

**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(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  
Reserved

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 AND VARIANCE RULES

10.1(17A)	Definition
10.2(17A)	Scope of chapter
10.3(17A)	Applicability
10.4(17A)	Criteria for waiver or variance
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)	Summary reports
10.13(17A)	Cancellation of a waiver
10.14(17A)	Violations
10.15(17A)	Defense
10.16(17A)	Judicial review

#### CHAPTERS 11 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 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 to 21.74	Reserved
21.75(49)	Voting centers for certain elections
21.76 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 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(81GA,HF2282) Special elections to fill vacancies in elective city offices for cities that may be required to conduct primary elections
- 21.404(81GA,HF2282) 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(43) Primary election—nominations by write-in votes for certain offices
- 21.603 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(82GA,HF2663) Revenue purpose statement ballots
- 21.804 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

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

## 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(49) Counting straight party or organization votes
- 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

## 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

## CHAPTER 29

Reserved

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  
CORPORATIONSCHAPTER 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) Conflict of interest
- 43.4(9B) Commission as notary public
- 43.5(9B) Performance of notarial act on electronic record
- 43.6(9B) Sanctions

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