeship programs and any recommendations on how to track down others lacking USDoL recognition? For instance, I know the Technical College System of Georgia (TCSG) has a series of programs, but I'm unsure of the state/fed relationship with the offerings.

2. I am looking for legislative and budgetary initiatives to expand the total apprenticeship offerings in Georgia. Any model states you recommend looking at?

So in short, I'm looking to localize all apprenticeship information, give some state-based entity the task to maintain and localize all apprentice offerings, and provide monetary and legislative support to encourage people to partake in apprenticeships.

Any connections, insight, etc. is extremely helpful. Thank you for any feedback you provide!

Best—
Ethan A. Stiles
Chief of Staff
The Office of the Senate Majority Leader
Senator Mike Dugan
Office: 404-463-1304



www.senate.ga.gov

From: Matt M. Mashburn <mmashburn@aldridgepite.com>
To: Miller, Butch Butch.Miller@senate.ga.gov
'rebecca.sullivan@doas.ga.gov'rebecca.sullivan@doas.ga.gov
Raffensperger, Brad brad@sos.ga.gov
'saraghazal.seb@gmail.com'saraghazal.seb@gmail.com
'ale@hrflegal.com'ale@hrflegal.com
Date: 8/2/2021 3:18:30 PM
Subject: RE: Letter re: Fulton Co

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Acknowledged.

Please kindly change my email on your records to mmashburn@georgia-elections.com. Thank you!

From: Miller, Butch <Butch.Miller@senate.ga.gov>
Sent: Monday, August 2, 2021 3:10 PM
To: 'rebecca.sullivan@doas.ga.gov' <rebecca.sullivan@doas.ga.gov>; 'brad@sos.ga.gov' <brad@sos.ga.gov>; 'saraghazal.seb@gmail.com' <saraghazal.seb@gmail.com>; Matt M. Mashburn <mmashburn@aldridgepite.com>; 'ale@hrflegal.com' <ale@hrflegal.com>
Cc: 'trey.kilpatrick@georgia.gov' <trey.kilpatrick@georgia.gov>; McFall, Macy <Macy.McFall@ltgov.ga.gov>; Williams, Keith <Keith.Williams@house.ga.gov>; Tippins, Steve <Steve.Tippins@senate.ga.gov>
Subject: Letter re: Fulton Co
Importance: High

Good afternoon:

Please see the attached letter.

Sincerely,



Senator Butch Miller
President Pro Tempore
District 49
321 State Capitol Building
(404) 656-6578
Butch.Miller@senate.ga.gov

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From: Miller, Butch <Butch.Miller@senate.ga.gov>

To: 'rebecca.sullivan@doas.ga.gov'rebecca.sullivan@doas.ga.gov
Raffensperger, Bradbrad@sos.ga.gov
'saraghazal.seb@gmail.com'saraghazal.seb@gmail.com
'mmashburn@aldridgepите.com'mmashburn@aldridgepите.com
'ale@hrflegal.com'ale@hrflegal.com

Date: 7/27/2021 6:05:34 PM

Subject: Letter from President Pro Tempore Butch Miller

Attachments: SEB Letter 7-27-21.pdf

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Good afternoon:

Please see the attached letter from the President Pro Tempore, Senator Butch Miller.

Sincerely,



Senator Butch Miller
President Pro Tempore
District 49
321 State Capitol Building
(404) 656-6578
Butch.Miller@senate.ga.gov

From: Miller, Butch <Butch.Miller@senate.ga.gov>

To: 'rebecca.sullivan@doas.ga.gov'rebecca.sullivan@doas.ga.gov
Raffensperger, Bradbrad@sos.ga.gov
'saraghazal.seb@gmail.com'saraghazal.seb@gmail.com
'mmashburn@aldridgepите.com'mmashburn@aldridgepите.com
'ale@hrflegal.com'ale@hrflegal.com

Date: 8/2/2021 3:10:08 PM

Subject: Letter re: Fulton Co

Attachments: Renewed Call 8-2-21.pdf

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Good afternoon:

Please see the attached letter.

Sincerely,



Senator Butch Miller
President Pro Tempore
District 49
321 State Capitol Building
(404) 656-6578
Butch.Miller@senate.ga.gov

From: Miller, Butch <Butch.Miller@senate.ga.gov>

To: 'rebecca.sullivan@doas.ga.gov'rebecca.sullivan@doas.ga.gov
Raffensperger, Bradbrad@sos.ga.gov
'saraghazal.seb@gmail.com'saraghazal.seb@gmail.com
'mmashburn@aldridgepите.com'mmashburn@aldridgepите.com
'ale@hrflegal.com'ale@hrflegal.com

Date: 7/28/2021 3:23:37 PM

Subject: Letter from President Pro Tempore

Attachments: SEB Letter 7-28-21.pdf

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Good afternoon:

Please see the attached letter from the President Pro Tempore, Senator Butch Miller.

Sincerely,



Senator Butch Miller
President Pro Tempore
District 49
321 State Capitol Building
(404) 656-6578
Butch.Miller@senate.ga.gov



DEPARTMENT OF AUDITS AND ACCOUNTS

270 Washington St., S.W., Suite 1-156
Atlanta, Georgia 30334-8400

Greg S. Griffin
STATE AUDITOR
(404) 656-2174

March 3, 2021

Honorable James Burchett
Chairman, House Committee on Judiciary Non-Civil
131-B State Capitol
Atlanta, Georgia 30334

SUBJECT: Fiscal Note
House Bill 410 (LC 41 2899)

Dear Chairman Burchett:

This bill would transfer the regulatory authority of bingo from the director of the Georgia Bureau of Investigation (GBI) to the Secretary of State (SOS). This authority includes issuing bingo licenses for eligible organizations, revoking licenses for violations, and promulgating rules and regulations. The transfer also requires GBI to provide all records for regulation of bingo to SOS.

This bill is anticipated to result in one-time costs of \$26,000 and annual recurring costs of at least \$49,572 for an additional employee in the Office of the Secretary of State. GBI expenditures would not decline because a single employee spends a relatively small portion of time on bingo regulation. License revenue collected is currently remitted to the treasury (\$12,900 in FY 2020) and would continue to be remitted under the bill.

Secretary of State Costs

SOS indicated that current analysts have no capacity to absorb additional responsibilities; therefore, an additional analyst would be needed at a cost of \$49,572 annually. Bingo-related duties would likely represent only a portion of the analyst's time. Additionally, one-time costs totaling \$26,000 would be incurred to modify an existing information system to track bingo license holders (\$25,000) and to modify the SOS website (\$1,000).

SOS could incur additional expenses for investigations, although such expenses are anticipated to be minimal since GBI has conducted only one investigation in the last four years. SOS staff noted that any investigation would likely occur outside of normal 40-hour work schedules and require overtime pay rates of \$54 per hour.

GBI Costs

This bill would have no fiscal impact on GBI. One employee spends five to ten hours per week on bingo licensing from January through September and 20 to 25 hours per week from October through December (estimated at \$15,547 in salary and benefits). The employee has other responsibilities unrelated to bingo regulation, so transferring the position to SOS would create deficiencies in other areas at GBI. It is unclear whether GBI received an appropriation or used existing resources when it became responsible for regulating bingo decades ago.

Sincerely,



Greg S. Griffin
State Auditor



Kelly Farr, Director
Office of Planning and Budget

GSG/KF/rg

Current Status of Elections Allegations

1. Allegations related to elections violations are submitted to the Secretary of State's office.
 - a. YTD cases received for the 2020 election cycle: 252
2. Secretary of State deploys investigatory teams for each allegation and organizes facts related to each case.
 - a. YTD cases investigated for 2020 election cycle: 252
 - b. Cases still in progress: 87
3. Secretary sends information procured for each case to the State Election Board (SEB).
 - a. YTD cases presented, or slated to be presented in August/September meetings, for the 2020 election cycle: 165
4. The SEB then decides whether to dismiss a case, send a case to the local district attorney (criminal cases), or send cases to the Attorney General (administrative cases).
 - a. Cases sent to local district attorney:
 - b. Cases sent to Attorney General: 29 (currently) with an additional 41 being referred for prosecution at the next two SEB meetings
 - c. Cases dismissed: 32
 - d. Letters of instruction??
 - e. -----Preferred format-----
 - i. Cases Acted Upon: XXX
 1. Sent to Local DA:XXX
 2. Sent to AG: XXX
 3. Letters of Instruction Sent: XXX
 4. Dismissed: XXX
 - ii. Cases Outstanding: XXX (Will be recommended)
 1. Sent to Local DA:XXX
 2. Sent to AG: XXX
 3. Letters of Instruction Sent: XXX
 4. Dismissed: XXX
5. From there, the AG works with the Office of State Administrative Hearings and creates consent orders accordingly – all of which are taken back up by the SEB.
 - a. Total Cases Reviewed by the Attorney General: 45 have been received (5 of those are related to 2021 runoff election)
 - b. Consent Orders created from each case: 8

Commented [SE1]: Case Numbers listed in areas 1-4 are per email from Ryan Germany on 8.2

Commented [SE2]: This is where I am fuzzy. Can I received actions taken and actions to be recommended for the 165 total presentations in 3.A?

Commented [SE3]: This is per Jordan Watson email on 7.26

Commented [SE4]: This is per Jordan Watson email on 7.26

Current Status of Elections Cases for 2020 General Election

1. **Cases related to elections violations are submitted to the Secretary of State's office.**
 - a. Cases received for the 2020 general election: 252
 - i. Note: one case can hold many allegations and respondents – some cases currently in action hold 300+ allegations
2. **Secretary of State deploys investigatory teams for each case and organizes facts related to each allegation within cases.**
 - a. Cases investigated for the 2020 general election: 252
 - b. Cases still in progress: 87
3. **Secretary sends information procured for each case to the State Election Board (SEB).**
 - a. YTD cases presented, or slated to be presented in August/September meetings, for the 2020 election cycle: 166
4. **The SEB then decides whether to dismiss a case, send a case to the local district attorney and Attorney General's office (criminal cases), or send cases to the Attorney General (administrative cases, some instances criminal cases).**
 - a. Cases Acted Upon: 79
 - i. Sent to Local DA: X 1
 - ii. Sent to AG: 29
 - iii. Letters of Instruction Sent: 17
 - iv. Dismissed: 32
 - b. Cases to be Acted Upon within Next Two Meetings: (Will be recommended, does not mean all will be acted upon or done so in standards below) 88
 - i. To Be Sent to Local DA: (up to board)
 - ii. To Be Sent to AG: 41
 - iii. Letters of Instruction to Be Sent: 9
 - iv. To Be Dismissed: 38
5. **From there, the AG works with the Office of State Administrative Hearings and creates consent orders accordingly – all of which are taken back up by the SEB.**
 - a. Total Cases Reviewed by the Attorney General: 43 have been received (6 of those are related to 2021 runoff election)
 - b. Consent Orders created from each case: 8

KAY KIRKPATRICK, M.D

District 32
2146 Roswell Rd
Suite 108-895
Marietta, Ga 30062

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18 Capitol Square, SW
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Tel: (404) 656-3932
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COMMITTEES

**Veterans, Military and Homeland Security-
Chairman**
Health and Human Services
Judiciary
Insurance and Labor
Appropriations, Ex-Officio

The State Senate

Atlanta, Georgia 30334

VETERANS, MILITARY, AND HOMELAND SECURITY COMMITTEE Meeting Notice

TO: Senate Veterans, Military, and Homeland Security Members

Senator Ed Harbison, 15th, Vice Chair
Senator Sheila McNeill, 3rd, Secretary
Senator Tonya Anderson, 43rd
Senator Michael 'Doc' Rhett, 33rd
Senator Russ Goodman, 8th

Senator Horacena Tate, 38th
Senator Bruce Thompson, 14th
Senator Ben Watson, 1st, *Ex-Officio*

FROM: Senator Kay Kirkpatrick, 32nd, Chairman

SUBJECT: Senate Veterans, Military, and Homeland Security Meeting Notice

DATE: January 28, 2021
TIME: 8:00 AM
PLACE: 310 CLOB

AGENDA:

- Adoption of Rules
- **SB 11** (Sen. Rhett, 33rd)

Agenda is subject to change at the discretion of the Chairman.

cc:

Honorable Geoff Duncan, Lt. Governor
David Cook, Secretary of the Senate
Senator Butch Miller, President Pro Tempore
Senator Mike Dugan, Senate Majority Leader

Kessarín Horvath, Senate Press Office
Jeff Lanier, Legislative Counsel
Melody DeBussey, Budget Office
Alex Azarian, Senate Research



Office of the Secretary of State

2 Martin Luther King Jr., Drive
802 West Tower
Atlanta, Georgia 30334

Brad Raffensperger
SECRETARY OF STATE

Ryan Germany
GENERAL COUNSEL

October 1, 2021

VIA ELECTRONIC MAIL

Speaker David Ralston
Georgia House of Representatives
332 State Capitol
Atlanta, GA 30334
david.ralston@house.ga.gov

Lt. Governor Geoff Duncan
240 State Capitol
Atlanta, GA 30334
geoff.duncan@ltgov.ga.gov

RE: Report from State Election Board re. accepting and distributing grants

Dear Lt. Governor Duncan and Speaker Ralston:

The Secretary of State's office has been working with the State Election Board to fulfill the requirements of O.C.G.A. § 21-2-71(c) (as amended by Senate Bill 202), which states that the "State Election Board shall study and report to the General Assembly a proposed method for accepting donations intended to facilitate the administration of elections and a method for an equitable distribution of such donations state wide by October 1, 2021."

Unfortunately, the report to the General Assembly is not yet finalized. We are actively working on it and hope to have this report to you by the time you arrive back at the Capitol for the upcoming special session. We regret any inconvenience.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,

Ryan Germany

cc: *via email only*

President Pro Tem Butch Miller
President Pro Tem Jan Jones
Secretary of State Brad Raffensperger
Rebecca Sullivan, Acting Chair, State Election Board

Anh Le, State Election Board
Matt Mashburn, State Election Board
Sara Tindall Ghazal, State Election Board

Edits to LC 28 0244

Section 4- Delete current language and add below change to OCGA 21-2-232(b)

(3). Once becoming a member of the nongovernmental entity described in subsection (d) of Code Section 21-2-225, the Secretary of State shall obtain regular information from such entity regarding electors who may have moved to another state, died, or otherwise become ineligible to vote in Georgia. The Secretary shall use such information to conduct list maintenance on the list of eligible voters.

Section 6

After line 125, add a new line:

(7) Is entitled to vote by absentee ballot under the federal Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. Section 20302, et seq. as amended.

Section 7

Delete Section 7 and replace with below edit to 21-2-381(a)(1)(C):

(C) (i) Any person applying for an absentee-by-mail ballot shall make application in writing on the form made available by the Secretary of State. In order to confirm the identity of the voter, such form shall require the elector to provide his or her name, date of birth, address as registered, address where the elector wishes the ballot to be mailed, and Georgia driver's license number or identification card number issued pursuant to Article 5 of Chapter 5 of Title 40. If such elector does not have a Georgia driver's license or identification card, the elector shall affirm this fact in the manner prescribed in the application and the elector shall provide a copy of a form of identification listed in subsection (c) of Code Section 21-2-417. The form made available by the Secretary of State shall include a space to affix a photocopy or electronic image of such identification. In addition to the web application described below, the Secretary of State shall develop a manner to allow secure electronic transmission of such form. The application shall also include the identity of the primary, election, or runoff in which the elector wishes to vote; and the name and relationship of the person requesting the ballot if other than the elector, and an oath for the elector or relative to sign affirming that the elector is a qualified Georgia elector and the facts presented on the application are true. Submitting false information on an application for absentee ballot shall be a violation of 21-2-560 and 21-2-571.

(ii) The Secretary of State shall be authorized to create a web application that allows electors to submit an absentee ballot application via an online portal. Such application shall verify the identity of the elector by matching the elector's name, date of birth, and Georgia driver's license or identification card number contained in the state voter registration system with the name, date of birth, and Georgia driver's license or identification card number entered into the web application. Such application shall require the elector to affirm that they are a qualified Georgia elector and that the facts presented on the application are true.

(iii) The blank application for absentee ballot shall be made available online by the Secretary of State, but neither the Secretary of State nor any election superintendent or employee or agent thereof shall

send absentee ballot applications directly to any elector except upon request of such elector or relative authorized to request an absentee ballot for such elector. No person or entity other than a relative authorized to request an absentee ballot for such elector or a person signing as assisting an illiterate or physically disabled elector shall send any elector an absentee ballot application that is pre-filled with the elector's personal identifying information. Any blank application for absentee ballot sent by any person or entity shall utilize the form made available by the Secretary of State.

(D) Except in the case of physically disabled electors residing in the county or municipality or electors in custody in a jail or other detention facility in the county or municipality, no absentee ballot shall be mailed to an address other than the permanent mailing address of the elector as recorded on the elector's voter registration record or a temporary out-of-county or out-of-municipality address. Upon request, electors held in jails or other detention facilities who are eligible to vote shall be granted access to the necessary personal effects for the limited purpose of applying for an absentee ballot pursuant to this code section.

(E) Relatives applying for absentee ballots for electors must also sign an oath stating that facts in the application are true.

(F) If the elector is unable to fill out or sign such elector's own application because of illiteracy or physical disability, the elector shall make such elector's mark, and the person filling in the rest of the application shall sign such person's name below it as a witness.

(G) Any elector meeting criteria of advanced age or disability specified by rule or regulation of the State Election Board or any elector who is entitled to vote by absentee ballot under the federal Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. Section 1973ff, et seq., as amended, may request in writing on one application a ballot for a presidential preference primary held pursuant to Article 5 of this chapter and for a primary as well as for any runoffs resulting therefrom and for the election for which such primary shall nominate candidates as well as any runoffs resulting therefrom. If not so requested by such person, a separate and distinct application shall be required for each primary, run-off primary, election, and run-off election. Except as otherwise provided in this subparagraph, a separate and distinct application for an absentee ballot shall always be required for any special election or special primary.

(2) A properly executed registration card submitted under the provisions of subsection (b) of Code Section 21-2-219, if submitted within 180 days of a primary or election in which the registrant is entitled to vote, shall be considered to be an application for an absentee ballot under this Code section, or for a special absentee ballot under Code Section 21-2-381.1, as appropriate.

(3) Reserved.

(4) In extraordinary circumstances as described in Code Section 21-2-543.1, the registrar or absentee ballot clerk shall determine if the applicants are eligible to vote under this Code section and shall either mail or issue the absentee ballots for the election for representative in the United States Congress to an individual entitled to make application for absentee ballot under subsection (d) of this Code section the same day any such application is received, so long as the application is received by 3:00 P.M., otherwise no later than the next business day following receipt of the application. Any valid absentee ballot shall be accepted and processed so long as the ballot is received by the registrar or absentee ballot clerk not

later than 45 days after the ballot is transmitted to the absent uniformed services voter or overseas voter, but in no event later than 11 days following the date of the election.

(b)

(1) Upon receipt of a timely application for an absentee ballot, a registrar or absentee ballot clerk shall enter thereon the date received. The registrar or absentee ballot clerk shall verify the identity of the applicant and determine, in accordance with the provisions of this chapter, if the applicant is eligible to vote in the primary or election involved. In order to verify the identity of the applicant, the registrar or absentee ballot clerk shall compare the applicant's name, date of birth, and Georgia driver's license or identification card number on the application with the information on file in the registrar's office. If the application does not contain a Georgia driver's license, the registrar or absentee ballot clerk shall verify that the identification provided with the application identifies the applicant. In order to be found eligible to vote an absentee ballot in person at the registrar's office or absentee ballot clerk's office, such person shall show one of the forms of identification listed in Code Section 21-2-417 and the registrar or absentee ballot clerk shall compare the identifying information on the application with the information on file in the registrar's office.

(2) If found eligible, the registrar or absentee ballot clerk shall certify by signing in the proper place on the application and then:

(A) Shall mail the ballot as provided in this Code section;

(B) If the application is made in person, shall issue the ballot to the elector within the confines of the registrar's or absentee ballot clerk's office as required by Code Section 21-2-383 if the ballot is issued during the advance voting period established pursuant to subsection (d) of Code Section 21-2-385; or

(C) May deliver the ballot in person to the elector if such elector is confined to a hospital.

(3) If found ineligible, the clerk or the board of registrars shall deny the application by writing the reason for rejection in the proper space on the application and shall promptly notify the applicant in writing of the ground of ineligibility, a copy of which notification should be retained on file in the office of the board of registrars or absentee ballot clerk for at least one year. However, an absentee ballot application shall not be rejected solely due to a mismatch between the identifying information of the elector on the application and the identifying information of the elector on file with the board of registrars. In such cases, the board of registrars or absentee ballot clerk shall send the elector a provisional absentee ballot with the designation "Provisional Ballot" on the outer oath envelope and information prepared by the Secretary of State as to the process to be followed to cure the discrepancy. If such ballot is returned to the board of registrars or absentee ballot clerk prior to the closing of the polls on the day of the primary or election, the elector may cure the discrepancy by submitting an affidavit to the board of registrars or absentee ballot clerk along with a copy of one of the forms of identification enumerated in subsection (c) of Code Section 21-2-417 before the close of the period for verifying provisional ballots contained in subsection (c) of Code Section 21-2-419. If the board of registrars or absentee ballot clerk finds the affidavit and identification to be sufficient, the absentee ballot shall be counted as other absentee ballots. If the board of registrars or absentee ballot clerk finds the affidavit and identification to be insufficient, then the procedure contained in Code Section 21-2-386 shall be followed for rejected absentee ballots.

(4) If the registrar or clerk is unable to determine the identity of the elector from information given on the application or if the application is not complete or if the oath on the application is not signed, the registrar or clerk should promptly contact the elector in writing to request the necessary additional information and a signed copy of the oath.

Section 9

Delete because now that language is in Section 7.

NEW SECTION- Edit to 21-2-384(b) to reflect what absentee ballot envelope now needs to look like:

(b) Except for ballots voted within the confines of the registrar's or absentee ballot clerk's office, in addition to the mailing envelope addressed to the elector, the superintendent, board of registrars, or absentee ballot clerk shall provide two envelopes for each official absentee ballot, of such size and shape as shall be determined by the Secretary of State, in order to permit the placing of one within the other and both within the mailing envelope. On the smaller of the two envelopes to be enclosed in the mailing envelope shall be printed the words "Official Absentee Ballot" and nothing else. The larger of the two envelopes to be enclosed within the mailing envelope shall contain the form of oath of the elector and the oath for persons assisting electors, as provided for in Code Section 21-2-409, and the penalties provided for in Code Sections 21-2-568, 21-2-573, 21-2-579, and 21-2-599 for violations of oaths, a place for the elector to print his or her name, a signature line, a space for the elector to print his or her Georgia driver's license or state identification card number, a space for the elector to mark to affirm that he or she does not have a Georgia driver's license or identification card, a space for the elector to print his or her date of birth, and a space for the elector to print the last four digits of his or her social security number (if the elector does not have a Georgia driver's license or state identification card). The envelope shall be designed so that the elector's Georgia driver's license or identification card number, last four digits of social security number, and date of birth shall be hidden from view when the envelope is correctly sealed. Any person other than the elector who requested the ballot, an authorized person who is assisting an elector entitled to assistance pursuant to Code Section 21-2-381, absentee ballot clerk, registrar, or law enforcement officer in the course of an investigation who knowingly unseals a sealed absentee ballot envelope shall be guilty of a felony. On the face of such envelope shall be printed the name and address of the board of registrars or absentee ballot clerk. The larger of the two envelopes shall also display the elector's name and voter registration number. The mailing envelope addressed to the elector shall contain the two envelopes, the official absentee ballot, the uniform instructions for the manner of preparing and returning the ballot, in form and substance as provided by the Secretary of State, provisional absentee ballot information, if necessary, and a notice in the form

Section 12

Delete lines 279-313 and replace with:

(a) At any time after receiving an official absentee ballot, but before the day of the primary or election, except electors who are confined to a hospital on the day of the primary or election, the elector shall

vote his or her absentee ballot, then fold the ballot and enclose and securely seal the same in the envelope on which is printed "Official Absentee Ballot." This envelope shall then be placed in the second one, on which is printed the form of the oath of the elector; the name and oath of the person assisting, if any; and other required identifying information. The elector shall then fill out, subscribe, and swear to the oath printed on such envelope. In order to verify that the absentee ballot was voted by the elector who requested the ballot, the elector shall print his or her Georgia driver's license or identification card number in the space provided on the envelope. The elector shall also print his or her date of birth in the space provided in the envelope. If the elector does not have a Georgia driver's license or state identification card number, the elector shall so affirm in the space provided on the envelope and print the last four digits of his or her social security number in the space provided on the envelope. If the elector does not have a Georgia driver's license or identification card or a social security number, the elector shall so affirm in the space provided on the envelope and place a copy of identification set forth in Section 21-2-417(c). Such envelope shall then be securely sealed and the elector shall then personally mail or personally deliver same to the board of registrars or absentee ballot clerk, provided that mailing or delivery may be made by the elector's mother, father, grandparent, aunt, uncle, brother, sister, spouse, son, daughter, niece, nephew, grandchild, son-in-law, daughter-in-law, mother-in-law, father-in-law, brother-in-law, sister-in-law, or an individual residing in the household of such elector. The absentee ballot of a disabled elector may be mailed or delivered by the caregiver of such disabled elector, regardless of whether such caregiver resides in such disabled elector's household. The absentee ballot of an elector who is in custody in a jail or other detention facility may be mailed or delivered by any employee of such jail or facility having custody of such elector. An elector who is confined to a hospital on a primary or election day to whom an absentee ballot is delivered by the registrar or absentee ballot clerk shall then and there vote the ballot, seal it properly, and return it to the registrar or absentee ballot clerk. If the elector registered to vote for the first time in this state by mail and has not previously provided the identification required by Code Section 21-2-220 and votes for the first time by absentee ballot and fails to provide the identification required by Code Section 21-2-220 with such absentee ballot, such absentee ballot shall be treated as a provisional ballot and shall be counted only if the registrars are able to verify the identification and registration of the elector during the time provided pursuant to Code Section 21-2-419.

Section 13

Delete current language and replace with:

(B) Upon receipt of each ballot, a registrar or clerk shall write the day and hour of the receipt of the ballot on its envelope. The registrar or clerk shall then compare the elector's Georgia driver's license or state identification card number and date of birth printed on the absentee ballot envelope with the same information contained in the elector's voter registration records. If the elector has affirmed on the envelope that he or she does not have a Georgia driver's license number or state identification card, the registrar or clerk shall compare the last four digits of the elector's social security number and date of birth printed on the envelope with the same information contained in the elector's voter registration records. The registrar or absentee ballot clerk shall also confirm that the elector signed the oath and the person assisting the elector (if any) signed the oath. If the elector has signed the oath, the person assisting has signed the oath (if applicable), and the identifying information printed on the absentee

ballot envelope matches the same information contained in the elector's voter registration record, the registrar or absentee ballot clerk shall so certify by signing or initialing his or her name below the voter's oath. 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.

(C) If the elector has failed to sign the oath, or if the identifying information printed on the absentee ballot envelope does not match the same information appearing in the elector's voter registration record, or if the elector has failed to furnish required information or information so furnished does not conform with that on file in the registrar's or clerk's office, or if the elector is otherwise found disqualified to vote, the registrar or clerk shall write across the face of the envelope "Rejected," giving the reason therefor. The board of registrars or absentee ballot clerk shall promptly notify the elector of such rejection, a copy of which notification shall be retained in the files of the board of registrars or absentee ballot clerk for at least two years. Such elector shall have until the end of the period for verifying provisional ballots contained in subsection (c) of Code Section 21-2-419 to cure the problem resulting in the rejection of the ballot. The elector may cure a failure to sign the oath, non-matching identifying information, or missing information by submitting an affidavit to the board of registrars or absentee ballot clerk along with a copy of one of the forms of identification enumerated in subsection (c) of Code Section 21-2-417 before the close of such period. The affidavit shall affirm that the ballot was submitted by the elector, is the elector's ballot, and that the elector is registered and qualified to vote in the primary, election, or runoff in question. If the board of registrars or absentee ballot clerk finds the affidavit and identification to be sufficient, the absentee ballot shall be counted.

(g) After the close of the polls on the day of the primary, election, or runoff, the board of registrars shall notify the superintendent of the total number of absentee ballots received by the close of the polls, and the superintendent shall post such information publicly.

(h) After the polls close, the certified absentee ballots that were received by the time for the closing of the polls shall be counted and tabulated, and such count and tabulation shall not cease until all such ballots have been tabulated. If the superintendent has exercised the option under this Code section to begin the count and tabulation of absentee ballots earlier than the close of the polls, then such count shall proceed until all certified absentee ballots that were received by the close of the polls have been counted and tabulated.

...

(2) (A) Beginning at 8:00 a.m. on the second Monday prior to the day of the primary, election, or runoff, the county election superintendent shall be authorized to open the outer envelope of absentee ballots that have been verified and accepted pursuant to subsection (a)(1)(B) of this section in such a manner as not to destroy the oath printed thereon remove the contents of such outer envelope and open the inner envelope marked "Official Absentee Ballot", and scan the absentee ballot using one or more ballot scanners. At least three persons who are registrars, deputy registrars, poll workers, or absentee ballot clerks must be present before commencing; and three persons who are registrars, deputy registrars, or absentee ballot clerks shall be present at all times while the absentee envelopes are being opened and scanned. However, no person shall tally, tabulate, estimate or attempt to tally, tabulate, or estimate or cause the ballot scanner or any other equipment to produce any tally or tabulate, partial or otherwise, of the absentee ballots cast until the time for the closing of the polls on the day of the primary, election, or runoff except as provided in this section. Prior to beginning the process set forth in this subsection,

the superintendent shall provide written notice to the Secretary of State in writing at least seven days prior to processing absentee ballots. Such notice shall contain the dates, start and end times, and location(s) where absentee ballots will be processed. The superintendent shall also post this notice publicly in a prominent and public location in the superintendent's office and on the home page of the county election's website. The Secretary of State shall publish on his website the information he or she receives from counties stating the dates, times, and locations where absentee ballots will be processed.

(C.) The proceedings set forth in this subsection shall be open to the view of the public, but no person except one employed and designated by the superintendent shall touch any ballot or ballot container. Any person involved in processing absentee ballots shall swear an oath, in the same form as the oath for poll officers set forth in Code Section 21-2-95, prior to beginning the processing of absentee ballots. The state or county executive committee of each political party and political body having candidates whose names appear on the ballot for such election in such county shall have the right to designate two persons and each independent and nonpartisan candidate whose name appears on the ballot for such election in such county shall have the right to designate one person to act as monitors for such process. In the event that the only issue to be voted upon in an election is a referendum question, the superintendent shall also notify in writing the chief judge of the superior court of the county who shall appoint two electors of the county to monitor such process. While viewing or monitoring the process set forth in this subsection, monitors and observers are prohibited from:

(i.) In any way interfering with the processing of absentee ballots or the conduct of the election;

(ii.) Using or bringing into the room any photographic or other electronic monitoring or recording devices, cellular telephones, or computers;

(iii.) Engaging in any form of campaigning or campaign activity;

(iv.) Taking any action that endangers the secrecy and security of the ballots;

(v.) Touching any ballot or ballot container;

(vi.) Tallying, tabulating, estimating or attempting to tally, tabulate, or estimate, whether partial or otherwise, any of the votes on the absentee ballots cast; and

(vii.) Communicating any information that they see, whether intentionally or inadvertently, about any ballot, vote, or selection to anyone other than an election official who needs such information to lawfully carry out his or her official duties.

(D.) The State Election Board shall promulgate rules requiring reconciliation procedures and other protections to protect the integrity of the process set forth in this subsection.

...

(5) The process for opening absentee ballot envelopes, scanning absentee ballots, and tabulating absentee ballots on the day of a primary, election, or runoff as provided in this subsection shall be a confidential process to maintain the secrecy of all ballots and to protect the disclosure of any balloting information before 7:00 P.M. on election day. No absentee ballots shall be tabulated before 7:00 A.M. on the day of a primary, election, or runoff.

...

(7) The absentee ballots shall be tabulated in accordance with the procedures of this chapter for the tabulation of absentee ballots. As such ballots are tabulated, they shall be placed into locked ballot boxes and may be transferred to locked ballot bags, if needed, for security. The persons conducting the tabulation of the absentee ballots shall not cause the tabulating equipment to produce any count, partial or otherwise, of the absentee votes cast until the time for the closing of the polls except as otherwise provided in this section.

(b) When requested by the superintendent but not earlier than the second Monday prior to a primary, election, or runoff, a registrar or absentee ballot clerk shall deliver the official absentee ballot of each certified absentee elector, each rejected absentee ballot, applications for such ballots, and copies of the numbered lists of certified and rejected absentee electors to the location designated by the superintendent, and the superintendent or official receiving such absentee ballots shall issue his or her receipt therefor.

(c) The superintendent shall cause the certified absentee ballots to be opened and tabulated as provided in this Code section. A manager shall then open the outer envelope in such manner as not to destroy the oath printed thereon and shall deposit the inner envelope marked "Official Absentee Ballot" in a ballot box reserved for absentee ballots. In the event that an outer envelope is found to contain an absentee ballot that is not in an inner envelope, the ballot shall be sealed in an inner envelope, initialed and dated by the person sealing the inner envelope, and deposited in the ballot box and counted in the same manner as other absentee ballots, provided that such ballot is otherwise proper. Such manager with two assistant managers, appointed by the superintendent, with such clerks as the manager deems necessary shall count the absentee ballots following the procedures prescribed by this chapter for other ballots, insofar as practicable.

(d) All absentee ballots shall be counted and tabulated in such a manner that returns may be reported by precinct; and separate returns shall be made for each precinct in which absentee ballots were cast showing the results by each precinct in which the electors reside. The superintendent shall utilize the procedures set forth in this section to ensure that the returns of verified absentee ballots cast are reported to the public as soon as possible following the closing of the polls on the day of the primary, election, or runoff.

Section 14

Line 418: After ballot add "applications or"

Section 15

Strike lines 430-432

Section 16- Delete.

Section 19- Delete

Edits to LC 28 0274S

Line 186: Delete “or if the application is not timely received”

Line 322: Before the period, add “in the envelope”

Lines 546-548: Delete “state or” and leave in the deleted language (so there are no changes to what is in existing law).

Edits to LC 28 0273S

Line 219: Delete “or if the application is not timely received”

Line 355: Before the period, add “in the envelope”

Lines 581-583” Delete “state or” and leave in the deleted language.

_____ offers the following
substitute to SB 241:

A BILL TO BE ENTITLED
AN ACT

1 To comprehensively revise elections and voting; to amend Chapter 2 of Title 21 of the
2 Official Code of Georgia Annotated, relating to elections and primaries generally, so as to
3 provide for the establishment of a voter intimidation and illegal election activities hotline;
4 to limit the ability of the State Election Board and the Secretary of State to enter into certain
5 consent agreements; to provide for the suspension and temporary replacement of election
6 superintendents on the basis of malfeasance, misfeasance, neglect of duty, incompetence, or
7 inability to perform duties; to provide for participation in a multistate voter registration
8 system; to provide for the use of portable or movable polling places only under limited
9 conditions; to revise a definition; to require reasons for absentee voting; to require
10 identification for requesting an absentee ballot application and to submit an absentee ballot;
11 to provide for the processing of absentee ballot applications and absentee ballots; to provide
12 for when absentee ballots may be sent to electors; to provide for certain disclosures by
13 nongovernmental entities who distribute absentee ballot applications; to provide for where
14 advance voting may be conducted; to provide for certain reports regarding absentee ballots
15 and advance voting; to provide for drop boxes; to provide for certain audits; to provide that
16 it shall be illegal to observe how an elector votes; to amend Article 1 of Chapter 13 of Title
17 50 of the Official Code of Georgia Annotated, relating to general provisions regarding
18 administrative procedure, so as to provide for the submission and suspension of emergency

19 rules by the State Election Board; to provide for severability; to provide for related matters;
20 to repeal conflicting laws; and for other purposes.

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

22 **SECTION 1.**

23 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and
24 primaries generally, is amended by revising Code Section 21-2-3, which was previously
25 reserved, as follows:

26 "21-2-3.

27 The Attorney General shall establish and maintain a telephone hotline for the use of
28 electors of this state to file complaints and allegations of voter intimidation and illegal
29 election activities. Such hotline shall, in addition to complaints and reports from identified
30 persons, also accept anonymous tips regarding voter intimidation and election fraud. The
31 Attorney General shall review each complaint or allegation of voter intimidation or illegal
32 election activities within three business days and determine if such complaint or report
33 should be investigated or prosecuted. Reserved."

34 **SECTION 2.**

35 Said chapter is further amended in Subpart 1 of Part 1 of Article 2, relating to the State
36 Election Board, by adding a new Code section to read as follows:

37 "21-2-35.

38 The State Election Board, the members thereof, the Secretary of State, and any of their
39 attorneys or staff shall not have any authority to enter into any consent agreement with any
40 other person that limits, alters, or interprets any provision of this chapter without obtaining
41 the approval of the General Assembly through a joint resolution."

93 portable or movable polling facilities used by such county or municipality meet all safety
94 and licensing requirements currently applicable under the law related to the operations of
95 commercial vehicles and all applicable state, county, and municipal codes related to the
96 accessibility and safety of portable and temporary structures."

97 **SECTION 6.**

98 Said chapter is further amended by revising Code Section 21-2-380, relating to "absentee
99 elector" defined and when reason for absentee ballot not required, as follows:

100 "21-2-380.

101 (a) As used in this article, the term 'absentee elector' means an elector of this state or a
102 municipality thereof who casts a ballot in a primary, election, or runoff other than in person
103 at the polls on the day of such primary, election, or runoff: or at an advance voting location
104 pursuant to subsection (d) of Code Section 21-2-385 and who:

105 (1) Is required to be absent from his or her precinct during the hours designated for
106 advance voting pursuant to subsection (d) of Code Section 21-2-385 and hours designated
107 for voting on the day of the primary, election, or runoff in which he or she desires to vote;

108 (2) Will perform any of the official acts or duties set forth in this chapter in connection
109 with the primary, election, or runoff in which he or she desires to vote;

110 (3) Because of physical disability or because of being required to give constant care to
111 someone who is physically disabled, will be unable to be present at the polls on the day
112 of such primary, election, or runoff;

113 (4) Because the primary, election, or runoff falls upon a religious holiday observed by
114 such elector, will be unable to be present at the polls on the day of such primary, election,
115 or runoff;

116 (5) Is required to remain on duty in his or her place of employment during the entire time
117 the polls are open when such place of employment is within the precinct in which the
118 elector resides;

145 electronic image of such identification. In addition to the web application described
146 in this paragraph, the Secretary of State shall develop a method to allow secure
147 electronic transmission of such application form. The application shall be in writing
148 and shall contain sufficient information for proper identification of the elector; the
149 permanent or temporary address of the elector to which the absentee ballot shall be
150 mailed; also include the reason for requesting the absentee ballot as provided in Code
151 Section 21-2-380; the identity of the primary, election, or runoff in which the elector
152 wishes to vote; and the name and relationship of the person requesting the ballot if
153 other than the elector; and an oath for the elector or relative making application on
154 behalf of such elector to sign swearing or affirming that the elector is a qualified
155 elector of this state and that the facts presented in the application are true. Submitting
156 false information on an application for an absentee ballot shall be a violation of Code
157 Sections 21-2-560 and 21-2-571.

158 (ii) The Secretary of State shall be authorized to create a web application that allows
159 an elector to submit an absentee ballot application via an online portal. Such
160 application shall verify the identity of the elector by matching the elector's name, date
161 of birth, and Georgia driver's license or identification card number issued pursuant to
162 Article 5 of Chapter 5 of Title 40 contained in the state voter registration system with
163 the name, date of birth, and Georgia driver's license or identification card number
164 issued pursuant to Article 5 of Chapter 5 of Title 40 entered into the web application.
165 Such application shall require the elector to swear or affirm that he or she is a
166 qualified elector of this state and that the facts presented on the application are true.

167 (iii) The blank application for absentee ballot shall be made available online by the
168 Secretary of State, but neither the Secretary of State nor any election superintendent,
169 registrar, absentee ballot clerk, or employee or agent thereof shall send absentee ballot
170 applications directly to any elector except upon request of such elector or relative of
171 such elector authorized to request an absentee ballot for such elector. No person or

172 entity other than a relative authorized to request an absentee ballot for such elector or
 173 a person signing as assisting an illiterate or physically disabled elector shall send any
 174 elector an absentee ballot application that is pre-filled with the elector's personal
 175 identifying information, in whole or in part. Any blank application for absentee ballot
 176 sent by any person or entity shall utilize the form made available by the Secretary of
 177 State.

178 (D) Except in the case of physically disabled electors residing in the county or
 179 municipality or electors in custody in a jail or other detention facility in the county or
 180 municipality, no absentee ballot shall be mailed to an address other than the permanent
 181 mailing address of the elector as recorded on the elector's voter registration record or
 182 a temporary out-of-county or out-of-municipality address. Upon request, electors held
 183 in jails or other detention facilities who are eligible to vote shall be granted access to
 184 the necessary personal effects for the purpose of applying for an absentee ballot
 185 pursuant to this Code section."

186 SECTION 8.

187 Said chapter is further amended by revising subsection (b) of Code Section 21-2-381, relating
 188 to making of application for absentee ballot, determination of eligibility by ballot clerk,
 189 furnishing of applications to colleges and universities, and persons entitled to make
 190 application, as follows:

191 "(b)(1) Upon receipt of a timely application for an absentee ballot, a registrar or absentee
 192 ballot clerk shall enter thereon the date received. The registrar or absentee ballot clerk
 193 shall verify the identity of the applicant and determine, in accordance with the provisions
 194 of this chapter, if the applicant is eligible to vote in the primary or election involved. In
 195 order to ~~be found eligible to vote an absentee ballot by mail~~ verify the identity of the
 196 applicant, the registrar or absentee ballot clerk shall compare the ~~identifying information~~
 197 applicant's name, date of birth, and Georgia driver's license number or identification card

198 number issued pursuant to Article 5 of Chapter 5 of Title 40 on the application with the
199 information on file in the registrar's office ~~and, if the application is signed by the elector,~~
200 ~~compare the signature or mark of the elector on the application with the signature or mark~~
201 ~~of the elector on the elector's voter registration card.~~ If the application does not contain
202 a Georgia driver's license number or identification card number issued pursuant to
203 Article 5 of Chapter 5 of Title 40, the registrar or absentee ballot clerk shall verify that
204 the identification provided with the application identifies the applicant. In order to be
205 found eligible to vote an absentee ballot in person at the registrar's office or absentee
206 ballot clerk's office, such person shall show one of the forms of identification listed in
207 Code Section 21-2-417 and the registrar or absentee ballot clerk shall compare the
208 identifying information on the application with the information on file in the registrar's
209 office.

210 (2) If found eligible, the registrar or absentee ballot clerk shall certify by signing in the
211 proper place on the application and then:

212 (A) Shall mail the ballot as provided in this Code section;

213 (B) If the application is made in person, shall issue the ballot to the elector within the
214 confines of the registrar's or absentee ballot clerk's office as required by Code
215 Section 21-2-383 if the ballot is issued during the advance voting period established
216 pursuant to subsection (d) of Code Section 21-2-385; or

217 (C) May deliver the ballot in person to the elector if such elector is confined to a
218 hospital.

219 (3) If found ineligible or if the application is not timely received, the clerk or the board
220 of registrars shall deny the application by writing the reason for rejection in the proper
221 space on the application and shall promptly notify the applicant in writing of the ground
222 of ineligibility, a copy of which notification should be retained on file in the office of the
223 board of registrars or absentee ballot clerk for at least one year. However, an absentee
224 ballot application shall not be rejected solely due to ~~an apparent~~ a mismatch between the

225 ~~signature~~ identifying information of the elector on the application and the ~~signature~~
226 identifying information of the elector on file with the board of registrars. In such cases,
227 the board of registrars or absentee ballot clerk shall send the elector a provisional
228 absentee ballot with the designation 'Provisional Ballot' on the outer oath envelope and
229 information prepared by the Secretary of State as to the process to be followed to cure the
230 ~~signature~~ discrepancy. If such ballot is returned to the board of registrars or absentee
231 ballot clerk prior to the closing of the polls on the day of the primary or election, the
232 elector may cure the ~~signature~~ discrepancy by submitting an affidavit to the board of
233 registrars or absentee ballot clerk along with a copy of one of the forms of identification
234 enumerated in subsection (c) of Code Section 21-2-417 before the close of the period for
235 verifying provisional ballots contained in subsection (c) of Code Section 21-2-419. If the
236 board of registrars or absentee ballot clerk finds the affidavit and identification to be
237 sufficient, the absentee ballot shall be counted as other absentee ballots. If the board of
238 registrars or absentee ballot clerk finds the affidavit and identification to be insufficient,
239 then the procedure contained in Code Section 21-2-386 shall be followed for rejected
240 absentee ballots.

241 (4) If the registrar or clerk is unable to determine the identity of the elector from
242 information given on the application or if the application is not complete or if the oath on
243 the application is not signed, the registrar or clerk should promptly ~~write~~ contact the
244 elector in writing to request the necessary additional information and a signed copy of the
245 oath.

246 (5) In the case of an unregistered applicant who is eligible to register to vote, the clerk
247 or the board shall immediately mail a blank registration card as provided by Code
248 Section 21-2-223, and such applicant, if otherwise qualified, shall be deemed eligible to
249 vote by absentee ballot in such primary or election, if the registration card, properly
250 completed, is returned to the clerk or the board on or before the last day for registering
251 to vote in such primary or election. If the closing date for registration in the primary or

252 election concerned has not passed, the clerk or registrar shall also mail a ballot to the
253 applicant, as soon as it is prepared and available; and the ballot shall be cast in such
254 primary or election if returned to the clerk or board not later than the close of the polls
255 on the day of the primary or election concerned."

256 SECTION 9.

257 Said chapter is further amended in Code Section 21-2-381, relating to making of application
258 for absentee ballot, determination of eligibility by ballot clerk, furnishing of applications to
259 colleges and universities, and persons entitled to make application, by adding a new
260 subsection to read as follows:

261 "(f) Other than the Secretary of State or a county election or registration official, any
262 person, organization, or other entity which distributes or publishes any document or
263 material to electors that purports to be an application for an absentee ballot shall
264 prominently display a disclaimer thereon in at least 20 point type which occupies at least
265 25 percent of the area on the front and back of such document or material and which shall
266 state:

267 'This is NOT an official government publication and was NOT provided to you by any
268 governmental entity. It is being distributed by [insert name and address of person,
269 organization, or other entity distributing such document or material].'"

270 SECTION 10.

271 Said chapter is further amended by revising Code Section 21-2-382, relating to additional
272 sites as additional registrar's office or place of registration for absentee ballots, as follows:

273 "21-2-382.

274 (a) Any other provisions of this chapter to the contrary notwithstanding, the board of
275 registrars may establish additional sites as additional registrar's offices or places of
276 registration for the purpose of receiving absentee ballots under Code Section 21-2-381 and

277 for the purpose of voting absentee ballots under Code Section 21-2-385, including advance
 278 voting, provided that any such site is a building that is a branch of the county courthouse,
 279 a courthouse annex, a government service center providing general government services,
 280 another government building generally accessible to the public, or a ~~location~~ building that
 281 is used as an election day polling place, notwithstanding that such ~~location~~ building is not
 282 a government building.

283 (b) Any other provisions of this chapter to the contrary notwithstanding, in all counties of
 284 this state having a population of 550,000 or more according to the United States decennial
 285 census of 1990 or any future such census, any building that is a branch of the county
 286 courthouse or courthouse annex established within any such county shall be an additional
 287 registrar's or absentee ballot clerk's office or place of registration for the purpose of
 288 receiving absentee ballots under Code Section 21-2-381 and for the purpose of voting
 289 absentee ballots under Code Section 21-2-385, including advance voting."

290 SECTION 11.

291 Said chapter is further amended by revising subsection (b) of Code Section 21-2-384, relating
 292 to preparation and delivery of supplies, mailing of ballots, oath of absentee electors and
 293 persons assisting absentee electors, master list of ballots sent, challenges, and electronic
 294 transmission of ballots, as follows:

295 "(b) Except for ballots voted within the confines of the registrar's or absentee ballot clerk's
 296 office, in addition to the mailing envelope addressed to the elector, the superintendent,
 297 board of registrars, or absentee ballot clerk shall provide two envelopes for each official
 298 absentee ballot, of such size and shape as shall be determined by the Secretary of State, in
 299 order to permit the placing of one within the other and both within the mailing envelope.
 300 On the smaller of the two envelopes to be enclosed in the mailing envelope shall be printed
 301 the words 'Official Absentee Ballot' and nothing else. ~~On the back of the~~ The larger of the
 302 two envelopes to be enclosed within the mailing envelope shall ~~be printed~~ contain the form

303 of oath of the elector and the oath for persons assisting electors, as provided for in Code
304 Section 21-2-409, and the penalties provided for in Code Sections 21-2-568, 21-2-573,
305 21-2-579, and 21-2-599 for violations of oaths; a place for the elector to print his or her
306 name; a signature line; a space for the elector to print his or her Georgia driver's license or
307 state identification card number issued pursuant to Article 5 of Chapter 5 of Title 40; a
308 space for the elector to mark to affirm that he or she does not have a Georgia driver's
309 license or identification card issued pursuant to Article 5 of Chapter 5 of Title 40; a space
310 for the elector to print his or her date of birth; and a space for the elector to print the last
311 four digits of his or her social security number, if the elector does not have a Georgia
312 driver's license or state identification card issued pursuant to Article 5 of Chapter 5 of
313 Title 40. The envelope shall be designed so that the elector's Georgia driver's license or
314 identification card number issued pursuant to Article 5 of Chapter 5 of Title 40, last four
315 digits of social security number, and date of birth shall be hidden from view when the
316 envelope is correctly sealed. Any person other than the elector who requested the ballot,
317 an authorized person who is assisting an elector entitled to assistance under Code
318 Section 21-2-381, absentee ballot clerk, registrar, or law enforcement officer in the course
319 of an investigation who knowingly unseals a sealed absentee ballot envelope shall be guilty
320 of a felony. and on On the face of such envelope shall be printed the name and address of
321 the board of registrars or absentee ballot clerk. The larger of the two envelopes shall also
322 display the elector's name and voter registration number. The mailing envelope addressed
323 to the elector shall contain the two envelopes, the official absentee ballot, the uniform
324 instructions for the manner of preparing and returning the ballot, in form and substance as
325 provided by the Secretary of State, provisional absentee ballot information, if necessary,
326 and a notice in the form provided by the Secretary of State of all withdrawn, deceased, and
327 disqualified candidates and any substitute candidates pursuant to Code Sections 21-2-134
328 and 21-2-155 and nothing else. The uniform instructions shall include information specific
329 to the voting system used for absentee voting concerning the effect of overvoting or voting

330 for more candidates than one is authorized to vote for a particular office and information
331 concerning how the elector may correct errors in voting the ballot before it is cast including
332 information on how to obtain a replacement ballot if the elector is unable to change the
333 ballot or correct the error."

334 SECTION 12.

335 Said chapter is further amended by revising subsections (a) and (d) of Code
336 Section 21-2-385, relating to procedure for voting by absentee ballot and advance voting, and
337 adding a new subsection to read as follows:

338 "(a) At any time after receiving an official absentee ballot, but before the day of the
339 primary or election, except electors who are confined to a hospital on the day of the
340 primary or election, the elector shall vote his or her absentee ballot, then fold the ballot and
341 enclose and securely seal the same in the envelope on which is printed 'Official Absentee
342 Ballot.' This envelope shall then be placed in the second one, on which is printed the form
343 of the oath of the elector; the name and oath of the person assisting, if any; and other
344 required identifying information. The elector shall then fill out, subscribe, and swear to the
345 oath printed on such envelope. In order to verify that the absentee ballot was voted by the
346 elector who requested the ballot, the elector shall print his or her Georgia driver's license
347 or identification card number issued pursuant to Article 5 of Chapter 5 of Title 40 in the
348 space provided on the envelope. The elector shall also print his or her date of birth in the
349 space provided in the envelope. If the elector does not have a Georgia driver's license or
350 state identification card number issued pursuant to Article 5 of Chapter 5 of Title 40, the
351 elector shall so swear or affirm in the space provided on the envelope and print the last four
352 digits of his or her social security number in the space provided on the envelope. If the
353 elector does not have a Georgia driver's license or identification card or a social security
354 number, the elector shall so affirm in the space provided on the envelope and place a copy
355 of identification set forth in subsection (c) of Code Section 21-2-417. Such envelope shall

356 then be securely sealed and the elector shall then personally mail or personally deliver
357 same to the board of registrars or absentee ballot clerk, provided that mailing or delivery
358 may be made by the elector's mother, father, grandparent, aunt, uncle, brother, sister,
359 spouse, son, daughter, niece, nephew, grandchild, son-in-law, daughter-in-law,
360 mother-in-law, father-in-law, brother-in-law, sister-in-law, or an individual residing in the
361 household of such elector. The absentee ballot of a disabled elector may be mailed or
362 delivered by the caregiver of such disabled elector, regardless of whether such caregiver
363 resides in such disabled elector's household. The absentee ballot of an elector who is in
364 custody in a jail or other detention facility may be mailed or delivered by any employee of
365 such jail or facility having custody of such elector. An elector who is confined to a hospital
366 on a primary or election day to whom an absentee ballot is delivered by the registrar or
367 absentee ballot clerk shall then and there vote the ballot, seal it properly, and return it to
368 the registrar or absentee ballot clerk. If the elector registered to vote for the first time in
369 this state by mail and has not previously provided the identification required by Code
370 Section 21-2-220 and votes for the first time by absentee ballot and fails to provide the
371 identification required by Code Section 21-2-220 with such absentee ballot, such absentee
372 ballot shall be treated as a provisional ballot and shall be counted only if the registrars are
373 able to verify the identification and registration of the elector during the time provided
374 pursuant to Code Section 21-2-419."

375 "(d)(1) There shall be a period of advance voting during which persons may vote in
376 person without specifying any of the reasons stated in subsection (a) of Code
377 Section 21-2-380 that shall commence:

- 378 (A) On the fourth Monday immediately prior to each primary or election;
379 (B) On the fourth Monday immediately prior to a runoff from a general primary;
380 (C) On the fourth Monday immediately prior to a runoff from a general election in
381 which there are candidates for a federal office on the ballot in the runoff; and

382 (D) As soon as possible prior to a runoff from any other general election in which there
383 are only state or county candidates on the ballot in the runoff but no later than the
384 second Monday immediately prior to such runoff
385 and shall end on the Friday immediately prior to each primary, election, or runoff.
386 Voting shall be conducted during normal business hours on weekdays during such period
387 and shall be conducted on the second Saturday prior to a primary or election during the
388 hours of 9:00 A.M. through 4:00 P.M.; provided, however, that in primaries and elections
389 in which there are no federal or state candidates on the ballot, no Saturday voting hours
390 shall be required; and provided, further, that, if such second Saturday is a public and legal
391 holiday pursuant to Code Section 1-4-1, if such second Saturday follows a public and
392 legal holiday occurring on the Thursday or Friday immediately preceding such second
393 Saturday, or if such second Saturday immediately precedes a public and legal holiday
394 occurring on the following Sunday or Monday, such advance voting shall not be held on
395 such second Saturday but shall be held on the third Saturday prior to such primary or
396 election. Except as otherwise provided in this paragraph, counties and municipalities
397 may extend the hours for voting beyond regular business hours and may provide for
398 additional voting locations in buildings authorized pursuant to Code Section 21-2-382 to
399 suit the needs of the electors of the jurisdiction at their option. Advance voting shall be
400 allowed only in the main office of the board of elections and registration, the main office
401 of the board of registrars, or a building authorized pursuant to Code Section 21-2-382.
402 (e) On each day of an absentee voting period, each county board of registrars or municipal
403 absentee ballot clerk shall report for the county or municipality to the Secretary of State
404 and post on the county or municipal website not later than 10:00 A.M. on each business
405 day the number of persons to whom absentee ballots have been issued, the number of
406 persons who have returned absentee ballots, the number of absentee ballots that have been
407 rejected, and the number of ballots that have been rejected. Additionally, on each day of
408 an advance voting period, each county board of registrars or municipal absentee ballot

409 clerk shall report to the Secretary of State and post on the county or municipal website not
410 later than 10:00 A.M. on each business day the number of persons who have voted at the
411 advance voting sites in the county or municipality. During the absentee voting period and
412 for a period of three days following a primary, election, or runoff, each county board of
413 registrars or municipal absentee ballot clerk shall report to the Secretary of State and post
414 on the county or municipal website not later than 10:00 A.M. on each business day the
415 number of persons who have voted provisional ballots, the number of provisional ballots
416 that have verified or cured and accepted for counting, and the number of provisional ballots
417 that have been rejected."

418 **SECTION 13.**

419 Said chapter is further amended by revising Code Section 21-2-386, relating to safekeeping,
420 certification, and validation of absentee ballots, rejection of ballot, delivery of ballots to
421 manager, duties of managers, precinct returns, and notification of challenged elector, as
422 follows:

423 "21-2-386.

424 (a)(1)(A) The board of registrars or absentee ballot clerk shall keep safely, unopened,
425 and stored in a manner that will prevent tampering and unauthorized access all official
426 absentee ballots received from absentee electors prior to the closing of the polls on the
427 day of the primary or election except as otherwise provided in this subsection.

428 (B) Upon receipt of each ballot, a registrar or clerk shall write the day and hour of the
429 receipt of the ballot on its envelope. The registrar or clerk shall then compare the
430 ~~identifying information on the oath with the information on file in his or her office,~~
431 ~~shall compare the signature or mark on the oath with the signature or mark on the~~
432 ~~absentee elector's voter registration card or the most recent update to such absentee~~
433 ~~elector's voter registration card and application for absentee ballot or a facsimile of said~~
434 ~~signature or mark taken from said card or application, and shall, if the information and~~

435 ~~signature appear to be valid and other identifying information appears to be correct,~~
436 elector's Georgia driver's license number or state identification card issued pursuant to
437 Article 5 of Chapter 5 of Title 40 entered on the absentee ballot envelope with the same
438 information contained in the elector's voter registration records. If the elector has
439 sworn or affirmed on the envelope that he or she does not have a Georgia driver's
440 license or state identification card issued pursuant to Article 5 of Chapter 5 of Title 40,
441 the registrar or absentee ballot clerk shall compare the last four digits of the elector's
442 social security number and date of birth entered on the envelope with the same
443 information contained in the elector's voter registration records. The registrar or
444 absentee ballot clerk shall also confirm that the elector signed the oath and the person
445 assisting the elector, if any, signed the oath of assistance. If the elector has signed the
446 oath, the person assisting such elector, if any, has signed the oath of assistance, and the
447 identifying information entered on the absentee ballot envelope matches the same
448 information contained in the elector's voter registration record, the registrar or absentee
449 ballot clerk shall so certify by signing or initialing his or her name below the voter's
450 oath. Each elector's name so certified shall be listed by the registrar or clerk on the
451 numbered list of absentee voters prepared for his or her precinct.

452 (C) If the elector has failed to sign the oath, or if the ~~signature~~ identifying information
453 entered on the absentee ballot envelope does not ~~appear to be valid~~ match the same
454 information appearing in the elector's voter registration record, or if the elector has
455 failed to furnish required information or information so furnished does not conform
456 with that on file in the registrar's or absentee ballot clerk's office, or if the elector is
457 otherwise found disqualified to vote, the registrar or absentee ballot clerk shall write
458 across the face of the envelope 'Rejected,' giving the reason therefor. The board of
459 registrars or absentee ballot clerk shall promptly notify the elector of such rejection, a
460 copy of which notification shall be retained in the files of the board of registrars or
461 absentee ballot clerk for at least two years. Such elector shall have until the end of the

462 period for verifying provisional ballots contained in subsection (c) of Code
463 Section 21-2-419 to cure the problem resulting in the rejection of the ballot. The
464 elector may cure a failure to sign the oath, ~~an invalid signature~~ nonmatching identifying
465 information, or missing information by submitting an affidavit to the board of registrars
466 or absentee ballot clerk along with a copy of one of the forms of identification
467 enumerated in subsection (c) of Code Section 21-2-417 before the close of such period.
468 The affidavit shall affirm that the ballot was submitted by the elector, is the elector's
469 ballot, and that the elector is registered and qualified to vote in the primary, election,
470 or runoff in question. If the board of registrars or absentee ballot clerk finds the
471 affidavit and identification to be sufficient, the absentee ballot shall be counted.

472 (D) An elector who registered to vote by mail, but did not comply with subsection (c)
473 of Code Section 21-2-220, and who votes for the first time in this state by absentee
474 ballot shall include with his or her application for an absentee ballot or in the outer oath
475 envelope of his or her absentee ballot either one of the forms of identification listed in
476 subsection (a) of Code Section 21-2-417 or a copy of a current utility bill, bank
477 statement, government check, paycheck, or other government document that shows the
478 name and address of such elector. If such elector does not provide any of the forms of
479 identification listed in this subparagraph with his or her application for an absentee
480 ballot or with the absentee ballot, such absentee ballot shall be deemed to be a
481 provisional ballot and such ballot shall only be counted if the registrars are able to
482 verify current and valid identification of the elector as provided in this subparagraph
483 within the time period for verifying provisional ballots pursuant to Code
484 Section 21-2-419. The board of registrars or absentee ballot clerk shall promptly notify
485 the elector that such ballot is deemed a provisional ballot and shall provide information
486 on the types of identification needed and how and when such identification is to be
487 submitted to the board of registrars or absentee ballot clerk to verify the ballot.

488 (E) Three copies of the numbered list of voters shall also be prepared for such rejected
489 absentee electors, giving the name of the elector and the reason for the rejection in each
490 case. Three copies of the numbered list of certified absentee voters and three copies of
491 the numbered list of rejected absentee voters for each precinct shall be turned over to
492 the poll manager in charge of counting the absentee ballots and shall be distributed as
493 required by law for numbered lists of voters.

494 (F) All absentee ballots returned to the board or absentee ballot clerk after the closing
495 of the polls on the day of the primary or election shall be safely kept unopened by the
496 board or absentee ballot clerk and then transferred to the appropriate clerk for storage
497 for the period of time required for the preservation of ballots used at the primary or
498 election and shall then, without being opened, be destroyed in like manner as the used
499 ballots of the primary or election. The board of registrars or absentee ballot clerk shall
500 promptly notify the elector by first-class mail that the elector's ballot was returned too
501 late to be counted and that the elector will not receive credit for voting in the primary
502 or election. All such late absentee ballots shall be delivered to the appropriate clerk and
503 stored as provided in Code Section 21-2-390.

504 (G) Notwithstanding any provision of this chapter to the contrary, until the United
505 States Department of Defense notifies the Secretary of State that the Department of
506 Defense has implemented a system of expedited absentee voting for those electors
507 covered by this subparagraph, absentee ballots cast in a primary, election, or runoff by
508 eligible absentee electors who reside outside the county or municipality in which the
509 primary, election, or runoff is held and are members of the armed forces of the United
510 States, members of the merchant marine of the United States, spouses or dependents of
511 members of the armed forces or merchant marine residing with or accompanying such
512 members, or overseas citizens that are postmarked by the date of such primary, election,
513 or runoff and are received within the three-day period following such primary, election,

514 or runoff, if proper in all other respects, shall be valid ballots and shall be counted and
515 included in the certified election results.

516 ~~(2)(A) Beginning at 8:00 A.M. on the second Monday prior to~~ After the opening of the
517 ~~polls on the day of the primary, election, or runoff, the registrars or absentee ballot~~
518 ~~clerk superintendent shall be authorized to open the outer envelope on which is printed~~
519 ~~the oath of the elector of absentee ballots that have been verified and accepted pursuant~~
520 ~~to subparagraph (a)(1)(B) of this Code section in such a manner as not to destroy the~~
521 ~~oath printed thereon,~~ provided, however, that the registrars or absentee ballot clerk
522 ~~shall not be authorized to remove the contents of such outer envelope, or to open the~~
523 ~~inner envelope marked 'Official Absentee Ballot,' except as otherwise provided in this~~
524 ~~Code section and scan the absentee ballot using one or more ballot scanners.~~ At least
525 three persons who are registrars, deputy registrars, poll workers, or absentee ballot
526 clerks must be present before commencing; and three persons who are registrars, deputy
527 registrars, or absentee ballot clerks shall be present at all times while the outer absentee
528 ballot envelopes are being opened and the absentee ballots are being scanned. ~~After~~
529 ~~opening the outer envelopes, the ballots shall be safely and securely stored until the~~
530 ~~time for tabulating such ballots~~ However, no person shall tally, tabulate, estimate, or
531 attempt to tally, tabulate, or estimate or cause the ballot scanner or any other equipment
532 to produce any tally or tabulation, partial or otherwise, of the absentee ballots cast until
533 the time for the closing of the polls on the day of the primary, election, or runoff except
534 as provided in this Code section. Prior to beginning the process set forth in this
535 subsection, the superintendent shall provide written notice to the Secretary of State in
536 writing at least seven days prior to processing absentee ballots. Such notice shall
537 contain the dates, start and end times, and location or locations where absentee ballots
538 will be processed. The superintendent shall also post such notice publicly in a
539 prominent and public location in the superintendent's office and on the home page of
540 the county or municipal website regarding elections. The Secretary of State shall

541 publish on his or her website the information he or she receives from counties and
542 municipalities stating the dates, times, and locations where absentee ballots will be
543 processed.

544 (B) The proceedings set forth in this subsection shall be open to the view of the public,
545 but no person except a person employed and designated by the superintendent shall
546 touch any ballot or ballot container. Any person involved in processing absentee
547 ballots shall swear or affirm an oath, in the same form as the oath for poll officers set
548 forth in Code Section 21-2-95, prior to beginning the processing and scanning of the
549 absentee ballots. The state or county executive committee of each political party and
550 political body having candidates whose names appear on the ballot for such election in
551 such county or municipality shall have the right to designate two persons, and each
552 independent and nonpartisan candidate whose name appears on the ballot for such
553 election in such county or municipality shall have the right to designate one person to
554 act as monitors for such process. In the event that the only issue to be voted upon in an
555 election is a referendum question, the superintendent shall also notify in writing the
556 chief judge of the superior court of the county who shall appoint two electors of the
557 county or municipality to monitor such process. While viewing or monitoring the
558 process set forth in this subsection, monitors and observers are prohibited from:

559 (i) In any way interfering with the processing of absentee ballots or the conduct of
560 the primary, election, or runoff;

561 (ii) Using or bringing into the room any photographic or other electronic monitoring
562 or recording devices, cellular telephones, or computers;

563 (iii) Engaging in any form of campaigning or campaign activity;

564 (iv) Taking any action that endangers the secrecy and security of the absentee ballots;

565 (v) Touching any ballot or ballot container;

566 (vi) Tallying, tabulating, estimating, or attempting to tally, tabulate, or estimate,
567 whether partial or otherwise, any of the votes on the absentee ballots cast; and

568 (vii) Communicating any information that they see, whether intentionally or
569 inadvertently, about any ballot, vote, or selection to anyone other than an election
570 official who needs such information to lawfully carry out his or her official duties.

571 (C) The State Election Board shall promulgate rules and regulations requiring
572 reconciliation procedures and other protections to protect the integrity of the process
573 set forth in this subsection..

574 (3) A county election superintendent may, in his or her discretion, after 7:00 A.M. on the
575 day of the primary, election, or runoff open the inner envelopes in accordance with the
576 procedures prescribed in this subsection and begin tabulating the absentee ballots. If the
577 county election superintendent chooses to open the inner envelopes and begin tabulating
578 such ballots prior to the close of the polls on the day of the primary, election, or runoff,
579 the superintendent shall notify in writing, at least seven days prior to the primary,
580 election, or runoff, the Secretary of State of the superintendent's intent to begin the
581 absentee ballot tabulation prior to the close of the polls. The state or county executive
582 ~~committee or, if there is no organized county executive committee, the state executive~~
583 ~~committee~~ of each political party and political body having candidates whose names
584 appear on the ballot for such election in such county shall have the right to designate two
585 persons and each independent and nonpartisan candidate whose name appears on the
586 ballot for such election in such county shall have the right to designate one person to act
587 as monitors for such process. In the event that the only issue to be voted upon in an
588 election is a referendum question, the superintendent shall also notify in writing the chief
589 judge of the superior court of the county who shall appoint two electors of the county to
590 monitor such process.

591 (4) The county election superintendent shall publish a written notice in the
592 superintendent's office of the superintendent's intent to begin the absentee ballot
593 tabulation prior to the close of the polls and publish such notice at least one week prior
594 to the primary, election, or runoff in the legal organ of the county.

595 (5) The process for opening ~~the inner envelopes of~~ absentee ballot envelopes, scanning
596 absentee ballots, and tabulating absentee ballots on the day of a primary, election, or
597 runoff as provided in this subsection shall be a confidential process to maintain the
598 secrecy of all ballots and to protect the disclosure of any balloting information before
599 7:00 P.M. on election day. No absentee ballots shall be tabulated before 7:00 A.M. on
600 the day of a primary, election, or runoff.

601 (6) All persons conducting the tabulation of absentee ballots during the day of a primary,
602 election, or runoff, including the vote review panel required by Code Section 21-2-483,
603 and all monitors and observers shall be sequestered until the time for the closing of the
604 polls. All such persons shall have no contact with the news media; shall have no contact
605 with other persons not involved in monitoring, observing, or conducting the tabulation;
606 shall not use any type of communication device including radios, telephones, and cellular
607 telephones; shall not utilize computers for the purpose of e-mail, instant messaging, or
608 other forms of communication; and shall not communicate any information concerning
609 the tabulation until the time for the closing of the polls; provided, however, that
610 supervisory and technical assistance personnel shall be permitted to enter and leave the
611 area in which the tabulation is being conducted but shall not communicate any
612 information concerning the tabulation to anyone other than the county election
613 superintendent; the staff of the superintendent; those persons conducting, observing, or
614 monitoring the tabulation; and those persons whose technical assistance is needed for the
615 tabulation process to operate.

616 (7) The absentee ballots shall be tabulated in accordance with the procedures of this
617 chapter for the tabulation of absentee ballots. As such ballots are tabulated, they shall be
618 placed into locked ballot boxes and may be transferred to locked ballot bags, if needed,
619 for security. The persons conducting the tabulation of the absentee ballots shall not cause
620 the tabulating equipment to produce any count, partial or otherwise, of the absentee votes

621 cast until the time for the closing of the polls except as otherwise provided in this Code
622 section.

623 (b) ~~As soon as practicable after 7:00 A.M. on the day of the primary, election, or runoff,~~
624 ~~in precincts other than those in which optical scanning tabulators are used~~ When requested
625 by the superintendent, but not earlier than the second Monday prior to a primary, election,
626 or runoff, a registrar or absentee ballot clerk shall deliver the official absentee ballot of
627 each certified absentee elector, each rejected absentee ballot, applications for such ballots,
628 and copies of the numbered lists of certified and rejected absentee electors to the manager
629 in charge of the absentee ballot precinct of the county or municipality, which shall be
630 located in the precincts containing the county courthouse or polling place designated by the
631 municipal superintendent. In those precincts in which optical scanning tabulators are used,
632 such absentee ballots shall be taken to the tabulation center or other place designated by
633 the superintendent, and the official receiving such absentee ballots shall issue his or her
634 receipt therefor. Except as otherwise provided in this Code section, in no event shall the
635 counting of the ballots begin before the polls close.

636 (c) ~~Except as otherwise provided in this Code section, after the close of the polls on the~~
637 ~~day of the primary, election, or runoff, a~~ The superintendent shall cause the certified
638 absentee ballots to be opened and tabulated as provided in this Code section. A manager
639 ~~shall then~~ open the outer envelope in such manner as not to destroy the oath printed thereon
640 and shall deposit the inner envelope marked 'Official Absentee Ballot' in a ballot box
641 reserved for absentee ballots. In the event that an outer envelope is found to contain an
642 absentee ballot that is not in an inner envelope, the ballot shall be sealed in an inner
643 envelope, initialed and dated by the person sealing the inner envelope, and deposited in the
644 ballot box and counted in the same manner as other absentee ballots, provided that such
645 ballot is otherwise proper. Such manager with two assistant managers, appointed by the
646 superintendent, with such clerks as the manager deems necessary shall count the absentee
647 ballots following the procedures prescribed by this chapter for other ballots, insofar as

648 ~~practicable, and prepare an election return for the county or municipality showing the~~
649 ~~results of the absentee ballots cast in such county or municipality.~~

650 (d) All absentee ballots shall be counted and tabulated in such a manner that returns may
651 be reported by precinct; and separate returns shall be made for each precinct in which
652 absentee ballots were cast showing the results by each precinct in which the electors reside.
653 The superintendent shall utilize the procedures set forth in this Code section to ensure that
654 the returns of verified absentee ballots cast are reported to the public as soon as possible
655 following the closing of the polls on the day of the primary, election, or runoff.

656 (e) If an absentee elector's right to vote has been challenged for cause, a poll officer shall
657 write 'Challenged,' the elector's name, and the alleged cause of challenge on the outer
658 envelope and shall deposit the ballot in a secure, sealed ballot box; and it shall be counted
659 as other challenged ballots are counted. Where direct recording electronic voting systems
660 are used for absentee balloting and a challenge to an elector's right to vote is made prior to
661 the time that the elector votes, the elector shall vote on a paper or optical scanning ballot
662 and such ballot shall be handled as provided in this subsection. The board of registrars or
663 absentee ballot clerk shall promptly notify the elector of such challenge.

664 (f) It shall be unlawful at any time prior to the close of the polls for any person to disclose
665 or for any person to receive any information regarding the results of the tabulation of
666 absentee ballots except as expressly provided by law."

667 **SECTION 14.**

668 Said chapter is further amended in Code Section 21-2-390, relating to delivery of election
669 materials to clerk of superior court or city clerk after primary or election and accounting for
670 ballots by registrars or municipal absentee ballot clerks, by designating the existing text as
671 subsection (a) and by adding a new subsection to read as follows:

672 "(b) The Secretary of State shall be authorized to inspect and audit the information
673 contained in the absentee ballot applications or envelopes at his or her discretion at any

674 time during the 24 month retention period. Such audit may be conducted state wide or in
675 selected counties or cities and may include the auditing of a statistically significant sample
676 of the envelopes or a full audit of all of such envelopes. For this purpose, the Secretary of
677 State or his or her authorized agents shall have access to such envelopes in the custody of
678 the clerk of superior court or city clerk."

679 **SECTION 15.**

680 Said chapter is further amended in Code Section 21-2-403, relating to time for opening and
681 closing of polls, by redesignating the existing text as subsection (a) and adding a new
682 subsection to read as follows:

683 "(b) Poll hours at a precinct may be extended only by order of a judge of the superior court
684 of the county in which the precinct is located upon good cause being shown."

685 **SECTION 16.**

686 Said chapter is further amended in Part 1 of Article 11, relating to general provisions
687 regarding preparation for and conduct of primaries and elections, by adding a new Code
688 section to read as follows:

689 "21-2-420.

690 (a) After the time for the closing of the polls and the last elector voting, the poll officials
691 in each precinct shall complete the required accounting and related documentation for the
692 precinct and shall advise the election superintendent of the total number of ballots cast at
693 such precinct and the total number of provisional ballots cast. In precincts using
694 precinct-based counting or tabulation, the poll officials shall proceed to count and tabulate
695 the ballots cast. Such poll officials shall not cease such count until all ballots have been
696 counted or tabulated and vote totals obtained, with the exception of provisional ballots.
697 The chief manager and at least one assistant manager shall post a copy of the tabulated
698 results for the precinct on the door of the precinct and then immediately deliver all required

699 documentation and election materials to the election superintendent. In precincts using
700 central counting or tabulation, the chief manager and at least one assistant manager shall,
701 after completing the required accounting and related documentation for such precinct,
702 immediately deliver all ballots and required documentation and election materials to the
703 election superintendent or the counting and tabulating center designated by the election
704 superintendent for processing, counting, and tabulation. The election superintendent shall
705 then ensure that such ballots are processed, counted, and tabulated as soon as possible and
706 shall not cease such count and tabulation until all such ballots are counted and tabulated.
707 (b) The election superintendent shall ensure that each precinct notifies the election
708 superintendent of the number of ballots cast and number of provisional ballots cast as soon
709 as possible after the time for the closing of the polls and the last elector votes. The election
710 superintendent shall post such information publicly."

711 **SECTION 17.**

712 Said chapter is further amended by revising subsection (a) of Code Section 21-2-437, relating
713 to procedure as to count and return of votes generally and void ballots, as follows:

714 "(a) After the polls close and as soon as all the ballots have been properly accounted for
715 and those outside the ballot box as well as the voter's certificates, numbered list of voters,
716 and electors list have been sealed, the poll officers shall open the ballot box and take
717 therefrom all ballots contained therein. In primaries in which more than one ballot box is
718 used, any ballots or stubs belonging to another party holding its primary in the same polling
719 place shall be returned to the ballot box for the party for which they were issued. In
720 primaries, separate tally and return sheets shall be prepared for each party, and separate
721 poll officers shall be designated by the chief manager to count and tally each party's ballot.
722 Where the same ballot box is being used by one or more parties, the ballots and stubs shall
723 first be divided by party before being tallied and counted. The ballots shall then be counted
724 one by one and a record made of the total number. Then the chief manager, together with

725 such assistant managers and other poll officers as the chief manager may designate, under
726 the scrutiny of one of the assistant managers and in the presence of the other poll officers,
727 shall read aloud the names of the candidates marked or written upon each ballot, together
728 with the office for which the person named is a candidate, and the answers contained on
729 the ballots to the questions submitted, if any; and the other assistant manager and clerks
730 shall carefully enter each vote as read and keep account of the same in ink on a sufficient
731 number of tally papers, all of which shall be made at the same time. All ballots, after being
732 removed from the box, shall be kept within the unobstructed view of all persons in the
733 voting room until replaced in the box. No person, while handling the ballots, shall have
734 in his or her hand any pencil, pen, stamp, or other means of marking or spoiling any ballot.
735 The poll officers shall immediately proceed to canvass and compute the votes cast and shall
736 not adjourn or postpone the canvass or computation until it shall have been fully
737 completed, ~~except that, in the discretion of the superintendent, the poll officers may stop~~
738 ~~the counting after all contested races and questions are counted, provided that the results~~
739 ~~of these contested races and questions are posted for the information of the public outside~~
740 ~~the polling place and the ballots are returned to the ballot box and deposited with the~~
741 ~~superintendent until counting is resumed on the following day."~~

742 **SECTION 18.**

743 Said chapter is further amended by revising Code Section 21-2-492, relating to computation
744 and canvassing of returns, notice of when and where returns will be computed and canvassed,
745 blank forms for making statements of returns, and swearing of assistants, as follows:

746 "21-2-492.

747 The superintendent shall arrange for the computation and canvassing of the returns of votes
748 cast at each primary and election at his or her office or at some other convenient public
749 place at the county seat or municipality following the close of the polls on the day of such
750 primary or election with accommodations for those present insofar as space permits. An

751 interested candidate or his or her representative shall be permitted to keep or check his or
 752 her own computation of the votes cast in the several precincts as the returns from the same
 753 are read, as directed in this article. The superintendent shall give at least one week's notice
 754 prior to the primary or election by publishing same in a conspicuous place in the
 755 superintendent's office, of the ~~time and place when and~~ where he or she will commence and
 756 hold his or her sessions for the computation and canvassing of the returns; and he or she
 757 shall keep copies of such notice posted in his or her office during such period. The
 758 superintendent shall procure a sufficient number of blank forms of returns made out in the
 759 proper manner and headed as the nature of the primary or election may require, for making
 760 out full and fair statements of all votes which shall have been cast within the county or any
 761 precinct therein, according to the returns from the several precincts thereof, for any person
 762 voted for therein, or upon any question voted upon therein. The assistants of the
 763 superintendent in the computation and canvassing of the votes shall be first sworn by the
 764 superintendent to perform their duties impartially and not to read, write, count, or certify
 765 any return or vote in a false or fraudulent manner."

766 SECTION 19.

767 Said chapter is further amended by revising subsection (a) of Code Section 21-2-493, relating
 768 to computation, canvassing, and tabulation of returns, investigation of discrepancies in vote
 769 counts, recount procedure, certification of returns, and change in returns, as follows:

770 "(a) The superintendent shall, ~~at or before 12:00 Noon~~ after the close of the polls on the
 771 day following the of a primary or election, at his or her office or at some other convenient
 772 public place at the county seat or in the municipality, of which due notice shall have been
 773 given as provided by Code Section 21-2-492, publicly commence the computation and
 774 canvassing of the returns and continue ~~the same~~ until all absentee ballots received by the
 775 close of the polls, including those cast by advance voting, and all ballots cast on the day
 776 of the primary or election have been counted and tabulated and the results of such

777 tabulation released to the public and, then, continuing with provisional ballots as provided
778 in Code Sections 21-2-418 and 21-2-419 and those absentee ballots as provided in
779 subparagraph (a)(1)(G) of Code Section 21-2-386 from day to day until completed. For
780 this purpose, the superintendent may organize his or her assistants into sections, each of
781 which whom may simultaneously proceed with the computation and canvassing of the
782 returns from various precincts of the county or municipality in the manner provided by this
783 Code section. Upon the completion of such computation and canvassing, the
784 superintendent shall tabulate the figures for the entire county or municipality and sign,
785 announce, and attest the same, as required by this Code section."

786 **SECTION 20.**

787 Said chapter is further amended in Article 15, relating to miscellaneous offenses, by adding
788 a new Code section to read as follows:

789 "21-2-568.1.

790 (a) Except while providing authorized assistance in voting under Code Section 21-2-409,
791 no person shall intentionally observe an elector while casting a ballot in a manner that
792 would allow such person to see for whom or what the elector is voting.

793 (b) Any person who violates the provisions of subsection (a) of this Code section shall be
794 guilty of a felony."

795 **SECTION 21.**

796 Article 1 of Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to
797 general provisions regarding administrative procedure, is amended by revising subsection (b)
798 of Code Section 50-13-4, relating to procedural requirements for adoption, amendment, or
799 repeal of rules, emergency rules, limitation on action to contest rule, and legislative override,
800 as follows:

801 "(b) If any agency finds that an imminent peril to the public health, safety, or welfare,
802 including but not limited to, summary processes such as quarantines, contrabands, seizures,
803 and the like authorized by law without notice, requires adoption of a rule upon fewer than
804 30 days' notice and states in writing its reasons for that finding, it may proceed without
805 prior notice or hearing or upon any abbreviated notice and hearing that it finds practicable
806 to adopt an emergency rule. Any such rule adopted relative to a public health emergency
807 shall be submitted as promptly as reasonably practicable to the House of Representatives
808 and Senate Committees on Judiciary, provided that any such rule adopted relative to a
809 public health emergency by the State Election Board shall be submitted as soon as
810 practicable but not later than 20 days prior to the rule taking effect. Any emergency rule
811 adopted by the State Election Board pursuant to the provisions of this subsection may be
812 suspended upon the majority vote of the House of Representatives or Senate Committees
813 on Judiciary within ten days of the receipt of such rule by the committees. The rule may
814 be effective for a period of not longer than 120 days but the adoption of an identical rule
815 under paragraphs (1) and (2) of subsection (a) of this Code section is not precluded;
816 provided, however, that such a rule adopted pursuant to discharge of responsibility under
817 an executive order declaring a state of emergency or disaster exists as a result of a public
818 health emergency, as defined in Code Section 38-3-3, shall be effective for the duration of
819 the emergency or disaster and for a period of not more than 120 days thereafter."

820 **SECTION 22.**

821 This Act shall be severable in accordance with Code Section 1-1-3.

822 **SECTION 23.**

823 All laws and parts of laws in conflict with this Act are repealed.

_____ offers the following
substitute to SB 241:

A BILL TO BE ENTITLED
AN ACT

1 To comprehensively revise elections and voting; to amend Chapter 2 of Title 21 of the
2 Official Code of Georgia Annotated, relating to elections and primaries generally, so as to
3 provide for the establishment of a voter intimidation and illegal election activities hotline;
4 to limit the ability of the State Election Board and the Secretary of State to enter into certain
5 consent agreements; to provide for the suspension and temporary replacement of election
6 superintendents on the basis of malfeasance, misfeasance, neglect of duty, incompetence, or
7 inability to perform duties; to provide for participation in a multistate voter registration
8 system; to provide for the use of portable or movable polling places only under limited
9 conditions; to revise a definition; to require identification for requesting an absentee ballot
10 application and to submit an absentee ballot; to provide for the processing of absentee ballot
11 applications and absentee ballots; to provide for when absentee ballots may be sent to
12 electors; to provide for certain disclosures by nongovernmental entities who distribute
13 absentee ballot applications; to provide for where advance voting may be conducted; to
14 provide for certain reports regarding absentee ballots and advance voting; to provide for drop
15 boxes; to provide for certain audits; to provide that it shall be illegal to observe how an
16 elector votes; to amend Article 1 of Chapter 13 of Title 50 of the Official Code of Georgia
17 Annotated, relating to general provisions regarding administrative procedure, so as to provide
18 for the submission and suspension of emergency rules by the State Election Board; to provide

19 for severability; to provide for related matters; to repeal conflicting laws; and for other
20 purposes.

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

22 **SECTION 1.**

23 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and
24 primaries generally, is amended by revising Code Section 21-2-3, which was previously
25 reserved, as follows:

26 "21-2-3.

27 The Attorney General shall establish and maintain a telephone hotline for the use of
28 electors of this state to file complaints and allegations of voter intimidation and illegal
29 election activities. Such hotline shall, in addition to complaints and reports from identified
30 persons, also accept anonymous tips regarding voter intimidation and election fraud. The
31 Attorney General shall review each complaint or allegation of voter intimidation or illegal
32 election activities within three business days and determine if such complaint or report
33 should be investigated or prosecuted. Reserved."

34 **SECTION 2.**

35 Said chapter is further amended in Subpart 1 of Part 1 of Article 2, relating to the State
36 Election Board, by adding a new Code section to read as follows:

37 "21-2-35.

38 The State Election Board, the members thereof, the Secretary of State, and any of their
39 attorneys or staff shall not have any authority to enter into any consent agreement with any
40 other person that limits, alters, or interprets any provision of this chapter without obtaining
41 the approval of the General Assembly through a joint resolution."

SECTION 3.

Said chapter is further amended in Part 3 of Article 2, relating to superintendents, by adding a new Code section to read as follows:

"21-2-78.

(a) Notwithstanding any law to the contrary, the State Election Board, after due notice to the affected person or persons and the opportunity for a hearing before the State Election Board, may recommend in writing to the legislative delegation representing the jurisdiction involved that a county or municipal election superintendent be temporarily removed from exercising the duties of election superintendent on the basis of malfeasance, misfeasance, neglect of duty, incompetence, or inability to perform the duties of election superintendent for the duration of the period from the time of the removal until January 1 following the next election in such county or municipality and the conclusion of any run-off election from such election, if any.

(b) Within 15 days after receiving a recommendation of the superintendent's removal from office from the State Election Board in accordance with subsection (a) of this Code section, the legislative delegation by majority vote may temporarily remove such election superintendent from exercising his or her duties in accordance with this Code section. The duties of such election superintendent shall be filled for the period of suspension by the legislative delegation's appointment of a temporary election superintendent. In making such appointment, the legislative delegation by majority vote shall select a person or persons who have experience or training in managing and conducting elections to serve as temporary election superintendent.

(c) In making the temporary appointment under subsection (b) of this Code section, the legislative delegation shall be authorized to appoint any qualified elector of this state, regardless of the county of residence of such elector."

93 portable or movable polling facilities used by such county or municipality meet all safety
94 and licensing requirements currently applicable under the law related to the operations of
95 commercial vehicles and all applicable state, county, and municipal codes related to the
96 accessibility and safety of portable and temporary structures."

97 **SECTION 6.**

98 Said chapter is further amended by revising subparagraphs (a)(1)(C) and (a)(1)(D) of Code
99 Section 21-2-381, relating to making of application for absentee ballot, determination of
100 eligibility by ballot clerk, furnishing of applications to colleges and universities, and persons
101 entitled to make application as follows:

102 "(C)(i) Any person applying for an absentee-by-mail ballot shall make application in
103 writing on the form made available by the Secretary of State. In order to confirm the
104 identity of the elector, such form shall require the elector to provide his or her name,
105 date of birth, address as registered, address where the elector wishes the ballot to be
106 mailed, and the elector's Georgia driver's license number or identification card
107 number issued pursuant to Article 5 of Chapter 5 of Title 40. If such elector does not
108 have a Georgia driver's license or identification card issued pursuant to Article 5 of
109 Chapter 5 of Title 40, the elector shall swear or affirm this fact in the manner
110 prescribed in the application and the elector shall provide a copy of a form of
111 identification listed in subsection (c) of Code Section 21-2-417. The form made
112 available by the Secretary of State shall include a space to affix a photocopy or
113 electronic image of such identification. In addition to the web application described
114 in this paragraph, the Secretary of State shall develop a method to allow secure
115 electronic transmission of such application form. The application shall be in writing
116 and shall contain sufficient information for proper identification of the elector; the
117 permanent or temporary address of the elector to which the absentee ballot shall be
118 mailed; also include the identity of the primary, election, or runoff in which the

119 elector wishes to vote; ~~and~~ the name and relationship of the person requesting the
120 ballot if other than the elector; and an oath for the elector or relative making
121 application on behalf of such elector to sign swearing or affirming that the elector is
122 a qualified elector of this state and that the facts presented in the application are true.
123 Submitting false information on an application for an absentee ballot shall be a
124 violation of Code Sections 21-2-560 and 21-2-571.

125 (ii) The Secretary of State shall be authorized to create a web application that allows
126 an elector to submit an absentee ballot application via an online portal. Such
127 application shall verify the identity of the elector by matching the elector's name, date
128 of birth, and Georgia driver's license or identification card number issued pursuant to
129 Article 5 of Chapter 5 of Title 40 contained in the state voter registration system with
130 the name, date of birth, and Georgia driver's license or identification card number
131 issued pursuant to Article 5 of Chapter 5 of Title 40 entered into the web application.
132 Such application shall require the elector to swear or affirm that he or she is a
133 qualified elector of this state and that the facts presented on the application are true.

134 (iii) The blank application for absentee ballot shall be made available online by the
135 Secretary of State, but neither the Secretary of State nor any election superintendent,
136 registrar, absentee ballot clerk, or employee or agent thereof shall send absentee ballot
137 applications directly to any elector except upon request of such elector or relative of
138 such elector authorized to request an absentee ballot for such elector. No person or
139 entity other than a relative authorized to request an absentee ballot for such elector or
140 a person signing as assisting an illiterate or physically disabled elector shall send any
141 elector an absentee ballot application that is pre-filled with the elector's personal
142 identifying information, in whole or in part. Any blank application for absentee ballot
143 sent by any person or entity shall utilize the form made available by the Secretary of
144 State.

145 (D) Except in the case of physically disabled electors residing in the county or
146 municipality or electors in custody in a jail or other detention facility in the county or
147 municipality, no absentee ballot shall be mailed to an address other than the permanent
148 mailing address of the elector as recorded on the elector's voter registration record or
149 a temporary out-of-county or out-of-municipality address. Upon request, electors held
150 in jails or other detention facilities who are eligible to vote shall be granted access to
151 the necessary personal effects for the purpose of applying for an absentee ballot
152 pursuant to this Code section."

153 **SECTION 7.**

154 Said chapter is further amended by revising subsection (b) of Code Section 21-2-381, relating
155 to making of application for absentee ballot, determination of eligibility by ballot clerk,
156 furnishing of applications to colleges and universities, and persons entitled to make
157 application, as follows:

158 "(b)(1) Upon receipt of a timely application for an absentee ballot, a registrar or absentee
159 ballot clerk shall enter thereon the date received. The registrar or absentee ballot clerk
160 shall verify the identity of the applicant and determine, in accordance with the provisions
161 of this chapter, if the applicant is eligible to vote in the primary or election involved. In
162 order to ~~be found eligible to vote an absentee ballot by mail~~ verify the identity of the
163 applicant, the registrar or absentee ballot clerk shall compare the ~~identifying information~~
164 applicant's name, date of birth, and Georgia driver's license number or identification card
165 number issued pursuant to Article 5 of Chapter 5 of Title 40 on the application with the
166 information on file in the registrar's office ~~and, if the application is signed by the elector,~~
167 ~~compare the signature or mark of the elector on the application with the signature or mark~~
168 ~~of the elector on the elector's voter registration card.~~ If the application does not contain
169 a Georgia driver's license number or identification card number issued pursuant to
170 Article 5 of Chapter 5 of Title 40, the registrar or absentee ballot clerk shall verify that

171 the identification provided with the application identifies the applicant. In order to be
172 found eligible to vote an absentee ballot in person at the registrar's office or absentee
173 ballot clerk's office, such person shall show one of the forms of identification listed in
174 Code Section 21-2-417 and the registrar or absentee ballot clerk shall compare the
175 identifying information on the application with the information on file in the registrar's
176 office.

177 (2) If found eligible, the registrar or absentee ballot clerk shall certify by signing in the
178 proper place on the application and then:

179 (A) Shall mail the ballot as provided in this Code section;

180 (B) If the application is made in person, shall issue the ballot to the elector within the
181 confines of the registrar's or absentee ballot clerk's office as required by Code
182 Section 21-2-383 if the ballot is issued during the advance voting period established
183 pursuant to subsection (d) of Code Section 21-2-385; or

184 (C) May deliver the ballot in person to the elector if such elector is confined to a
185 hospital.

186 (3) If found ineligible or if the application is not timely received, the clerk or the board
187 of registrars shall deny the application by writing the reason for rejection in the proper
188 space on the application and shall promptly notify the applicant in writing of the ground
189 of ineligibility, a copy of which notification should be retained on file in the office of the
190 board of registrars or absentee ballot clerk for at least one year. However, an absentee
191 ballot application shall not be rejected solely due to ~~an apparent~~ a mismatch between the
192 ~~signature~~ signature identifying information of the elector on the application and the ~~signature~~
193 identifying information of the elector on file with the board of registrars. In such cases,
194 the board of registrars or absentee ballot clerk shall send the elector a provisional
195 absentee ballot with the designation 'Provisional Ballot' on the outer oath envelope and
196 information prepared by the Secretary of State as to the process to be followed to cure the
197 ~~signature~~ discrepancy. If such ballot is returned to the board of registrars or absentee

198 ballot clerk prior to the closing of the polls on the day of the primary or election, the
199 elector may cure the ~~signature~~ discrepancy by submitting an affidavit to the board of
200 registrars or absentee ballot clerk along with a copy of one of the forms of identification
201 enumerated in subsection (c) of Code Section 21-2-417 before the close of the period for
202 verifying provisional ballots contained in subsection (c) of Code Section 21-2-419. If the
203 board of registrars or absentee ballot clerk finds the affidavit and identification to be
204 sufficient, the absentee ballot shall be counted as other absentee ballots. If the board of
205 registrars or absentee ballot clerk finds the affidavit and identification to be insufficient,
206 then the procedure contained in Code Section 21-2-386 shall be followed for rejected
207 absentee ballots.

208 (4) If the registrar or clerk is unable to determine the identity of the elector from
209 information given on the application or if the application is not complete or if the oath on
210 the application is not signed, the registrar or clerk should promptly ~~write~~ contact the
211 elector in writing to request the necessary additional information and a signed copy of the
212 oath.

213 (5) In the case of an unregistered applicant who is eligible to register to vote, the clerk
214 or the board shall immediately mail a blank registration card as provided by Code
215 Section 21-2-223, and such applicant, if otherwise qualified, shall be deemed eligible to
216 vote by absentee ballot in such primary or election, if the registration card, properly
217 completed, is returned to the clerk or the board on or before the last day for registering
218 to vote in such primary or election. If the closing date for registration in the primary or
219 election concerned has not passed, the clerk or registrar shall also mail a ballot to the
220 applicant, as soon as it is prepared and available; and the ballot shall be cast in such
221 primary or election if returned to the clerk or board not later than the close of the polls
222 on the day of the primary or election concerned."

248 is used as an election day polling place, notwithstanding that such ~~location~~ building is not
249 a government building.

250 (b) Any other provisions of this chapter to the contrary notwithstanding, in all counties of
251 this state having a population of 550,000 or more according to the United States decennial
252 census of 1990 or any future such census, any building that is a branch of the county
253 courthouse or courthouse annex established within any such county shall be an additional
254 registrar's or absentee ballot clerk's office or place of registration for the purpose of
255 receiving absentee ballots under Code Section 21-2-381 and for the purpose of voting
256 absentee ballots under Code Section 21-2-385, including advance voting."

257 SECTION 10.

258 Said chapter is further amended by revising subsection (b) of Code Section 21-2-384, relating
259 to preparation and delivery of supplies, mailing of ballots, oath of absentee electors and
260 persons assisting absentee electors, master list of ballots sent, challenges, and electronic
261 transmission of ballots, as follows:

262 "(b) Except for ballots voted within the confines of the registrar's or absentee ballot clerk's
263 office, in addition to the mailing envelope addressed to the elector, the superintendent,
264 board of registrars, or absentee ballot clerk shall provide two envelopes for each official
265 absentee ballot, of such size and shape as shall be determined by the Secretary of State, in
266 order to permit the placing of one within the other and both within the mailing envelope.
267 On the smaller of the two envelopes to be enclosed in the mailing envelope shall be printed
268 the words 'Official Absentee Ballot' and nothing else. ~~On the back of the~~ The larger of the
269 two envelopes to be enclosed within the mailing envelope shall ~~be printed~~ contain the form
270 of oath of the elector and the oath for persons assisting electors, as provided for in Code
271 Section 21-2-409, and the penalties provided for in Code Sections 21-2-568, 21-2-573,
272 21-2-579, and 21-2-599 for violations of oaths; a place for the elector to print his or her
273 name; a signature line; a space for the elector to print his or her Georgia driver's license or

274 state identification card number issued pursuant to Article 5 of Chapter 5 of Title 40; a
275 space for the elector to mark to affirm that he or she does not have a Georgia driver's
276 license or identification card issued pursuant to Article 5 of Chapter 5 of Title 40; a space
277 for the elector to print his or her date of birth; and a space for the elector to print the last
278 four digits of his or her social security number, if the elector does not have a Georgia
279 driver's license or state identification card issued pursuant to Article 5 of Chapter 5 of
280 Title 40. The envelope shall be designed so that the elector's Georgia driver's license or
281 identification card number issued pursuant to Article 5 of Chapter 5 of Title 40, last four
282 digits of social security number, and date of birth shall be hidden from view when the
283 envelope is correctly sealed. Any person other than the elector who requested the ballot,
284 an authorized person who is assisting an elector entitled to assistance under Code
285 Section 21-2-381, absentee ballot clerk, registrar, or law enforcement officer in the course
286 of an investigation who knowingly unseals a sealed absentee ballot envelope shall be guilty
287 of a felony. and on On the face of such envelope shall be printed the name and address of
288 the board of registrars or absentee ballot clerk. The larger of the two envelopes shall also
289 display the elector's name and voter registration number. The mailing envelope addressed
290 to the elector shall contain the two envelopes, the official absentee ballot, the uniform
291 instructions for the manner of preparing and returning the ballot, in form and substance as
292 provided by the Secretary of State, provisional absentee ballot information, if necessary,
293 and a notice in the form provided by the Secretary of State of all withdrawn, deceased, and
294 disqualified candidates and any substitute candidates pursuant to Code Sections 21-2-134
295 and 21-2-155 and nothing else. The uniform instructions shall include information specific
296 to the voting system used for absentee voting concerning the effect of overvoting or voting
297 for more candidates than one is authorized to vote for a particular office and information
298 concerning how the elector may correct errors in voting the ballot before it is cast including
299 information on how to obtain a replacement ballot if the elector is unable to change the
300 ballot or correct the error."

328 household of such elector. The absentee ballot of a disabled elector may be mailed or
329 delivered by the caregiver of such disabled elector, regardless of whether such caregiver
330 resides in such disabled elector's household. The absentee ballot of an elector who is in
331 custody in a jail or other detention facility may be mailed or delivered by any employee of
332 such jail or facility having custody of such elector. An elector who is confined to a hospital
333 on a primary or election day to whom an absentee ballot is delivered by the registrar or
334 absentee ballot clerk shall then and there vote the ballot, seal it properly, and return it to
335 the registrar or absentee ballot clerk. If the elector registered to vote for the first time in
336 this state by mail and has not previously provided the identification required by Code
337 Section 21-2-220 and votes for the first time by absentee ballot and fails to provide the
338 identification required by Code Section 21-2-220 with such absentee ballot, such absentee
339 ballot shall be treated as a provisional ballot and shall be counted only if the registrars are
340 able to verify the identification and registration of the elector during the time provided
341 pursuant to Code Section 21-2-419."

342 "(d)(1) There shall be a period of advance voting that shall commence:

343 (A) On the fourth Monday immediately prior to each primary or election;

344 (B) On the fourth Monday immediately prior to a runoff from a general primary;

345 (C) On the fourth Monday immediately prior to a runoff from a general election in
346 which there are candidates for a federal office on the ballot in the runoff; and

347 (D) As soon as possible prior to a runoff from any other general election in which there
348 are only state or county candidates on the ballot in the runoff but no later than the
349 second Monday immediately prior to such runoff

350 and shall end on the Friday immediately prior to each primary, election, or runoff.

351 Voting shall be conducted during normal business hours on weekdays during such period

352 and shall be conducted on the second Saturday prior to a primary or election during the

353 hours of 9:00 A.M. through 4:00 P.M.; provided, however, that in primaries and elections

354 in which there are no federal or state candidates on the ballot, no Saturday voting hours

355 shall be required; and provided, further, that, if such second Saturday is a public and legal
356 holiday pursuant to Code Section 1-4-1, if such second Saturday follows a public and
357 legal holiday occurring on the Thursday or Friday immediately preceding such second
358 Saturday, or if such second Saturday immediately precedes a public and legal holiday
359 occurring on the following Sunday or Monday, such advance voting shall not be held on
360 such second Saturday but shall be held on the third Saturday prior to such primary or
361 election. Except as otherwise provided in this paragraph, counties and municipalities
362 may extend the hours for voting beyond regular business hours and may provide for
363 additional voting locations in buildings authorized pursuant to Code Section 21-2-382 to
364 suit the needs of the electors of the jurisdiction at their option. Advance voting shall be
365 allowed only in the main office of the board of elections and registration, the main office
366 of the board of registrars, or a building authorized pursuant to Code Section 21-2-382.
367 (e) On each day of an absentee voting period, each county board of registrars or municipal
368 absentee ballot clerk shall report for the county or municipality to the Secretary of State
369 and post on the county or municipal website not later than 10:00 A.M. on each business
370 day the number of persons to whom absentee ballots have been issued, the number of
371 persons who have returned absentee ballots, the number of absentee ballots that have been
372 rejected, and the number of ballots that have been rejected. Additionally, on each day of
373 an advance voting period, each county board of registrars or municipal absentee ballot
374 clerk shall report to the Secretary of State and post on the county or municipal website not
375 later than 10:00 A.M. on each business day the number of persons who have voted at the
376 advance voting sites in the county or municipality. During the absentee voting period and
377 for a period of three days following a primary, election, or runoff, each county board of
378 registrars or municipal absentee ballot clerk shall report to the Secretary of State and post
379 on the county or municipal website not later than 10:00 A.M. on each business day the
380 number of persons who have voted provisional ballots, the number of provisional ballots

381 that have verified or cured and accepted for counting, and the number of provisional ballots
382 that have been rejected."

383 **SECTION 12.**

384 Said chapter is further amended by revising Code Section 21-2-386, relating to safekeeping,
385 certification, and validation of absentee ballots, rejection of ballot, delivery of ballots to
386 manager, duties of managers, precinct returns, and notification of challenged elector, as
387 follows:

388 "21-2-386.

389 (a)(1)(A) The board of registrars or absentee ballot clerk shall keep safely, unopened,
390 and stored in a manner that will prevent tampering and unauthorized access all official
391 absentee ballots received from absentee electors prior to the closing of the polls on the
392 day of the primary or election except as otherwise provided in this subsection.

393 (B) Upon receipt of each ballot, a registrar or clerk shall write the day and hour of the
394 receipt of the ballot on its envelope. The registrar or clerk shall then compare the
395 ~~identifying information on the oath with the information on file in his or her office,~~
396 ~~shall compare the signature or mark on the oath with the signature or mark on the~~
397 ~~absentee elector's voter registration card or the most recent update to such absentee~~
398 ~~elector's voter registration card and application for absentee ballot or a facsimile of said~~
399 ~~signature or mark taken from said card or application, and shall, if the information and~~
400 ~~signature appear to be valid and other identifying information appears to be correct,~~
401 elector's Georgia driver's license number or state identification card issued pursuant to
402 Article 5 of Chapter 5 of Title 40 entered on the absentee ballot envelope with the same
403 information contained in the elector's voter registration records. If the elector has
404 sworn or affirmed on the envelope that he or she does not have a Georgia driver's
405 license or state identification card issued pursuant to Article 5 of Chapter 5 of Title 40,
406 the registrar or absentee ballot clerk shall compare the last four digits of the elector's

407 social security number and date of birth entered on the envelope with the same
408 information contained in the elector's voter registration records. The registrar or
409 absentee ballot clerk shall also confirm that the elector signed the oath and the person
410 assisting the elector, if any, signed the oath of assistance. If the elector has signed the
411 oath, the person assisting such elector, if any, has signed the oath of assistance, and the
412 identifying information entered on the absentee ballot envelope matches the same
413 information contained in the elector's voter registration record, the registrar or absentee
414 ballot clerk shall so certify by signing or initialing his or her name below the voter's
415 oath. Each elector's name so certified shall be listed by the registrar or clerk on the
416 numbered list of absentee voters prepared for his or her precinct.

417 (C) If the elector has failed to sign the oath, or if the ~~signature~~ identifying information
418 entered on the absentee ballot envelope does not ~~appear to be valid~~ match the same
419 information appearing in the elector's voter registration record, or if the elector has
420 failed to furnish required information or information so furnished does not conform
421 with that on file in the registrar's or absentee ballot clerk's office, or if the elector is
422 otherwise found disqualified to vote, the registrar or absentee ballot clerk shall write
423 across the face of the envelope 'Rejected,' giving the reason therefor. The board of
424 registrars or absentee ballot clerk shall promptly notify the elector of such rejection, a
425 copy of which notification shall be retained in the files of the board of registrars or
426 absentee ballot clerk for at least two years. Such elector shall have until the end of the
427 period for verifying provisional ballots contained in subsection (c) of Code
428 Section 21-2-419 to cure the problem resulting in the rejection of the ballot. The
429 elector may cure a failure to sign the oath, ~~an invalid signature~~ nonmatching identifying
430 information, or missing information by submitting an affidavit to the board of registrars
431 or absentee ballot clerk along with a copy of one of the forms of identification
432 enumerated in subsection (c) of Code Section 21-2-417 before the close of such period.
433 The affidavit shall affirm that the ballot was submitted by the elector, is the elector's

434 ballot, and that the elector is registered and qualified to vote in the primary, election,
435 or runoff in question. If the board of registrars or absentee ballot clerk finds the
436 affidavit and identification to be sufficient, the absentee ballot shall be counted.

437 (D) An elector who registered to vote by mail, but did not comply with subsection (c)
438 of Code Section 21-2-220, and who votes for the first time in this state by absentee
439 ballot shall include with his or her application for an absentee ballot or in the outer oath
440 envelope of his or her absentee ballot either one of the forms of identification listed in
441 subsection (a) of Code Section 21-2-417 or a copy of a current utility bill, bank
442 statement, government check, paycheck, or other government document that shows the
443 name and address of such elector. If such elector does not provide any of the forms of
444 identification listed in this subparagraph with his or her application for an absentee
445 ballot or with the absentee ballot, such absentee ballot shall be deemed to be a
446 provisional ballot and such ballot shall only be counted if the registrars are able to
447 verify current and valid identification of the elector as provided in this subparagraph
448 within the time period for verifying provisional ballots pursuant to Code
449 Section 21-2-419. The board of registrars or absentee ballot clerk shall promptly notify
450 the elector that such ballot is deemed a provisional ballot and shall provide information
451 on the types of identification needed and how and when such identification is to be
452 submitted to the board of registrars or absentee ballot clerk to verify the ballot.

453 (E) Three copies of the numbered list of voters shall also be prepared for such rejected
454 absentee electors, giving the name of the elector and the reason for the rejection in each
455 case. Three copies of the numbered list of certified absentee voters and three copies of
456 the numbered list of rejected absentee voters for each precinct shall be turned over to
457 the poll manager in charge of counting the absentee ballots and shall be distributed as
458 required by law for numbered lists of voters.

459 (F) All absentee ballots returned to the board or absentee ballot clerk after the closing
460 of the polls on the day of the primary or election shall be safely kept unopened by the

461 board or absentee ballot clerk and then transferred to the appropriate clerk for storage
462 for the period of time required for the preservation of ballots used at the primary or
463 election and shall then, without being opened, be destroyed in like manner as the used
464 ballots of the primary or election. The board of registrars or absentee ballot clerk shall
465 promptly notify the elector by first-class mail that the elector's ballot was returned too
466 late to be counted and that the elector will not receive credit for voting in the primary
467 or election. All such late absentee ballots shall be delivered to the appropriate clerk and
468 stored as provided in Code Section 21-2-390.

469 (G) Notwithstanding any provision of this chapter to the contrary, until the United
470 States Department of Defense notifies the Secretary of State that the Department of
471 Defense has implemented a system of expedited absentee voting for those electors
472 covered by this subparagraph, absentee ballots cast in a primary, election, or runoff by
473 eligible absentee electors who reside outside the county or municipality in which the
474 primary, election, or runoff is held and are members of the armed forces of the United
475 States, members of the merchant marine of the United States, spouses or dependents of
476 members of the armed forces or merchant marine residing with or accompanying such
477 members, or overseas citizens that are postmarked by the date of such primary, election,
478 or runoff and are received within the three-day period following such primary, election,
479 or runoff, if proper in all other respects, shall be valid ballots and shall be counted and
480 included in the certified election results.

481 ~~(2)(A) Beginning at 8:00 A.M. on the second Monday prior to~~ After the opening of the
482 ~~polls on the day of the primary, election, or runoff, the registrars or absentee ballot~~
483 ~~clerk superintendent shall be authorized to open the outer envelope on which is printed~~
484 ~~the oath of the elector~~ of absentee ballots that have been verified and accepted pursuant
485 to subparagraph (a)(1)(B) of this Code section in such a manner as not to destroy the
486 oath printed thereon, ~~provided, however, that the registrars or absentee ballot clerk~~
487 ~~shall not be authorized to remove the contents of such outer envelope, or to open the~~

488 inner envelope marked 'Official Absentee Ballot,' ~~except as otherwise provided in this~~
489 ~~Code section~~ and scan the absentee ballot using one or more ballot scanners. At least
490 three persons who are registrars, deputy registrars, poll workers, or absentee ballot
491 clerks must be present before commencing; and three persons who are registrars, deputy
492 registrars, or absentee ballot clerks shall be present at all times while the ~~outer~~ absentee
493 ballot envelopes are being opened and the absentee ballots are being scanned. ~~After~~
494 ~~opening the outer envelopes, the ballots shall be safely and securely stored until the~~
495 ~~time for tabulating such ballots~~ However, no person shall tally, tabulate, estimate, or
496 attempt to tally, tabulate, or estimate or cause the ballot scanner or any other equipment
497 to produce any tally or tabulation, partial or otherwise, of the absentee ballots cast until
498 the time for the closing of the polls on the day of the primary, election, or runoff except
499 as provided in this Code section. Prior to beginning the process set forth in this
500 subsection, the superintendent shall provide written notice to the Secretary of State in
501 writing at least seven days prior to processing absentee ballots. Such notice shall
502 contain the dates, start and end times, and location or locations where absentee ballots
503 will be processed. The superintendent shall also post such notice publicly in a
504 prominent and public location in the superintendent's office and on the home page of
505 the county or municipal website regarding elections. The Secretary of State shall
506 publish on his or her website the information he or she receives from counties and
507 municipalities stating the dates, times, and locations where absentee ballots will be
508 processed.

509 (B) The proceedings set forth in this subsection shall be open to the view of the public,
510 but no person except a person employed and designated by the superintendent shall
511 touch any ballot or ballot container. Any person involved in processing absentee
512 ballots shall swear or affirm an oath, in the same form as the oath for poll officers set
513 forth in Code Section 21-2-95, prior to beginning the processing and scanning of the
514 absentee ballots. The state or county executive committee of each political party and

515 political body having candidates whose names appear on the ballot for such election in
516 such county or municipality shall have the right to designate two persons, and each
517 independent and nonpartisan candidate whose name appears on the ballot for such
518 election in such county or municipality shall have the right to designate one person to
519 act as monitors for such process. In the event that the only issue to be voted upon in an
520 election is a referendum question, the superintendent shall also notify in writing the
521 chief judge of the superior court of the county who shall appoint two electors of the
522 county or municipality to monitor such process. While viewing or monitoring the
523 process set forth in this subsection, monitors and observers are prohibited from:

524 (i) In any way interfering with the processing of absentee ballots or the conduct of
525 the primary, election, or runoff;

526 (ii) Using or bringing into the room any photographic or other electronic monitoring
527 or recording devices, cellular telephones, or computers;

528 (iii) Engaging in any form of campaigning or campaign activity;

529 (iv) Taking any action that endangers the secrecy and security of the absentee ballots;

530 (v) Touching any ballot or ballot container;

531 (vi) Tallying, tabulating, estimating, or attempting to tally, tabulate, or estimate,
532 whether partial or otherwise, any of the votes on the absentee ballots cast; and

533 (vii) Communicating any information that they see, whether intentionally or
534 inadvertently, about any ballot, vote, or selection to anyone other than an election
535 official who needs such information to lawfully carry out his or her official duties.

536 (C) The State Election Board shall promulgate rules and regulations requiring
537 reconciliation procedures and other protections to protect the integrity of the process
538 set forth in this subsection..

539 (3) A county election superintendent may, in his or her discretion, after 7:00 A.M. on the
540 day of the primary, election, or runoff open the inner envelopes in accordance with the
541 procedures prescribed in this subsection and begin tabulating the absentee ballots. If the

542 county election superintendent chooses to open the inner envelopes and begin tabulating
543 such ballots prior to the close of the polls on the day of the primary, election, or runoff,
544 the superintendent shall notify in writing, at least seven days prior to the primary,
545 election, or runoff, the Secretary of State of the superintendent's intent to begin the
546 absentee ballot tabulation prior to the close of the polls. The state or county executive
547 committee ~~or, if there is no organized county executive committee, the state executive~~
548 ~~committee~~ of each political party and political body having candidates whose names
549 appear on the ballot for such election in such county shall have the right to designate two
550 persons and each independent and nonpartisan candidate whose name appears on the
551 ballot for such election in such county shall have the right to designate one person to act
552 as monitors for such process. In the event that the only issue to be voted upon in an
553 election is a referendum question, the superintendent shall also notify in writing the chief
554 judge of the superior court of the county who shall appoint two electors of the county to
555 monitor such process.

556 (4) The county election superintendent shall publish a written notice in the
557 superintendent's office of the superintendent's intent to begin the absentee ballot
558 tabulation prior to the close of the polls and publish such notice at least one week prior
559 to the primary, election, or runoff in the legal organ of the county.

560 (5) The process for opening ~~the inner envelopes of~~ absentee ballot envelopes, scanning
561 absentee ballots, and tabulating absentee ballots on the day of a primary, election, or
562 runoff as provided in this subsection shall be a confidential process to maintain the
563 secrecy of all ballots and to protect the disclosure of any balloting information before
564 7:00 P.M. on election day. No absentee ballots shall be tabulated before 7:00 A.M. on
565 the day of a primary, election, or runoff.

566 (6) All persons conducting the tabulation of absentee ballots during the day of a primary,
567 election, or runoff, including the vote review panel required by Code Section 21-2-483,
568 and all monitors and observers shall be sequestered until the time for the closing of the

569 polls. All such persons shall have no contact with the news media; shall have no contact
570 with other persons not involved in monitoring, observing, or conducting the tabulation;
571 shall not use any type of communication device including radios, telephones, and cellular
572 telephones; shall not utilize computers for the purpose of e-mail, instant messaging, or
573 other forms of communication; and shall not communicate any information concerning
574 the tabulation until the time for the closing of the polls; provided, however, that
575 supervisory and technical assistance personnel shall be permitted to enter and leave the
576 area in which the tabulation is being conducted but shall not communicate any
577 information concerning the tabulation to anyone other than the county election
578 superintendent; the staff of the superintendent; those persons conducting, observing, or
579 monitoring the tabulation; and those persons whose technical assistance is needed for the
580 tabulation process to operate.

581 (7) The absentee ballots shall be tabulated in accordance with the procedures of this
582 chapter for the tabulation of absentee ballots. As such ballots are tabulated, they shall be
583 placed into locked ballot boxes and may be transferred to locked ballot bags, if needed,
584 for security. The persons conducting the tabulation of the absentee ballots shall not cause
585 the tabulating equipment to produce any count, partial or otherwise, of the absentee votes
586 cast until the time for the closing of the polls except as otherwise provided in this Code
587 section.

588 (b) ~~As soon as practicable after 7:00 A.M. on the day of the primary, election, or runoff,~~
589 ~~in precincts other than those in which optical scanning tabulators are used~~ When requested
590 by the superintendent, but not earlier than the second Monday prior to a primary, election,
591 or runoff, a registrar or absentee ballot clerk shall deliver the official absentee ballot of
592 each certified absentee elector, each rejected absentee ballot, applications for such ballots,
593 and copies of the numbered lists of certified and rejected absentee electors to the manager
594 in charge of the absentee ballot precinct of the county or municipality, which shall be
595 located in the precincts containing the county courthouse or polling place designated by the

596 municipal superintendent. In those precincts in which optical scanning tabulators are used,
597 such absentee ballots shall be taken to the tabulation center or other place designated by
598 the superintendent, and the official receiving such absentee ballots shall issue his or her
599 receipt therefor. Except as otherwise provided in this Code section, in no event shall the
600 counting of the ballots begin before the polls close.

601 (c) The superintendent shall cause the certified absentee ballots to be opened and tabulated
602 as provided in this Code section. ~~A Except as otherwise provided in this Code section,~~
603 ~~after the close of the polls on the day of the primary, election, or runoff,~~ a manager shall
604 ~~then~~ open the outer envelope in such manner as not to destroy the oath printed thereon and
605 shall deposit the inner envelope marked 'Official Absentee Ballot' in a ballot box reserved
606 for absentee ballots. In the event that an outer envelope is found to contain an absentee
607 ballot that is not in an inner envelope, the ballot shall be sealed in an inner envelope,
608 initialed and dated by the person sealing the inner envelope, and deposited in the ballot box
609 and counted in the same manner as other absentee ballots, provided that such ballot is
610 otherwise proper. Such manager with two assistant managers, appointed by the
611 superintendent, with such clerks as the manager deems necessary shall count the absentee
612 ballots following the procedures prescribed by this chapter for other ballots, insofar as
613 practicable, ~~and prepare an election return for the county or municipality showing the~~
614 ~~results of the absentee ballots cast in such county or municipality.~~

615 (d) All absentee ballots shall be counted and tabulated in such a manner that returns may
616 be reported by precinct; and separate returns shall be made for each precinct in which
617 absentee ballots were cast showing the results by each precinct in which the electors reside.
618 The superintendent shall utilize the procedures set forth in this Code section to ensure that
619 the returns of verified absentee ballots cast are reported to the public as soon as possible
620 following the closing of the polls on the day of the primary, election, or runoff.

621 (e) If an absentee elector's right to vote has been challenged for cause, a poll officer shall
622 write 'Challenged,' the elector's name, and the alleged cause of challenge on the outer

623 envelope and shall deposit the ballot in a secure, sealed ballot box; and it shall be counted
624 as other challenged ballots are counted. Where direct recording electronic voting systems
625 are used for absentee balloting and a challenge to an elector's right to vote is made prior to
626 the time that the elector votes, the elector shall vote on a paper or optical scanning ballot
627 and such ballot shall be handled as provided in this subsection. The board of registrars or
628 absentee ballot clerk shall promptly notify the elector of such challenge.

629 (f) It shall be unlawful at any time prior to the close of the polls for any person to disclose
630 or for any person to receive any information regarding the results of the tabulation of
631 absentee ballots except as expressly provided by law."

632 SECTION 13.

633 Said chapter is further amended in Code Section 21-2-390, relating to delivery of election
634 materials to clerk of superior court or city clerk after primary or election and accounting for
635 ballots by registrars or municipal absentee ballot clerks, by designating the existing text as
636 subsection (a) and by adding a new subsection to read as follows:

637 "(b) The Secretary of State shall be authorized to inspect and audit the information
638 contained in the absentee ballot applications or envelopes at his or her discretion at any
639 time during the 24 month retention period. Such audit may be conducted state wide or in
640 selected counties or cities and may include the auditing of a statistically significant sample
641 of the envelopes or a full audit of all of such envelopes. For this purpose, the Secretary of
642 State or his or her authorized agents shall have access to such envelopes in the custody of
643 the clerk of superior court or city clerk."

644 SECTION 14.

645 Said chapter is further amended in Code Section 21-2-403, relating to time for opening and
646 closing of polls, by redesignating the existing text as subsection (a) and adding a new
647 subsection to read as follows:

648 "(b) Poll hours at a precinct may be extended only by order of a judge of the superior court
649 of the county in which the precinct is located upon good cause being shown."

650 **SECTION 15.**

651 Said chapter is further amended in Part 1 of Article 11, relating to general provisions
652 regarding preparation for and conduct of primaries and elections, by adding a new Code
653 section to read as follows:

654 "21-2-420.

655 (a) After the time for the closing of the polls and the last elector voting, the poll officials
656 in each precinct shall complete the required accounting and related documentation for the
657 precinct and shall advise the election superintendent of the total number of ballots cast at
658 such precinct and the total number of provisional ballots cast. In precincts using
659 precinct-based counting or tabulation, the poll officials shall proceed to count and tabulate
660 the ballots cast. Such poll officials shall not cease such count until all ballots have been
661 counted or tabulated and vote totals obtained, with the exception of provisional ballots.
662 The chief manager and at least one assistant manager shall post a copy of the tabulated
663 results for the precinct on the door of the precinct and then immediately deliver all required
664 documentation and election materials to the election superintendent. In precincts using
665 central counting or tabulation, the chief manager and at least one assistant manager shall,
666 after completing the required accounting and related documentation for such precinct,
667 immediately deliver all ballots and required documentation and election materials to the
668 election superintendent or the counting and tabulating center designated by the election
669 superintendent for processing, counting, and tabulation. The election superintendent shall
670 then ensure that such ballots are processed, counted, and tabulated as soon as possible and
671 shall not cease such count and tabulation until all such ballots are counted and tabulated.

672 (b) The election superintendent shall ensure that each precinct notifies the election
673 superintendent of the number of ballots cast and number of provisional ballots cast as soon

674 as possible after the time for the closing of the polls and the last elector votes. The election
675 superintendent shall post such information publicly."

676 **SECTION 16.**

677 Said chapter is further amended by revising subsection (a) of Code Section 21-2-437, relating
678 to procedure as to count and return of votes generally and void ballots, as follows:

679 "(a) After the polls close and as soon as all the ballots have been properly accounted for
680 and those outside the ballot box as well as the voter's certificates, numbered list of voters,
681 and electors list have been sealed, the poll officers shall open the ballot box and take
682 therefrom all ballots contained therein. In primaries in which more than one ballot box is
683 used, any ballots or stubs belonging to another party holding its primary in the same polling
684 place shall be returned to the ballot box for the party for which they were issued. In
685 primaries, separate tally and return sheets shall be prepared for each party, and separate
686 poll officers shall be designated by the chief manager to count and tally each party's ballot.
687 Where the same ballot box is being used by one or more parties, the ballots and stubs shall
688 first be divided by party before being tallied and counted. The ballots shall then be counted
689 one by one and a record made of the total number. Then the chief manager, together with
690 such assistant managers and other poll officers as the chief manager may designate, under
691 the scrutiny of one of the assistant managers and in the presence of the other poll officers,
692 shall read aloud the names of the candidates marked or written upon each ballot, together
693 with the office for which the person named is a candidate, and the answers contained on
694 the ballots to the questions submitted, if any; and the other assistant manager and clerks
695 shall carefully enter each vote as read and keep account of the same in ink on a sufficient
696 number of tally papers, all of which shall be made at the same time. All ballots, after being
697 removed from the box, shall be kept within the unobstructed view of all persons in the
698 voting room until replaced in the box. No person, while handling the ballots, shall have
699 in his or her hand any pencil, pen, stamp, or other means of marking or spoiling any ballot.

700 The poll officers shall immediately proceed to canvass and compute the votes cast and shall
701 not adjourn or postpone the canvass or computation until it shall have been fully
702 completed, ~~except that, in the discretion of the superintendent, the poll officers may stop~~
703 ~~the counting after all contested races and questions are counted, provided that the results~~
704 ~~of these contested races and questions are posted for the information of the public outside~~
705 ~~the polling place and the ballots are returned to the ballot box and deposited with the~~
706 ~~superintendent until counting is resumed on the following day."~~

707 SECTION 17.

708 Said chapter is further amended by revising Code Section 21-2-492, relating to computation
709 and canvassing of returns, notice of when and where returns will be computed and canvassed,
710 blank forms for making statements of returns, and swearing of assistants, as follows:

711 "21-2-492.

712 The superintendent shall arrange for the computation and canvassing of the returns of votes
713 cast at each primary and election at his or her office or at some other convenient public
714 place at the county seat or municipality following the close of the polls on the day of such
715 primary or election with accommodations for those present insofar as space permits. An
716 interested candidate or his or her representative shall be permitted to keep or check his or
717 her own computation of the votes cast in the several precincts as the returns from the same
718 are read, as directed in this article. The superintendent shall give at least one week's notice
719 prior to the primary or election by publishing same in a conspicuous place in the
720 superintendent's office, of the ~~time and place when and~~ where he or she will commence and
721 hold his or her sessions for the computation and canvassing of the returns; and he or she
722 shall keep copies of such notice posted in his or her office during such period. The
723 superintendent shall procure a sufficient number of blank forms of returns made out in the
724 proper manner and headed as the nature of the primary or election may require, for making
725 out full and fair statements of all votes which shall have been cast within the county or any

726 precinct therein, according to the returns from the several precincts thereof, for any person
727 voted for therein, or upon any question voted upon therein. The assistants of the
728 superintendent in the computation and canvassing of the votes shall be first sworn by the
729 superintendent to perform their duties impartially and not to read, write, count, or certify
730 any return or vote in a false or fraudulent manner."

731 **SECTION 18.**

732 Said chapter is further amended by revising subsection (a) of Code Section 21-2-493, relating
733 to computation, canvassing, and tabulation of returns, investigation of discrepancies in vote
734 counts, recount procedure, certification of returns, and change in returns, as follows:

735 "(a) The superintendent shall, ~~at or before 12:00 Noon~~ after the close of the polls on the
736 day ~~following the~~ of a primary or election, at his or her office or at some other convenient
737 public place at the county seat or in the municipality, of which due notice shall have been
738 given as provided by Code Section 21-2-492, publicly commence the computation and
739 canvassing of the returns and continue ~~the same~~ until all absentee ballots received by the
740 close of the polls, including those cast by advance voting, and all ballots cast on the day
741 of the primary or election have been counted and tabulated and the results of such
742 tabulation released to the public and, then, continuing with provisional ballots as provided
743 in Code Sections 21-2-418 and 21-2-419 and those absentee ballots as provided in
744 subparagraph (a)(1)(G) of Code Section 21-2-386 from day to day until completed. For
745 this purpose, the superintendent may organize his or her assistants into sections, each of
746 ~~which~~ whom may simultaneously proceed with the computation and canvassing of the
747 returns from various precincts of the county or municipality in the manner provided by this
748 Code section. Upon the completion of such computation and canvassing, the
749 superintendent shall tabulate the figures for the entire county or municipality and sign,
750 announce, and attest the same, as required by this Code section."

751 **SECTION 19.**

752 Said chapter is further amended in Article 15, relating to miscellaneous offenses, by adding
753 a new Code section to read as follows:

754 "21-2-568.1.

755 (a) Except while providing authorized assistance in voting under Code Section 21-2-409,
756 no person shall intentionally observe an elector while casting a ballot in a manner that
757 would allow such person to see for whom or what the elector is voting.

758 (b) Any person who violates the provisions of subsection (a) of this Code section shall be
759 guilty of a felony."

760 **SECTION 20.**

761 Article 1 of Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to
762 general provisions regarding administrative procedure, is amended by revising subsection (b)
763 of Code Section 50-13-4, relating to procedural requirements for adoption, amendment, or
764 repeal of rules, emergency rules, limitation on action to contest rule, and legislative override,
765 as follows:

766 "(b) If any agency finds that an imminent peril to the public health, safety, or welfare,
767 including but not limited to, summary processes such as quarantines, contrabands, seizures,
768 and the like authorized by law without notice, requires adoption of a rule upon fewer than
769 30 days' notice and states in writing its reasons for that finding, it may proceed without
770 prior notice or hearing or upon any abbreviated notice and hearing that it finds practicable
771 to adopt an emergency rule. Any such rule adopted relative to a public health emergency
772 shall be submitted as promptly as reasonably practicable to the House of Representatives
773 and Senate Committees on Judiciary, provided that any such rule adopted relative to a
774 public health emergency by the State Election Board shall be submitted as soon as
775 practicable but not later than 20 days prior to the rule taking effect. Any emergency rule
776 adopted by the State Election Board pursuant to the provisions of this subsection may be

777 suspended upon the majority vote of the House of Representatives or Senate Committees
778 on Judiciary within ten days of the receipt of such rule by the committees. The rule may
779 be effective for a period of not longer than 120 days but the adoption of an identical rule
780 under paragraphs (1) and (2) of subsection (a) of this Code section is not precluded;
781 provided, however, that such a rule adopted pursuant to discharge of responsibility under
782 an executive order declaring a state of emergency or disaster exists as a result of a public
783 health emergency, as defined in Code Section 38-3-3, shall be effective for the duration of
784 the emergency or disaster and for a period of not more than 120 days thereafter."

785 **SECTION 21.**

786 This Act shall be severable in accordance with Code Section 1-1-3.

787 **SECTION 22.**

788 All laws and parts of laws in conflict with this Act are repealed.



The State Senate
Atlanta, Georgia 30334

July 27, 2021

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Decatur, GA 30031
ale@hrflegal.com

Official Complaint: Performance Review of Fulton County

Ladies and Gentlemen:

We, the undersigned, write you today, invoking O.C.G.A. § 21-2-106. We do so as a measure of last resort, having failed to adequately assuage the concern that we, as elected officials, have regarding the integrity of the Fulton County elections process.

As you know, the General Assembly imposed a requirement that Risk-Limiting Audits be implemented for the November 2020 general election. *See* H.B. 316, Sec. 42 (2019). Risk-Limiting Audits are a “method to ensure that at the end of the canvass, the hardware, software, and procedures used to tally votes found the real winners.”¹ However, the Risk-Limiting Audit is only

¹ Lindeman and Stark, A Gentle Introduction to Risk-Limiting Audits, at 12, IEEE Security and Privacy, Special Issue on Electronic Voting, 2012 (last edited Mar. 16, 2012), available at <https://www.stat.berkeley.edu/~stark/Preprints/gentle12.pdf>.

as good as the process and procedure utilized by county officials to conduct the audit.² For this reason, Georgia law requires use of “procedures to ensure that collection of validly cast ballots is complete, accurate, and trustworthy throughout the audit,” O.C.G.A. § 21-2-498, and the State Election Board has promulgated rules requiring, among other things, that chain of custody be maintained, “including but not limited to, a log of the seal numbers on the ballot containers before and after completing the manual audit.” Ga. Comp. R. & Regs. r. 183-1-15-.04.

In light of recent news reports indicating Fulton County’s failure to adhere to proper Risk-Limiting Audit processes concerning the November 2020 general election, members of the Georgia Senate Republican Caucus (“the Caucus”) demanded Fulton County explain their failure. This letter, penned by Senate President Pro Tempore Butch Miller, and joined by twenty-two other legislators, in their official capacity, specifically demanded a response to the charge, as reported by the Atlanta-Journal Constitution on 13 July, that nearly 200 ballots were scanned twice last fall.³

The demands included:

1. An explanation as to how nearly 200 ballots were scanned twice last November, providing the earliest date Fulton County became aware of the issue, whether any other ballots were similarly double-counted, and whether such double-counting was reflected in Fulton County’s official results or Risk-Limiting Audit results for the November 2020 general election;⁴
2. An explanation for the erroneous audit tally sheets completed by individuals under Fulton County supervision;
3. A response as to whether “extra” votes were, in fact, redundantly added to the Fulton County Audit results and, if so, whether such extra votes are reflected in either the Fulton County Audit results, the official results, or any other recount or re-canvass; and
4. For each of the above inquiries, an identification of the date which Fulton County first became aware of the issue(s), any corrective action taken to resolve the issue(s), and any other information which may provide clarity to the issue(s) raised in this letter.

² See Lindeman and Stark, *supra* n. 1 at 2 (“Because a risk-limiting audit relies upon the audit trail, preserving the audit trail complete and intact is crucial.”); *id.* at 6 (noting that an effective Risk-Limiting Audit “requires the local election official to ensure that the audit trail remains complete and accurate”).

³ Mark Niese, *Some Ballots Initially Double-counted in Fulton Before Recount*, Atlanta Journal-Constitution (July 14, 2021), <https://www.ajc.com/politics/some-ballots-initially-double-counted-in-fulton-before-recount/GY4FTEEI6REIJN3SDKIDNIOYV4/>.

⁴ The AJC reports that there is “no indication any vote for president was counted more than once in official results,” but fails to provide a source for that assertion.

These demands were conferred on Mr. Richard Barron, Fulton County Elections Director, on 15 July, via United States Mail, as well as via electronic mail to richard.barron@fultoncountyga.gov. Mr. Barron's initial response, appended here (Exhibit "A"), indicated that members of the Fulton County Elections Board would conduct a conference call in order to deliberate on a reply to the Caucus's demands, meeting an express deadline of 22 July. This expected reply has not been received and the deadline has since passed.

The undernamed, consisting of three (3) members of the Fulton County Legislative Delegation, requests that the State Elections Board, pursuant to O.C.G.A. § 21-2-106, empanel a performance review of Mr. Barron. We have every reason to believe that the requisite number of Fulton's House delegation will respond likewise, thereby triggering the performance review. In addition, or as an alternative to any further performance or conduct that the Board feels necessary and proper to investigate, the undernamed hereby requests that the State Elections Board takes it upon itself, *sua sponte*, to initiate a performance review, with the intention of determining, after due process, the appropriate manner of relief, if any, provided for in O.C.G.A. § 21-2-33.2. After all, the public record clearly demonstrates ample "evidence which calls into question the competence of [Fulton's] local election official regarding the oversight and administration of elections... with state law and regulations." See O.C.G.A. § 21-2-107.

Very truly, the following distinguished members of the Georgia Senate Majority Caucus

Senator John Albers
(Fulton County Delegation)

Senator Matt Brass
(Fulton County Delegation)

Senator Kay Kirkpatrick
(Fulton County Delegation)

Senator Jason Anavitarte
Senator Lee Anderson
Senator Dean Burke
Senator Max Burns
Senator Clint Dixon
Senator Greg Dolezal
Senator Mike Dugan
Senator Frank Ginn
Senator Steve Gooch
Senator Russ Goodman
Senator Marty Harbin

Senator Tyler Harper
Senator Billy Hickman
Senator Sheila McNeill
Senator Butch Miller
Senator Jeff Mullis
Senator Chuck Payne
Senator Brian Strickland
Senator Carden Summers
Senator Blake Tillery
Senator Lindsey Tippins
Senator Larry Walker

CC: Richard Barron at Richard.Barron@fultoncountyga.gov

Frost, Adeline

From: Tippins, Steve
Sent: Tuesday, July 27, 2021 5:08 PM
To: Frost, Adeline
Subject: FW: Letter from President Pro Tempore *** External Email ***

From: Barron, Richard L. <Richard.Barron@fultoncountyga.gov>
Sent: Friday, July 16, 2021 12:07 PM
To: Miller, Butch <Butch.Miller@senate.ga.gov>
Cc: Tippins, Steve <Steve.Tippins@senate.ga.gov>
Subject: RE: Letter from President Pro Tempore *** External Email ***

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Senator Miller:

We have a conference call scheduled for Monday to respond to your letter.

Sincerely,
Richard

From: Miller, Butch [<mailto:Butch.Miller@senate.ga.gov>]
Sent: Thursday, July 15, 2021 11:14 AM
To: Barron, Richard L. <Richard.Barron@fultoncountyga.gov>
Cc: Tippins, Steve <Steve.Tippins@senate.ga.gov>
Subject: Letter from President Pro Tempore
Importance: High

Mr. Barron,

Please see the attached letter from the President Pro Tempore, Senator Butch Miller.



Best,

Senator Butch Miller
President Pro Tempore
Senate District 49
321 State Capitol Building

(404) 656-6578
Butch.Miller@senate.ga.gov



The State Senate

Atlanta, Georgia 30334

August 2, 2021

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Mr. Brad Raffensperger
Secretary of State
214 State Capitol
Atlanta, GA 30334

Mrs. Sara Tindall Ghazal
4880 Lower Roswell Rd
Suite 165-328
Marietta, GA 30068

Mr. Matthew Mashburn
P.O. Box 451
Cartersville, GA 30120

Mrs. Anh Le
P.O. Box 4008
Decatur, GA 30031

Re: Renewed Call for Fulton County Performance Review

Ladies and Gentlemen:

We, the undersigned, hereby renew our call for a performance review of Fulton County's elections offices and specifically join in the request made by our House colleagues for a performance review of "local election officials in Fulton County" pursuant to O.C.G.A. § 21-2-106, hereby incorporating by reference the facts and inquiries of theirs of July 30.

Sincerely,

Senator John Albers

Senator Brandon Beach

Senator Matt Brass

Senator Kay Kirkpatrick

Cc: Office of the Governor
Office of Lieutenant Governor
Office of the Speaker of the House
Office of the Senate President Pro Tempore

BUTCH MILLER
District 49

321 State Capitol
206 Washington St. SW
Atlanta, Georgia 30334

Phone: (404) 656-6578

E-mail: Butch.Miller@senate.ga.gov



The State Senate
Atlanta, Georgia 30334

COMMITTEES:
Administrative Affairs
Appropriations
Banking and Financial Institutions
Ethics
Finance
Reapportionment and Redistricting
Regulated Industries and Utilities

SPECIAL APPOINTMENTS:
Georgia World Congress Center Oversight Committee
Metro Atlanta Rapid Transit Overview Committee

PRESIDENT PRO TEMPORE

July 28, 2021

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ale@hrflegal.com

Ladies and Gentlemen:

I would like to supplement my colleagues' letter, of July 27, with Fulton County's reply, which was hand-delivered to my office, confirmed receipt July 28, nearly a week after our initial deadline. To date, there has still been no response to our demands that Fulton County explain the internal failures which led to nearly 200 ballots being scanned twice last fall.

Sincerely,

Senator Butch Miller, President Pro Tempore

Encl/

CC: Richard Barron
Senate Majority Caucus



FULTON COUNTY
REGISTRATION
& ELECTIONS

130 PEACHTREE STREET, SW, SUITE 2186
ATLANTA, GA 30303-3460
404-612-7020

July 21, 2021

Senator Butch Miller
Georgia State Senate
Georgia Capitol
Atlanta, Georgia 30334

I have received your letter dated July 15, 2021. I welcome your inquiry and appreciate your assurance that you would not “rush to judgment without a full understanding of the facts.” As quickly and accurately as possible, I intend to provide you answers to the questions you have posed. I want to make 110% sure that the information I provide to you is accurate, complete and documented.

Unfortunately, I am not able to meet your deadline and I believe I am required to seek approval from the Fulton County Board of Registration and Elections before I provide this information to the Senate. I will urge the Board to approve my effort to answer your questions as soon as possible. The Board next meeting is on August 12, 2021, Thursday.

I want to tell you in advance that Fulton County has been the subject of previous investigations and audits, as well as recounts. We have cooperated with each investigation, each audit and each recount.

I will provide further information to you within the next week to ten days about my anticipated date to provide the answers and documentation relating to your four questions.

Thank you for your patience.

Sincerely,

Rick Barron

cc: Alex Wan
Don Samuel
Amanda Clark Palmer
Steven Rosenberg
Kaye Burwell



The State Senate

Atlanta, Georgia 30334

July 27, 2021

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Official Complaint: Performance Review of Fulton County

Ladies and Gentlemen:

We, the undernamed, write you today, invoking O.C.G.A. § 21-2-106. We do so as a measure of last resort, having failed to adequately assuage the concern that we, as elected officials, have regarding the integrity of the Fulton County elections process.

As you know, the General Assembly imposed a requirement that Risk-Limiting Audits be implemented for the November 2020 general election. *See* H.B. 316, Sec. 42 (2019). Risk-Limiting Audits are a “method to ensure that at the end of the canvass, the hardware, software, and procedures used to tally votes found the real winners.”¹ However, the Risk-Limiting Audit is only

¹ Lindeman and Stark, A Gentle Introduction to Risk-Limiting Audits, at 12, IEEE Security and Privacy, Special Issue on Electronic Voting, 2012 (last edited Mar. 16, 2012), available at <https://www.stat.berkeley.edu/~stark/Preprints/gentle12.pdf>.

as good as the process and procedure utilized by county officials to conduct the audit.² For this reason, Georgia law requires use of “procedures to ensure that collection of validly cast ballots is complete, accurate, and trustworthy throughout the audit,” O.C.G.A. § 21-2-498, and the State Election Board has promulgated rules requiring, among other things, that chain of custody be maintained, “including but not limited to, a log of the seal numbers on the ballot containers before and after completing the manual audit.” Ga. Comp. R. & Regs. r. 183-1-15-.04.

In light of recent news reports indicating Fulton County’s failure to adhere to proper Risk-Limiting Audit processes concerning the November 2020 general election, members of the Georgia Senate Republican Caucus (“the Caucus”) demanded Fulton County explain their failure. This letter, penned by Senate President Pro Tempore Butch Miller, and joined by twenty-two other legislators, in their official capacity, specifically demanded a response to the charge, as reported by the Atlanta-Journal Constitution on 13 July, that nearly 200 ballots were scanned twice last fall.³

The demands included:

1. An explanation as to how nearly 200 ballots were scanned twice last November, providing the earliest date Fulton County became aware of the issue, whether any other ballots were similarly double-counted, and whether such double-counting was reflected in Fulton County’s official results or Risk-Limiting Audit results for the November 2020 general election;⁴
2. An explanation for the erroneous audit tally sheets completed by individuals under Fulton County supervision;
3. A response as to whether “extra” votes were, in fact, redundantly added to the Fulton County Audit results and, if so, whether such extra votes are reflected in either the Fulton County Audit results, the official results, or any other recount or re-canvass; and
4. For each of the above inquiries, an identification of the date which Fulton County first became aware of the issue(s), any corrective action taken to resolve the issue(s), and any other information which may provide clarity to the issue(s) raised in this letter.

² See Lindeman and Stark, *supra* n. 1 at 2 (“Because a risk-limiting audit relies upon the audit trail, preserving the audit trail complete and intact is crucial.”); *id.* at 6 (noting that an effective Risk-Limiting Audit “requires the local election official to ensure that the audit trail remains complete and accurate”).

³ Mark Niese, *Some Ballots Initially Double-counted in Fulton Before Recount*, Atlanta Journal-Constitution (July 14, 2021), <https://www.ajc.com/politics/some-ballots-initially-double-counted-in-fulton-before-recount/GY4FTBEI6REIJN3SDKIDNIOYV4/>.

⁴ The AJC reports that there is “no indication any vote for president was counted more than once in official results,” but fails to provide a source for that assertion.

These demands were conferred on Mr. Richard Barron, Fulton County Elections Director, on 15 July, via United States Mail, as well as via electronic mail to richard.barron@fultoncountyga.gov. Mr. Barron's initial response, appended here (Exhibit "A"), indicated that members of the Fulton County Elections Board would conduct a conference call in order to deliberate on a reply to the Caucus's demands, meeting an express deadline of 22 July. This expected reply has not been received and the deadline has since passed.

The undernamed, consisting of three (3) members of the Fulton County Legislative Delegation, requests that the State Elections Board, pursuant to O.C.G.A. § 21-2-106, empanel a performance review of Mr. Barron. We have every reason to believe that the requisite number of Fulton's House delegation will respond likewise, thereby triggering the performance review. In addition, or as an alternative to any further performance or conduct that the Board feels necessary and proper to investigate, the undernamed hereby requests that the State Elections Board takes it upon itself, *sua sponte*, to initiate a performance review, with the intention of determining, after due process, the appropriate manner of relief, if any, provided for in O.C.G.A. § 21-2-33.2. After all, the public record clearly demonstrates ample "evidence which calls into question the competence of [Fulton's] local election official regarding the oversight and administration of elections... with state law and regulations." See O.C.G.A. § 21-2-107.

Very truly, the following distinguished members of the Georgia Senate Majority Caucus

Senator John Albers
(Fulton County Delegation)

Senator Matt Brass
(Fulton County Delegation)

Senator Kay Kirkpatrick
(Fulton County Delegation)

Senator Jason Anavitarte
Senator Lee Anderson
Senator Dean Burke
Senator Max Burns
Senator Clint Dixon
Senator Greg Dolezal
Senator Mike Dugan
Senator Frank Ginn
Senator Steve Gooch
Senator Russ Goodman
Senator Marty Harbin
Senator Tyler Harper

Senator Bo Hatchett
Senator Billy Hickman
Senator Sheila McNeill
Senator Butch Miller
Senator Jeff Mullis
Senator Chuck Payne
Senator Brian Strickland
Senator Carden Summers
Senator Blake Tillery
Senator Lindsey Tippins
Senator Bruce Thompson
Senator Larry Walker

CC: Richard Barron at Richard.Barron@fultoncountyga.gov

Frost, Adeline

From: Tippins, Steve
Sent: Tuesday, July 27, 2021 5:08 PM
To: Frost, Adeline
Subject: FW: Letter from President Pro Tempore *** External Email ***



From: Barron, Richard L. <Richard.Barron@fultoncountyga.gov>
Sent: Friday, July 16, 2021 12:07 PM
To: Miller, Butch <Butch.Miller@senate.ga.gov>
Cc: Tippins, Steve <Steve.Tippins@senate.ga.gov>
Subject: RE: Letter from President Pro Tempore *** External Email ***

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Senator Miller:

We have a conference call scheduled for Monday to respond to your letter.

Sincerely,
Richard

From: Miller, Butch [<mailto:Butch.Miller@senate.ga.gov>]
Sent: Thursday, July 15, 2021 11:14 AM
To: Barron, Richard L. <Richard.Barron@fultoncountyga.gov>
Cc: Tippins, Steve <Steve.Tippins@senate.ga.gov>
Subject: Letter from President Pro Tempore
Importance: High

Mr. Barron,

Please see the attached letter from the President Pro Tempore, Senator Butch Miller.



Best,

Senator Butch Miller
President Pro Tempore
Senate District 49
321 State Capitol Building

(404) 656-6578
Butch.Miller@senate.ga.gov



The State Senate
Atlanta, Georgia 30334

PRESIDENT PRO TEMPORE

July 15, 2021

Mr. Richard L. Barron
Fulton County Elections Director
Registration & Elections
130 Peachtree Street, SW
Atlanta, Georgia 30303-3450
VIA Electronic mail at: richard.barron@fultoncountyga.gov

Re: Fulton County Elections

Mr. Barron:

I write you today to seek information regarding troubling revelations about Fulton County's processing of ballots in the November 3, 2020 election and the processing of ballots in the subsequent risk-limiting audit.

As you know, the General Assembly imposed a requirement that Risk-Limiting Audits be implemented for the November 2020 general election. *See* H.B. 316, Sec. 42 (2019). As you may also know, Risk-Limiting Audits are a "method to ensure that at the end of the canvass, the hardware, software, and procedures used to tally votes found the real winners."¹ However, the Risk-Limiting Audit is only as good as the process and procedure utilized by county officials to conduct the audit.² For this reason, Georgia law requires use of "procedures to ensure that collection of validly cast ballots is complete, accurate, and trustworthy throughout the audit," O.C.G.A. § 21-2-498, and the State Election Board has promulgated rules requiring, among other things, that chain of custody be maintained, "including but not limited to, a log of the seal

¹ Lindeman and Stark, A Gentle Introduction to Risk-Limiting Audits, at 12, IEEE Security and Privacy, Special Issue on Electronic Voting, 2012 (last edited Mar. 16, 2012), available at <https://www.stat.berkeley.edu/~stark/Preprints/gentle12.pdf>.

² *See* Lindeman and Stark, *supra* n. 1 at 2 ("Because a risk-limiting audit relies upon the audit trail, preserving the audit trail complete and intact is crucial."); *id.* at 6 (noting that an effective Risk-Limiting Audit "requires the local election official to ensure that the audit trail remains complete and accurate").

numbers on the ballot containers before and after completing the manual audit.” Ga. Comp. R. & Regs. r. 183-1-15-.04.

Recent news reports indicate Fulton County’s failure to adhere to proper Risk-Limiting Audit processes, and general processes concerning the November 2020 general election. Specifically, on July 13, 2021, the Atlanta-Journal Constitution reported that nearly 200 ballots were scanned twice last fall.³ Further, VoterGA reports that their review of ballot images—public records following the adoption of Senate Bill 202—found inaccuracies in Fulton County’s official results for the November 2020 general election and “4,255 total extra votes were redundantly added into Fulton Co. audit results for the November election.”⁴ The same group reports that at least seven audit tally sheets appear blatantly incorrect, erroneously attesting to vote counts not reflected in the batches.

Throughout my career in business and in my time as a State Senator, I have always sought to avoid a rush to judgment without a full understanding of the facts. I will do so here as well. Hence, I will require your response to the inquiries below and documentation sufficient to support your responses thereto:

1. Please explain how nearly 200 ballots were scanned twice last fall and provide the earliest date you became aware of the issue, whether any other ballots were similarly double-counted, and whether such double-counting was reflected in Fulton County’s official results or Risk-Limiting Audit results for the November 2020 general election.⁵
2. Please provide an explanation for the erroneous audit tally sheets completed by individuals under your supervision.
3. Please state whether “extra” votes were, in fact, redundantly added to the Fulton County Audit results and, if so, whether such extra votes are reflected in either the Fulton County Audit results, the official results, or any other recount or re-canvass.

³ Mark Niese, *Some Ballots Initially Double-counted in Fulton Before Recount*, Atlanta Journal-Constitution (July 14, 2021), <https://www.ajc.com/politics/some-ballots-initially-double-counted-in-fulton-before-recount/GY4FTEEI6REIJN3SDKIDNIOYV4/>.

⁴ Press Release, VoterGA, *New Evidence Reveals GA Audit Fraud and Massive Errors* (July 13, 2021), *available at* <https://voterga.org/wp-content/uploads/2021/07/Press-Release-New-Evidence-Reveals-Georgia-Audit-Fraud-and-Massive-Errors.pdf>.

⁵ The AJC reports that there is “no indication any vote for president was counted more than once in official results,” but fails to provide a source for that assertion.

4. For each of the above inquiries, please identify the date on which you first became aware of the issue(s), any corrective action you have taken to resolve the issue(s), and any other information which may provide clarity to the issue(s) raised in this letter.

I look forward to your response and request such response be provided no later than July 22, 2021. Maintaining integrity in our elections is of the utmost importance to me and my colleagues in the State Senate. Unfortunately, Fulton County's apparent disregard for election procedures and state law have called that integrity into doubt. At minimum, these revelations undermine Georgians' confidence in our elections and I will not allow them to remain unresolved and shrouded by a lack of information and transparency.

Sincerely,



Senator Butch Miller, President Pro Tempore
Along with the following, distinguished members of
the Senate Majority Caucus:

Senator John Albers
Senator Jason Anavitarte
Senator Lee Anderson
Senator Matt Brass
Senator Dean Burke
Senator Max Burns
Senator Greg Dolezal
Senator Frank Ginn
Senator Russ Goodman
Senator Marty Harbin
Senator Tyler Harper
Senator Billy Hickman

Senator Kay Kirkpatrick
Senator Sheila McNeill
Senator Jeff Mullis
Senator Chuck Payne
Senator Randy Robertson
Senator Brian Strickland
Senator Carden Summers
Senator Blake Tillery
Senator Lindsey Tippins
Senator Larry Walker