

SYNOPSIS OF PROPOSED RULE 183-1-20

MAIN PURPOSE: The proposed rule is offered for the purpose of regulating the time, place and manner in which each county board of registrars shall issue the Georgia Voter Identification Card to eligible electors and to provide for the acceptable types of documentation necessary to obtain a Georgia Voter Identification Card.

MAIN FEATURES: Paragraph (2) provides that the Georgia Voter Identification Card shall be implemented and in use for the July 18, 2006 Party Primary Election.

Paragraph (3)(a) provides that each county shall provide a place within the voter registrar's primary or main office to process the application for the Georgia Voter Identification Cards.

Paragraph (3)(b) provides that each county registrar's office may provide for additional locations or extended hours for processing Georgia Voter Identification Card applications.

Paragraph (3)(c) provides that the registrar's office shall be open during regular business hours for issuing Georgia Voter Identification Cards except on legally observed holidays.

Paragraph 4(a) provides that the registrar's office shall require the presentation and verification of documentation as required by O.C.G.A. § 21-2-417.1(e) for the issuance of a Georgia Voter Identification Card.

Paragraph (4)(b) 1 and 2 provides for the proper types of photo and nonphoto documentation that shall be accepted by the registrar for issuing a Georgia Voter Identification Card for purposes of confirming the identity, date of birth, and address of principal residence of the applicant for a Georgia Voter Identification Card.

Paragraph (4)(b) 3 provides that the evidence for establishing the applicant's date of birth shall be the same evidence as accepted in subparagraph (b)2.

Paragraph (4)(b) 4 provides for the evidence of voter registration that shall be accepted by the registrar as proof of voter registration.

Paragraph (4)(b) 5 provides for the types of documentation that shall be accepted by the registrar as proof of the applicant's name and address of principal residence.

Paragraph (4)(b) 6 provides that the State Election Board shall automatically review any declination of a Georgia Voter Identification Card application and shall have the authority to direct a voter registrar to issue a Georgia Voter Identification Card if reasonably reliable documentary indicia of identification exists for the issuance of the Georgia Voter Identification Card.

**RULES
OF
STATE ELECTION BOARD
GEORGIA ELECTION CODE**

**CHAPTER 183-1-20
GEORGIA VOTER IDENTIFICATION CARD**

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183-1-20-.01 Georgia Voter Identification Card.

(1) **Intent and Purpose.** These rules are promulgated pursuant to the authority granted the State Election Board under O.C.G.A. §§ 21-2-417.1 and 21-2-31. It is the intent of the State Election Board to provide for the time, place and manner in which each county Board of Registrars shall issue the Georgia Voter Identification Card to eligible electors and to provide for the acceptable types of documentation necessary to obtain a Georgia Voter Identification Card. To this end, the State Election Board has promulgated these rules and regulations.

(2) **Application for the Georgia Voter Identification Card.** Beginning with the July 18, 2006 Party Primary Election each county registrar shall provide the application for the Georgia Voter Identification Card in the form designed and published by the State Election Board or its member designee(s). Any registered voter who meets the criteria in O.C.G.A. § 21-2-417.1 and wishes to obtain a Georgia Voter Identification Card shall be required to submit the information requested in such application. It shall be the responsibility of each county registrar to ensure that each accepted application is complete.

(3) **Availability of the Georgia Voter Identification Card.**

(a) Each county shall provide a place within the voter registrar's primary or main office location, as previously approved by the Department of Justice, to process applications for Georgia Voter Identification Cards and to process and distribute such cards.

(b) Each county registrar's office may provide additional locations or extended hours for processing applications for the Georgia Voter Identification Card and processing and distributing the cards but shall be required to comply with criteria for establishment of additional voter registration places as outlined in 183-1-6-.03(3).

(c) Each county registrar's office shall be open a minimum of eight hours per day on Monday through Friday of the week before the final primary, election, or run-off election day, except for legally observed holidays, and shall otherwise be open during normal

business hours of the office in order to allow registered voters to apply for and obtain a Georgia Voter Identification Card.

(d) The voter registrar's office of each county shall provide the application and process the Georgia Voter Identification Card using the equipment, forms, supplies, and written training materials and/or verbal training provided by the State Election Board.

(e) Each county Board of Registrars shall sign and maintain an intergovernmental agreement provided by the State Election Board outlining the use of the equipment.

(4) Documentation required for application and issuance of the Georgia Voter Identification Card.

(a) In accordance with O.C.G.A. § 21-2-417.1(e), the Board of Registrars shall require the presentation and verification of the following information before issuing a Georgia Voter Identification Card:

1. A photo identity document, except that nonphoto identity document is acceptable if it includes both the applicant's full legal name and date of birth;
2. Documentation showing the applicant's date of birth;
3. Evidence that the applicant is registered to vote in the State of Georgia, either by voter precinct card, a new voter registration application or confirmation of voter's record on the statewide voter registration system or by verifying the original application in the voter registrar's office; and
4. Documentation showing the applicant's name and principal residence address.

(b) In determining whether the requirements of O.C.G.A. § 21-2-417.1(e) have been met, the following shall apply:

1. Any of the following which contains a photograph of the applicant shall constitute a photo identity document, as provided in O.C.G.A. § 21-2-417.1(e)(1):

- (i) Student ID Card including public or private high school, college, university, or vocational school;
- (ii) Transit Card;
- (iii) Pilot's License;
- (iv) Nursing Home Identification Card;
- (v) Employee Identification Card;

- (vi) Government Housing Authority Identification Card;
- (vii) Any government issued license;
- (viii) Any card accepted by local, state or federal government for the provision of benefits; or
- (ix) Any card accepted by local, state or federal government for access to buildings.

2. Any of the following shall constitute a nonphoto identity document in lieu of a photo identity document as provided in O.C.G.A. § 21-2-417.1(e)(1) only if it includes both the applicant's full legal name and date of birth:

- (i) Original birth certificate or certified copy of birth certificate;
- (ii) Certificate of birth registration;
- (iii) Voter Registration Application;
- (iv) Copy of records filed in court by the applicant or on behalf of the applicant by the applicant's counsel;
- (v) Naturalization documentation;
- (vi) Copy of Marriage License Application;
- (vii) A copy of the applicant's State or Federal Tax Return filed for the previous calendar year;
- (viii) Any other document issued by local, state, or federal government so long as the document provides a reasonably reliable confirmation of the identity of the applicant;
- (ix) Paycheck or paycheck stub bearing the imprinted name of the applicant's employer;
- (x) An original of the annual social security statement received by the applicant for current or preceding calendar year;
- (xi) An original of a Medicare or Medicaid statement received by the applicant;
- (xii) Certified school record or transcript for current or preceding calendar year;
- (xiii) Hospital birth certificate;
- (xiv) An authenticated copy of a doctor's record of post-natal care; or

(xv) A federal Affidavit of Birth, form DS-10.

3. The registrar shall accept as documentation showing the applicant's date of birth under O.C.G.A. § 21-2-417.1(e)(2) any of the documents described in subparagraph (b) 2 above.

4. The registrar shall accept as proof of voter registration under O.C.G.A. § 21-2-417.1(e)(3) the applicant's voter registration application or a voter's precinct card.

5. Any of the documents described in subparagraphs (b)(1) and (2) shall be acceptable as documentation showing the applicant's name and address of principal residence under O.C.G.A. § 21-2-417.1(e)(4) if the documentation contains the applicant's name and address of principal residence. In addition, the registrar shall also accept the following as documentation showing the applicant's name and address of principal residence if the applicant's name and address of principal residence appears on the document:

(i) Voter Precinct Card;

(ii) Utility or cable bill issued within the last sixty (60) days;

(iii) Bank statement issued within the last sixty (60) days;

(iv) Currently valid rental contracts and/or receipts for payments made within the last sixty (60) days for rent payments;

(v) A copy of the applicant's State or Federal income tax return filed for the preceding calendar year;

(vi) Homeowners insurance policy or bill for current or preceding calendar year;

(vii) Mortgage, payment coupon, deed, or property tax bill for current or preceding calendar year;

(viii) Current Automobile Registration Receipt;

(ix) Homestead Exemption documentation; or

(x) W-2 for the preceding calendar year.

6. The application and supporting documentation of any applicant who is denied a Georgia Voter Identification Card shall be immediately forwarded via facsimile and U.S. mail to the State Election Board for automatic review to determine if the applicant has provided reasonably reliable documentary indicia confirming the identity of the applicant in which case the State Election Board shall direct the voter registrar to issue the Georgia Voter Identification Card.