



Georgia's Election Integrity Reform Lawsuits

OVERVIEW

On March 25, the Election Integrity Act of 2021 (SB202) passed through both chambers of the Georgia General Assembly and was signed into law by Governor Brian Kemp, codifying a set of fair and consistent statewide reforms to govern the conduct of elections in Georgia.

Within hours, the New Georgia Project and others, with the help of a Democratic Party-aligned law firm, filed a lawsuit in the Atlanta Division of the Northern District of Georgia, the first of four similar lawsuits. All four lawsuits were filed to the same court and make nearly identical claims. **All four lawsuits are without merit and likely to fail.**

KEY POINTS



States are passing election reforms designed to continue and enhance what worked well during the 2020 election and fix what did not. As these bills are signed into law, a common pattern has emerged where Democratic Party-aligned law firms are immediately filing lawsuits using local groups to establish standing.



SB202 is a commonsense approach that makes it easy to vote and hard to cheat. It provides fair and consistent rules for Georgia elections statewide, a constitutional right and a duty of the Georgia legislature. Thanks to SB202, Georgians should expect the efficiency of their elections to continue to improve and voter participation to continue to rise.



All four lawsuits are based on unsubstantiated and racially charged rhetoric with no evidence of actual modern-day harm. The lawsuits filed in Georgia will fail because Plaintiffs have not shown an unreasonable burden on Georgian voters caused by SB202 and there is zero evidence of a discriminatory purpose.

The lawsuits have been assigned to the Honorable J.P. Boulee, a judge appointed by former President Donald J. Trump.



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COMMONSENSE ELECTION REFORMS UNDER ATTACK IN GEORGIA

Easier to Vote

- ✓ **Out of Town.** Allows designated relative¹ to read, fill in, handle, and return absentee ballot for a voter temporarily outside the country or municipality. (GA SB202, § 25, p. 39, ln. 970-979)
- ✓ **In Police Custody.** Allows access to personal effects to request and vote absentee for voters detained or in jail. (GA SB 202, § 25, p. 40, ln. 1000-1002)
- ✓ **Hours for Advance Voting.** At a minimum, polls must be open for advance voting eight hours per day, and allow registrars to open earlier or later, up to 12 hours per day. Adds one required hour from 9am-4pm to 9am-5pm and allows discretion to extend up to five hours to 7am-7pm. (GA SB 202, § 28, p. 59, ln. 1502-1503)
- ✓ **Weekends for Advance Voting.** In addition to weekdays beginning the fourth Monday prior to election, requires polls to be open two Saturdays before Election Day (originally only one), and allows registrars to open polls up on the second and third Sundays prior to the election. (GA SB202, § 28, Ln. 1489-1501)
- ✓ **Add Resources If Long Lines.** Requiring precincts with more than 2,000 voters that have lines longer than an hour at three different points throughout the day to add more machines, add more staff, or split up the precincts. (GA SB202, § 18, p. 29 Ln. 721-734)

Protects Civil Liberties

- ✓ **Disability.** Allows designated assistant to read, fill in, handle, and return an absentee ballot for a voter with a physical disability. (GA SB202, § 25, p. 39, ln. 970-979)
- ✓ **Illness.** Expands time allowed for voters confined in hospital to apply for absentee ballot from five to 10 days before the election. (GA SB202, § 27, p. 25, ln. 1270-1273)
- ✓ **Limited English Proficiency (Not a Poll Tax).** Allows designated assistant to read, fill in, handle, and return absentee ballot for an illiterate voter. (GA SB202, § 25, p. 39, ln. 970-979)
- ✓ **Dehydrated Voters.** Allows self-service water to be made available to voters waiting in line to vote. (GA SB202, § 33, p. 74, ln. 1888-1889)

Prevents Voter Intimidation & Fraud

- ✓ **Voter Identification.** Those applying for an absentee-by-mail ballot must confirm their identity by providing their name, date of birth, registered address, address where they'd like the ballot mailed to, and their Georgia license or identification card number (Georgia Voter ID cards are free and available to all Georgia voters). If the voter lacks one of these cards, they can simply affirm this fact and provide a copy of another approved form of identification. (GA SB202, § 25, p. 38, ln. 945-953)
- ✓ **Buffer Zone Bribery.** Prohibits anyone from giving, offer to give, or participate in the giving of any money or gifts to voters waiting in line within protective bubble. (GA SB202, § 33, p. 73, ln. 1873-1875)
- ✓ **Voter Protection Hotline.** Gives Georgia Attorney General authority to establish official hotline/tip line for voter fraud or intimidation tips, and authority to review complaints within three days or as expeditiously as possible for prosecution. (GA SB202, § 4, p. 8, ln. 171-178)

1. "Relative" is defined to be age 18 or older and voter's mother, father, grandparent, aunt, uncle, sister, brother, spouse, son, daughter, niece, nephew, grandchild, son-in-law, daughter-in-law, mother-in-law, father-in-law, brother-in-law, or sister-in-law. (SB202, pg. 38, ln. 938-943)

