As I am sure you have seen over the past month, many Georgians, including my colleagues who have signed this correspondence, have serious concerns about Georgia’s elections. As we approach a critical election on January 5, 2021, it is clear that Georgia voters must have confidence in the election process going forward. To that end, below you will find two common-sense suggestions: a rule that should be promulgated by the State Election Board (the “SEB”) and additional resources of which the Office of the Secretary of State (the “SOS”) or the SEB could take advantage.

I. Absentee Ballot Application and Mail-In Absentee Ballot Signature Review Process. As the process currently stands, when a voter wishes to vote early by mail, they submit an Absentee Ballot Application (“Application”) either through the mail or online. When a local Board of Registrars (the “BOR”) receives a paper Application, typically, a single employee of the BOR is responsible for the initial review of a signature on a paper Application. If that paper Application is accepted, the BOR mails an Absentee Ballot to the voter. The process for reviewing signatures on the external envelope of a returned Absentee Ballot is the same – a single employee of the BOR is allowed to “approve” a signature without oversight by other employees or independent observers. Additional BOR staff members are only involved in reviewing signatures when the initial reviewer seeks to reject the ballot. Even with the massive increase in Absentee Ballot participation this year, in many counties, a single solitary person is responsible for accepting voter signatures on Applications and Absentee Ballots themselves. This fact is alarming to me, my colleagues who have co-signed this correspondence, and Georgians across the state.

To increase confidence in our election process, it is imperative that signatures be appropriately scrutinized and that the signature review process is above reproach. With that goal in mind, I propose the SEB promulgate a rule requiring that the signature review process on Absentee Ballot applications and Absentee Ballots include an independent observer from each political party represented in the races on the reviewed ballots. (In Georgia, this would typically be a Republican and a Democratic observer, but it may also include a Libertarian (or another third party) observer where the race warrants
it.) These independent observers would be entitled to physically review the signatures on Applications and Absentee Ballots and, when discrepancies are observed, to ask for additional review of those signatures. Those “flagged” Applications and Absentee Ballots would then go through further scrutiny, which should occur before the Absentee Ballot is removed from its outer envelope. This guidance should also allow these independent observers the opportunity to note Applications or Absentee Ballots that should be challenged.

Additionally, this rule should apply to the review and processing of applications for military and overseas ballots and the ballots themselves, including throughout the period after Election Day when these military and overseas ballots are legally allowed to be received and processed.

II. Utilization of Current State Employees by the SOS. Multiple news outlets reported significant failures in counties across our state before, during, and after Election Day. These counties were rural, suburban, and metro-area and represented all demographics and areas of our state. This is unacceptable.

Due to these failures, I am confident that the SOS wishes to provide more support and oversight to counties. I propose that the SOS contract with other state agencies willing and able to temporarily allow their employees to perform services on behalf of the SOS. Specifically, the SOS should deploy these individuals to observe Election Day activities at the precinct and county level, where additional support may be needed. Alternatively, the SEB may wish to enter into agreements with state agencies to perform similar investigatory activities pursuant to OCGA § 21-2-31(5). The SOS or the SEB should seek out individuals who have investigative backgrounds or experience in administering elections, as they will likely have a skill set that lends itself to this type of work. To the extent that the SOS or the SEB needs additional funds for these temporary services, I am confident that the leadership of the Georgia House of Representatives, many of whom have signed this correspondence, will do everything within our power to ensure that the necessary resources are available.

Thank you for considering these suggestions that I believe would rebuild some of the trust that Georgians may have lost in our election process. If you have any questions or feedback, please do not hesitate to reach out to my office. Thank you for what you do in service to our state.

Jon Burns
Majority Leader
House District 159

[Signatures]

Speaker David Ralston
House District 7

Speaker Pro Tempore Jan Jones
House District 47

Majority Whip Trey Kelley
House District 16
Chairman Matt Hatchett
House District 150

Vice-Chairman Micah Gravley
House District 67

Sec./Treas. Bruce Williamson
House District 115

Representative Steve Tarvin
House District 2

Representative Kasey Carpenter
House District 4

Representative Matt Barton
House District 5

Representative Jason Ridley
House District 6

Representative Kevin Tanner
House District 9

Representative Terry Rogers
House District 10

Representative Rick Jasperse
House District 11

Representative Eddie Lumsden
House District 12

Representative Katie Dempsey
House District 13

Representative Mitchell Scoggins
House District 14

Representative Matthew Gambill
House District 15

Representative Martin Momtahan
House District 17

Representative Joseph Gullett
House District 19

Representative Michael Caldwell
House District 20

Representative Wes Cantrell
House District 22

Representative Todd Jones
House District 25

Representative Lee Hawkins
House District 27

Representative Chris Erwin
House District 28

Representative Matt Dubnik
House District 29

Representative Emory Dunahoo
House District 30

Representative Tommy Benton
House District 31
Representative Alan Powell
House District 32
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Representative Bert Reeves
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Representative Ed Setzler
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Representative Ginny Ehrhart
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Representative Sharon Cooper
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Representative Don Parsons
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Representative Matt Dollar
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Representative John Carson
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Representative Chuck Martin
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Representative-Elect Rob Leverett
House District 33

Representative-Elect Clint Crowe
House District 110

Representative-Elect Beth Camp
House District 131

Representative-Elect David Jenkins
House District 132

Representative-Elect Buddy Deloach
House District 167