

House Bill 45 (COMMITTEE SUBSTITUTE)

By: Representatives Mills of the 25th and Williams of the 4th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to
2 elections and primaries generally, so as to provide that persons applying to register to vote
3 shall provide proof of United States citizenship prior to the acceptance of their registrations;
4 to provide for acceptable forms of proof of citizenship; to provide for retention of such
5 information; to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and
9 primaries generally, is amended by adding a new subsection to Code Section 21-2-216,
10 relating to qualifications of electors generally, to read as follows:

11 "(g)(1) On and after January 1, 2010, an application for registration under this chapter
12 shall be accompanied by satisfactory evidence of United States citizenship. The
13 registrars shall reject any application for registration for which no satisfactory proof of
14 citizenship is provided. Upon the receipt of an application without satisfactory proof of
15 citizenship, the board of registrars shall notify the applicant in writing of the requirement
16 to provide adequate proof of citizenship. The board of registrars shall not determine the
17 eligibility of the applicant until and unless satisfactory proof of citizenship is supplied by
18 the applicant. If the initial application is received prior to the close of voter registration
19 prior to an election, if the applicant supplies satisfactory evidence of citizenship on or
20 prior to the date of the election, and if the applicant is found eligible to vote, the applicant
21 shall be added to the list of electors and shall be permitted to vote in the election and any
22 run-off elections resulting therefrom and subsequent elections; provided, however, that
23 electors who registered to vote for the first time in this state by mail shall supply current
24 and valid identification when voting for the first time as required in subsection (c) of
25 Code Section 21-2-220. In the event the applicant does not respond to the request for the

26 missing information within 30 days following the sending of notification to provide
27 adequate proof of citizenship, the application shall be rejected.

28 (2) Satisfactory evidence of citizenship shall include any of the following:

29 (A) The number of the applicant's Georgia driver's license or identification card issued
30 by the Department of Driver Services if the applicant has provided satisfactory proof
31 of United States citizenship to the Department of Driver Services or a legible photocopy
32 of the applicant's driver's license or identification issued by an equivalent government
33 agency of another state if the agency indicates on the driver's license or identification
34 card that the applicant has provided satisfactory proof of United States citizenship to
35 the agency;

36 (B) A legible photocopy of the applicant's birth certificate that verifies citizenship to
37 the satisfaction of the board of registrars;

38 (C) A legible photocopy of pertinent pages of the applicant's United States passport
39 identifying the applicant and the applicant's passport number or presentation to the
40 board of registrars of the applicant's United States passport;

41 (D) A presentation to the board of registrars of the applicant's United States
42 naturalization documents or the number of the applicant's certificate of naturalization.
43 If only the number of the applicant's certificate of naturalization is provided, the
44 applicant shall not be found eligible to vote until such number of the certificate of
45 naturalization is verified with the United States Citizenship and Immigration Services
46 by the board of registrars;

47 (E) Other documents or methods of proof that are established pursuant to the federal
48 Immigration Reform and Control Act of 1986 (P. L. 99-603);

49 (F) The applicant's Bureau of Indian Affairs card number, tribal treaty card number,
50 or tribal enrollment number; and

51 (G) Other documents and methods by which residents of this state who are bona fide
52 United States citizens and who are not in possession of any of the documents
53 enumerated in subparagraphs (A) through (F) of this paragraph may register to vote that
54 shall be promulgated by rule and regulation of the State Election Board.

55 (3) Notwithstanding any provision of this subsection, any person who is registered in this
56 state on December 31, 2009, shall be deemed to have provided satisfactory evidence of
57 citizenship and shall not be required to resubmit evidence of citizenship.

58 (4) For the purposes of this subsection, proof of voter registration from another state
59 shall not be satisfactory evidence of citizenship.

60 (5) A person who changes addresses within a county shall not be required to submit
61 evidence of citizenship. After citizenship has been demonstrated to the board of

62 registrars, an elector shall not be required to resubmit satisfactory evidence of citizenship
63 in that county.

64 (6) After a person has submitted satisfactory evidence of citizenship, the board of
65 registrars shall indicate such information on the elector's permanent voter file. After two
66 years, the board of registrars may destroy all documents that were submitted as evidence
67 of citizenship.

68 (7) The Secretary of State shall establish procedures to match an applicant's voter
69 registration information to the information contained in the data base maintained by the
70 Department of Driver Services for the verification of the accuracy of the information
71 provided on the application for voter registration, including whether the applicant has
72 provided satisfactory proof of United States citizenship."

73 **SECTION 2.**

74 All laws and parts of laws in conflict with this Act are repealed.