

SECRETARY OF STATE[721]DIVISION I
ADMINISTRATION

CHAPTER 1

DESCRIPTION OF ORGANIZATION

1.1(17A)	Central organization
1.2(17A)	Corporations
1.3(17A)	Uniform Commercial Code
1.4(17A)	Elections
1.5(17A)	Land office
1.6(17A)	Notaries public
1.7(17A)	Legislative division—enrolled bills
1.8(17A)	Process agent
1.9(17A)	Oaths and bonds
1.10(17A)	Joint governmental agreements
1.11	Reserved
1.12(17A)	Judiciary

CHAPTER 2

RULES OF PRACTICE

2.1(17A)	Forms used
2.2(17A)	Filing complaints
2.3(9,631)	Payment for services
2.4(17A)	Examination and preservation of records
2.5(17A)	Telecopier service

CHAPTER 3

ADMINISTRATIVE HEARINGS

3.1(17A)	Scope
3.2(17A)	Definitions
3.3(17A)	General information
3.4(17A)	Commencing the contested case
3.5(17A)	Notice of hearing
3.6(17A)	Contested case hearing procedures
3.7(17A)	Presiding officer
3.8(17A)	Decisions
3.9(17A)	Request for rehearing
3.10(17A)	Judicial review

CHAPTER 4

FORMS

4.1(17A)	Forms and instructions
4.2(17A)	Corporation forms
4.3(17A)	Election forms
4.4(17A)	Uniform Commercial Code forms
4.5(17A)	Verified lien statement forms
4.6(9A,17A)	Athlete agent

CHAPTER 5
PUBLIC RECORDS AND
FAIR INFORMATION PRACTICES
(Uniform Rules)

5.1(17A,22)	Definitions
5.3(17A,22)	Requests for access to records
5.6(17A,22)	Procedure by which additions, dissents, or objections may be entered into certain records
5.9(17A,22)	Disclosures without the consent of the subject
5.10(17A,22)	Routine use
5.11(17A,22)	Consensual disclosure of confidential records
5.12(17A,22)	Release to subject
5.13(17A,22)	Availability of records
5.14(17A,22)	Personally identifiable information
5.15(17A,22)	Personnel files
5.16(17A,22)	Other groups of records

CHAPTER 6
SAFE AT HOME PROGRAM

6.1(9E)	Definitions
6.2(9E)	Failure to notify secretary of changes in information; cancellation
6.3(9E)	Renewal of certification; recertification
6.4(9E)	Cancellation of voter registration in the statewide voter registration database
6.5(9E)	Change of voter registration through the program
6.6(9E)	Cancellation of absentee ballot voting through the program

CHAPTER 7
AGENCY PROCEDURE FOR RULE MAKING

7.1(17A)	Applicability
7.2(17A)	Advice on possible rules before notice of proposed rule adoption
7.3(17A)	Public rule-making docket
7.4(17A)	Notice of proposed rule making
7.5(17A)	Public participation
7.6(17A)	Regulatory analysis
7.7(17A,25B)	Fiscal impact statement
7.8(17A)	Time and manner of rule adoption
7.9(17A)	Variance between adopted rule and published notice of proposed rule adoption
7.10(17A)	Exemptions from public rule-making procedures
7.11(17A)	Concise statement of reasons
7.12(17A)	Contents, style, and form of rule
7.13(17A)	Agency rule-making record
7.14(17A)	Filing of rules
7.15(17A)	Effectiveness of rules prior to publication
7.16(17A)	General statements of policy
7.17(17A)	Review by agency of rules

CHAPTER 8
PETITIONS FOR RULE MAKING

8.1(17A)	Petition for rule making
8.2(17A)	Briefs
8.3(17A)	Inquiries
8.4(17A)	Agency consideration

CHAPTER 9
DECLARATORY ORDERS

9.1(17A)	Petition for declaratory order
9.2(17A)	Notice of petition
9.3(17A)	Intervention
9.4(17A)	Briefs
9.5(17A)	Inquiries
9.6(17A)	Service and filing of petitions and other papers
9.7(17A)	Consideration
9.8(17A)	Action on petition
9.9(17A)	Refusal to issue order
9.10(17A)	Contents of declaratory order—effective date
9.11(17A)	Copies of orders
9.12(17A)	Effect of a declaratory order

CHAPTER 10
WAIVER RULES

10.1(17A)	Definition
10.2(17A)	Scope of chapter
10.3(17A)	Applicability
10.4(17A)	Criteria for waiver
10.5(17A)	Filing of petition
10.6(17A)	Content of petition
10.7(17A)	Additional information
10.8(17A)	Notice
10.9(17A)	Hearing procedures
10.10(17A)	Ruling
10.11(17A)	Public availability
10.12(17A)	Cancellation of a waiver
10.13(17A)	Violations
10.14(17A)	Defense
10.15(17A)	Judicial review

CHAPTER 11
Reserved

CHAPTER 12
DISASTER RECOVERY FOR OUT-OF-STATE ENTITIES

12.1(29C)	Definitions
12.2(29C)	Notification and insurance verification
12.3(29C)	Transmittal of notification

CHAPTERS 13 to 19
Reserved

DIVISION II
ELECTIONS

CHAPTER 20
DEPUTY COMMISSIONERS OF ELECTIONS

20.1(47)	Deputy secretary of state and deputy county auditor to act
20.2(47)	County commissioner of elections may appoint special deputies

CHAPTER 21
ELECTION FORMS AND INSTRUCTIONS

DIVISION I
GENERAL ADMINISTRATIVE PROCEDURES

21.1(47)	Emergency election procedures
21.2(47)	Electronic submission of absentee ballot applications and affidavits of candidacy
21.3(49,48A)	Voter identification documents
21.4(49)	Changes of address at the polls
21.5(49)	Eligibility declarations in the election register
21.6	Reserved
21.7(48A)	Election day registration
21.8(48A)	Notice to election day registrant
21.9(49)	“Vote here” signs
21.10(43)	Application for status as a political party
21.11(49)	Statement to provisional voter
21.12(47,53)	Absentee ballot receipt deadline when the United States post office is closed on the deadline for receipt of absentee ballots
21.13(47,50)	Canvass date adjustment when the United States post office is closed on the deadline for receipt of absentee ballots
21.14(53)	Intelligent Mail barcode (IMb) Tracing
21.15(49)	Proof of residence or identification after casting provisional ballot
21.16 to 21.19	Reserved
21.20(62)	Election contest costs
21.21(62)	Limitations
21.22(49)	Photocopied ballot procedures
21.23 and 21.24	Reserved
21.25(50)	Administrative recounts
21.26 to 21.29	Reserved
21.30(49)	Inclusion of annexed territory in city reprecincting and redistricting plans
21.31(275)	School director district maximum allowable deviation between director districts
21.32(372)	City ward maximum allowable deviation between city wards
21.33(49)	Redistricting special election blackout period
21.34 to 21.49	Reserved
21.50(49)	Polling place accessibility standards
21.51	Reserved
21.52(48A)	Request for new voter identification card
21.53 to 21.74	Reserved
21.75(49)	Voting centers for certain elections
21.76(48A)	Electronic poll book training for poll workers
21.77(49)	Photographing ballots
21.78 to 21.99	Reserved
21.100(39A)	Issuance of technical infractions
21.101(47)	State commissioner’s review of complaints
21.102(49)	Commissioner’s filings and notifications to state commissioner
21.103(39A)	Election misconduct—investigation
21.104 to 21.199	Reserved

DIVISION II
BALLOT PREPARATION

21.200(49)	Constitutional amendments and public measures
21.201(44)	Competing nominations by nonparty political organizations
21.202(43,52)	Form of primary election ballot
21.203(49,52)	Form of general election ballot

- 21.204(260C) Tabulating election results by school district for merged area special elections
 21.205 to 21.299 Reserved

DIVISION III
 ABSENTEE VOTING

- 21.300(53) Satellite absentee voting stations
 21.301(53) Absentee ballot requests from voters whose registration records are “inactive”
 21.302(48A) In-person absentee registration
 21.303(53) Mailing absentee ballots
 21.304(53) Absentee ballot requests from voters whose registration records are “pending”
 21.305(53) Confirming commissioner’s receipt of an absentee ballot on election day
 21.306(53) Incomplete absentee ballot applications
 21.307(53) Absentee ballot drop boxes
 21.308 to 21.319 Reserved
 21.320(53) Absentee voting by UOCAVA voters
 21.321 to 21.350 Reserved
 21.351(53) Receiving absentee ballots
 21.352(53) Review of returned envelopes marked with affidavits
 21.353(53) Opening the return carrier envelopes that are not marked with voters’ affidavits
 21.354(53) Review process
 21.355(53) Notice to voter
 21.356 to 21.358 Reserved
 21.359(53) Processing absentee ballots before election day
 21.360 Reserved
 21.361(53) Rejection of absentee ballot
 21.362 to 21.399 Reserved

DIVISION IV
 INSTRUCTIONS FOR SPECIFIC ELECTIONS

- 21.400(376) Signature requirements for certain cities
 21.401(376) Signature requirements in cities with primary or runoff election provisions
 21.402(372) Filing deadline for charter commission appointment petition
 21.403(372) Special elections to fill vacancies in elective city offices for cities that may be required to conduct primary elections
 21.404(372) Special elections to fill vacancies in elective city offices for cities without primary election requirements
 21.405(69) Special elections to fill a vacancy in the office of representative in Congress
 21.406 to 21.499 Reserved
 21.500(277) Signature requirements for school director candidates
 21.501 to 21.600 Reserved
 21.601(43) Plan III supervisor district candidate signatures after a change in the number of supervisors or method of election
 21.602 to 21.799 Reserved
 21.800(423B) Local sales and services tax elections
 21.801(423B) Form of ballot for local option tax elections
 21.802(423B) Local vehicle tax elections
 21.803(423F) Revenue purpose statement ballots
 21.804(423B) Local option sales and services tax elections in qualified counties
 21.805 to 21.809 Reserved
 21.810(34A) Referendum on enhanced 911 emergency telephone communication system funding
 21.811 to 21.819 Reserved
 21.820(99F) Gambling elections

- 21.821 to 21.829 Reserved
 21.830(357E) Benefited recreational lake district elections

CHAPTER 22
 VOTING SYSTEMS AND ELECTRONIC POLL BOOKS

TESTING AND EXAMINATION OF VOTING EQUIPMENT

- 22.1(52) Definitions for certification of voting equipment
 22.2(52) Voting system standards
 22.3(52) Examiners
 22.4(52) Fees and expenses paid to the examiners
 22.5(52) Examination of voting equipment—application
 22.6(52) Review of application by examiners
 22.7(52) Consultant
 22.8(52) Contact other users
 22.9(52) Testing the equipment
 22.10(52) Test primary election for three political parties
 22.11(52) Test general election
 22.12(52) Report of findings
 22.13(52) Notification
 22.14(52) Denial of certification
 22.15(52) Application for reconsideration
 22.16(52) Appeal
 22.17(52) Changes to certified voting systems
 22.18(52) Rescinding certification
 22.19 to 22.29 Reserved
 22.30(50,52) Electronic transmission of election results
 22.31(52) Acceptance testing
 22.32 to 22.40 Reserved
 22.41(52) Public testing of optical scan systems
 22.42(52) Preparing test decks
 22.43(52) Conducting the public test
 22.44 to 22.49 Reserved
 22.50(52) Voting system security
 22.51(52) Memory storage devices
 22.52(52) Voting equipment malfunction at the polls
 22.53 to 22.99 Reserved

OPTICAL SCAN VOTING SYSTEMS

- 22.100 Reserved
 22.101(52) Definitions
 22.102(52) Optical scan ballots
 22.103 to 22.199 Reserved

PRECINCT COUNT SYSTEMS

- 22.200(52) Security
 22.201(52) Programming and testing the tabulating devices for precinct count systems
 22.202(50) Unique race and candidate ID numbers for election night results reporting
 22.203(50) Reporting election night results electronically
 22.204 to 22.220 Reserved
 22.221(52) Sample ballots and instructions to voters
 22.222 to 22.230 Reserved
 22.231(52) Emergency ballot box or bin
 22.232(52) Manner of voting

22.233 to 22.239	Reserved
22.240(52)	Results
22.241(52)	Electronic transmission of election results
22.242 to 22.249	Reserved
22.250(52)	Absentee voting instructions
22.251 to 22.259	Reserved
22.260(52)	Specific precinct count systems
22.261(52)	Election Systems & Software Voting Systems—preparation and use in elections
22.262(52)	Premier Election Solutions' AccuVote OS and AccuVote OSX precinct count devices
22.263(52)	AutoMARK Voter Assist Terminal (VAT)
22.264(52)	Unisyn OpenElect OVO unit—preparation and use in elections
22.265(52)	Unisyn OpenElect OVI unit
22.266(52)	Dominion Democracy Suite Voting Systems—preparation and use in elections
22.267 to 22.339	Reserved

OPTICAL SCAN VOTING SYSTEM USED FOR ABSENTEE AND SPECIAL VOTERS PRECINCT

22.340(52)	Processing
22.341(52)	Reporting results from absentee ballots and provisional ballots
22.342(52)	Tally list for absentee and special voters precinct
22.343(39A,53)	Counting absentee ballots on the day before the general election
22.344 to 22.599	Reserved

E-POLL BOOKS

22.600(47)	Revolving loan fund
22.601(47)	Operational features of e-poll books
22.602(47)	Security features of e-poll books

CHAPTER 23

VOTER REGISTRATION IN STATE AGENCIES

23.1(48A)	Definitions
23.2(48A)	Registration forms
23.3(48A)	Declination forms
23.4(48A)	Electronic declination records
23.5(48A)	Retention and storage of declination forms
23.6(48A)	Distribution of voter registration forms
23.7(48A)	Applications, recertifications, renewals and changes of address received from applicant representatives
23.8(48A)	Recertification and renewal applications
23.9(48A)	Change of address notices
23.10(48A)	Ineligible applicants
23.11(48A)	Other voter registration agencies

CHAPTER 24

UNOFFICIAL CANVASS OF VOTES

24.1(47)	Unofficial canvass
24.2(47)	Duties of the county commissioner of elections
24.3(47)	Duties of the state commissioner of elections

CHAPTER 25

ELECTION ADMINISTRATION—ADMINISTRATIVE COMPLAINT PROCEDURE

25.1(17A,39A,47)	General provisions
25.2(17A,39A,47)	Form of complaint
25.3(17A,39A,47)	Filing, service, and initial review of complaint

- 25.4(17A,39A,47) Notice of proceedings
- 25.5(17A,39A,47) Informal settlement
- 25.6(17A,39A,47) Answer
- 25.7(17A,39A,47) Presiding officer
- 25.8(17A,39A,47) Proceedings based upon written submissions
- 25.9(17A,39A,47) Written decisions, available remedies
- 25.10(17A,39A,47) Hearings
- 25.11(17A,39A,47) Time requirements
- 25.12(17A,39A,47) Waiver of procedures
- 25.13(17A,39A,47) Telephone and electronic proceedings
- 25.14(17A,39A,47) Disqualification
- 25.15(17A,39A,47) Consolidation—severance
- 25.16(17A,39A,47) Service and filing of pleadings and other papers
- 25.17(17A) Discovery
- 25.18(17A) Issuance of subpoenas in a complaint proceeding
- 25.19(17A) Motions
- 25.20(17A) Continuances
- 25.21(17A) Withdrawals
- 25.22(17A) Intervention
- 25.23(17A) Hearing procedures
- 25.24(17A) Evidence
- 25.25(17A) Default
- 25.26(17A) Ex parte communication
- 25.27(17A) Recording costs
- 25.28(17A) Final decisions, publication and party notification
- 25.29(17A) Interlocutory appeals
- 25.30(17A) Appeals and review
- 25.31(17A) Applications for rehearing
- 25.32(17A) Stays of orders
- 25.33(17A) No factual dispute complaint proceedings
- 25.34(17A) Alternate dispute resolution
- 25.35(17A) Judicial review

CHAPTER 26 COUNTING VOTES

PART I—GENERAL PROVISIONS

- 26.1(49) Definitions
- 26.2(49) Counting votes on election day
- 26.3(50) Reporting overvotes and undervotes
- 26.4(50) Absentee and special voters precinct
- 26.5 to 26.9 Reserved

PART II—OPTICAL SCAN VOTING SYSTEMS

- 26.10(50) Systems affected
- 26.11(50) Examples used
- 26.12(50) Wrong ballots
- 26.13(50) Ballot properly marked by the voter
- 26.14(50) Ballots with identifying marks
- 26.15(49) Voter's choice
- 26.16(49) Determination of voter's choice
- 26.17(49) Marks not counted
- 26.18(49) Acceptable marks

- 26.19 Reserved
- 26.20(49) Write-in votes
- 26.21(49) Corrections by voter
- 26.22 to 26.49 Reserved

PART III—PAPER BALLOTS

- 26.50(49) Standards
- 26.51(49) Write-in votes
- 26.52 to 26.59 Reserved

PART IV—VOTING MACHINES

- 26.60 to 26.99 Reserved

PART V—RECOUNTS

- 26.100(50) Requester
- 26.101(50) Recounts for candidates who run as a team
- 26.102(50) Bond
- 26.103(50) Recount board
- 26.104(50) Responsibilities of the recount board
- 26.105(50) Duties of commissioner and commissioner's staff
- 26.106(50) Access to meeting
- 26.107(50) Report of the recount board
- 26.108 to 26.199 Reserved

PART VI—POST-ELECTION AUDIT

- 26.200(50) Precinct selection
- 26.201(50) State commissioner duties
- 26.202(50) Post-election audit time frame
- 26.203(50) Audit board and audit procedure

CHAPTER 27

HELP AMERICA VOTE ACT GRANTS

- 27.1(47,80GA,SF2298) Purpose
- 27.2(47,80GA,SF2298) Definitions
- 27.3(47,80GA,SF2298) Eligibility and requirements
- 27.4(47,80GA,SF2298) Application process
- 27.5(47,80GA,SF2298) Application contents
- 27.6(47,80GA,SF2298) Application review
- 27.7(47,80GA,SF2298) Award process
- 27.8(47,80GA,SF2298) Reports
- 27.9(47,80GA,SF2298) Access to records

CHAPTER 28

VOTER REGISTRATION FILE (I-VOTERS) MANAGEMENT

- 28.1(47,48A) State registrar's responsibility
- 28.2(48A) Access and fees
- 28.3(48A) Duplicate and multiple voter registration record deletion process
- 28.4(48A) Cancellations and restorations of voter registration due to felony conviction
- 28.5(47,48A) Noncitizen registered voter identification and removal process
- 28.6(48A) Cancellations and restorations of voter registration due to jury declination
- 28.7(48A) Voter list maintenance reports

CHAPTER 29
ELECTIONS TECHNOLOGY SECURITY

- 29.1(47) Definitions
- 29.2(47) Cybersecurity training
- 29.3(47) Cybersecurity incident or breach
- 29.4(47) Election security by the commissioners
- 29.5(47) Emergency or incident response plans
- 29.6(47) Social media accounts

DIVISION III
UNIFORM COMMERCIAL CODE

CHAPTER 30
UNIFORM COMMERCIAL CODE

- 30.1(554) General provisions
- 30.2(554) Acceptance and refusal of documents
- 30.3(554) UCC information management system
- 30.4(554) Filing and data entry procedures
- 30.5(554) Search requests and reports
- 30.6(554) Other notices of liens

CHAPTERS 31 to 39
Reserved

DIVISION IV
CORPORATIONS

CHAPTER 40
CORPORATIONS

- 40.1(490,499,504A) Filing of documents
- 40.2(490,499,504A) Reinstatement of corporations
- 40.3(487,490,504A) Names distinguishable upon corporate records
- 40.4(490,491,496C,497,498,499,504A) Payment and refund of fees
- 40.5(491,496A,499,504A,548) Document to county recorder
- 40.6(548) Registration and protection of marks
- 40.7(80GA,SF2274) Revised nonprofit corporation Act fees
- 40.8(488,489,490) Biennial reports
- 40.9(488,489,490,504) Online filing requirements

CHAPTER 41
Reserved

CHAPTER 42
ATHLETE AGENT REGISTRATION

- 42.1(9A,17A) Fees
- 42.2 and 42.3 Reserved
- 42.4(9A,17A) General information

CHAPTER 43
NOTARIAL ACTS

- 43.1(9B) Certificate of notarial acts
- 43.2(9B) Short form certificates
- 43.3(9B) Jurisdiction
- 43.4(9B) Conflict of interest
- 43.5(9B) Commission as notary public

- 43.6(9B) Performance of notarial act on electronic record
- 43.7(9B) Protection of recording and personally identifiable information
- 43.8(9B) Notary public sanctions
- 43.9(9B) Standards for communication technology and identity proofing for notarial acts performed for remotely located individuals
- 43.10(9B) Providers of communication technology
- 43.11(9B) Registration of provider of communication technology and approval of communication technology

CHAPTER 44

Reserved

CHAPTER 45

MECHANICS' NOTICE AND LIEN REGISTRY

- 45.1(572) General provisions
- 45.2(572) Creation of mechanics' notice and lien registry
- 45.3(572) Administrator identification
- 45.4(572) Posting of notice of commencement of work
- 45.5(572) Posting of preliminary notice
- 45.6(572) Posting of mechanic's lien
- 45.7(572) Forfeiture and cancellation of mechanics' liens
- 45.8(572) Discharge of mechanic's lien by submission of a bond
- 45.9(572) Action against general contractor or owner-builder to recover amount due
- 45.10(572) Delay by administrator
- 45.11(572) Nondisclosure of MNLR information
- 45.12(572) Obligation to update information
- 45.13(572) Fees and services
- 45.14(572) Grounds for refusal of a posting or submission
- 45.15(572) Posting of a filing office statement, correction statement, or withdrawal statement
- 45.16(572) Assignment of date and time stamp and MNLR number
- 45.17(572) Penalties
- 45.18(572) Preservation and access by the public