

VOTING UNDER GEORGIA’S S.B. 202

Assisting Voters

Georgia’s Election Integrity Act of 2021, also known as **S.B. 202**, now criminalizes certain voter-assistance activities by individuals and organizations. It will be important to be aware of these new criminal penalties when assisting voters.

SECTION NUMBER	WHO	PROHIBITED ACTIVITY	PENALTY
25	Any “person or entity” EXCEPT: <ul style="list-style-type: none"> ➤ a relative authorized to request an absentee ballot for the voter ➤ a person assisting an “illiterate or physically disabled” voter ➤ a common carrier, such as a mailperson ➤ an absentee ballot clerk, registrar, or law enforcement 	“[H]andl[ing]” or returning a voter’s completed absentee ballot application	Misdemeanor
27	Any person EXCEPT: <ul style="list-style-type: none"> ➤ the voter ➤ an authorized person assisting a voter who is entitled to assistance ➤ an absentee ballot clerk, registrar, or law enforcement 	“[K]nowingly” unsealing a sealed absentee ballot envelope	Felony
27	Any voter or person assisting a voter who signs the required oath to complete an absentee ballot	Allowing any person to observe the marking of the voter’s absentee ballot EXCEPT: <ul style="list-style-type: none"> ➤ someone who assists the voter if the voter is entitled to assistance ➤ the voter’s child under 18 years old ➤ any child under 12 years old <i>or</i> permit anyone except for an authorized person to deliver or return the voted absentee ballot to the board of registrars on the voter’s behalf	Felony penalty of false swearing)

Need more help? Call the national, nonpartisan Election Protection hotline at 866-OUR-VOTE. Please also consult additional guidance from the Secretary of State and your county’s election authority. Find your county election supervisor’s contact information [here](#).

SECTION NUMBER	WHO	PROHIBITED ACTIVITY	PENALTY
33	Any person	Giving or offering to give or participate in the giving of money or gifts, “including food and drink” to a voter: <ul style="list-style-type: none"> ➤ within 150 feet of the outer edge of any building where the polling place is located or; ➤ within any polling place or; ➤ within 25 feet of any voter standing in line to vote at a polling place. 	Misdemeanor
47	Any person EXCEPT: <ul style="list-style-type: none"> ➤ anyone who is authorized to accept an absentee ballot to return on behalf of a voter 	“[K]nowingly” accepting an absentee ballot from a voter to deliver or return the absentee ballot	Felony
48	Any person EXCEPT: <ul style="list-style-type: none"> ➤ a person who is authorized to give the voter assistance ➤ a child 	“[I]ntentionally” observing a voter while the voter casts a ballot	Felony
48	Any person	Using photographic or other electronic monitoring, recording device, camera, cell phone to photograph or record an electronic ballot marker or a voted ballot	Misdemeanor

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