



Georgia

2021 Legislative Scorecard Information

Who Are We?

The ACLU of Georgia envisions a state that guarantees all persons the civil liberties and rights contained in the United States and Georgia Constitutions and Bill of Rights.

The ACLU of Georgia enhances and defends the civil liberties and rights of all Georgians through legal action, legislative and community advocacy, and civic education and engagement. We are an inclusive, nonpartisan, statewide organization powered by our members, donors, and active volunteers.

Throughout the 2021 legislative session, legislators introduced a multitude of bills that impacted Georgians' civil rights and civil liberties.

Defending Access to the Ballot for All Georgians*

Universal voting is the foundation of democracy and fundamental endorsement of equality. The ACLU has a long history of fighting for voter rights in Georgia and was instrumental in the implementation of the Voting Rights Act from the 1960s on. Despite these efforts, the legacy of white primaries, gerrymandering, and an array of voter suppression tactics continues to concentrate political power in Georgia to protect discriminatory economic, social, and patriarchal interests. This has promoted the deliberate refusal to honor civil liberties and constitutional rights in Georgia.

Georgia is also the home of the civil rights movement and the brain trust that brought about Federal Voting Rights legislation. In 2018 and again in 2020, community leaders and coalition partners mobilized voter engagement and participation. “Georgia’s civic culture is strong and vibrant. After three recounts and an audit there can be no doubt that election officials and the ordinary citizens who worked the polls and counted (and re-counted) 5 million votes were diligent and handled their responsibility with care and seriousness,” said Andrea Young, executive director of the ACLU of Georgia. “Georgia’s election system works, and vote-by-mail is a vital part of that system embraced by 1.3 million of our citizens. Vote-by-mail works in Georgia and access to mail in voting must be protected for all eligible voters.”

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Yet, following the 2020 Georgia voter mobilization success, lawmakers introduced bills to make voting more burdensome and less accessible particularly for low-income residents and citizens who are Black, Hispanic, or Asian.

Members of the legislature cited unsubstantiated and evidence-free claims regarding Georgia elections and referred to undermined public confidence in the elections system.

The continuing influence of the efforts to undermine confidence in Georgia's elections, despite assurances from the Secretary of State, resulted in many provisions of bills that did not pass-- showing up in a revised form in SB 202.

The ACLU of Georgia worked tirelessly to defeat these anti-voter bills that violate Georgian citizens' civil rights and civil liberties. Due to these efforts, we were successful in stopping and/or amending a variety of anti-civil liberties and anti-civil rights bills throughout the 2021 legislative session.

The ACLU of Georgia Legislative Scorecard 2021*

The American Civil Liberties Union of Georgia state legislative scorecard evaluated votes by members of the Georgia General Assembly on key bills affecting civil liberties and civil rights during the 2021 Legislative Session. The ACLU of Georgia analyzed 26 bills concerning voter rights, criminal legal reform, First Amendment rights, and LGBTQ+ rights. We took a position on every piece of legislation covered by this scorecard.

The goal of this scorecard is to hold legislators accountable and to provide a resource to members of the public. The ACLU of Georgia scorecard gives each state legislator an overall percentage number representing how their votes align with ACLU positions and values.

Methodology: The ACLU of Georgia evaluated votes on 26 bills during the 2021 legislative session. Excused absences at the time of a vote were excluded from the scoring. Choosing not to vote on a bill was included into the scoring.

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Legislative Bills We Scored

Voter Rights and Democracy*

SB 202- Voter Suppression Bill

ACLU of GA Position: OPPOSED

STATUS: PASSED

- SB 202 criminalizes Georgians who give a drink of water to their neighbors, allows the State to take over county elections, and retaliates against the elected Secretary of State by replacing him with a State Board of Elections Chair chosen by the legislature—rather than the voters; dramatically restricts absentee by mail voting; Limits drop boxes; Makes runoff elections virtually impossible to administer by moving them to 28 days after the general election (28-day runoff). Disenfranchises eligible voters on Election Day who cast provisional ballots inside their own counties but outside their one assigned polling location; invites challenges to lawful voters, Creates county budget shortfalls through cuts and unfunded mandates

HB 531- Voter Suppression Bill

ACLU of GA Position: OPPOSED

STATUS: Did Not Pass

- HB 531 would have **gutted EARLY VOTE and SUNDAY VOTING; DISENFRANCHISED ELECTION DAY VOTERS and RESTRICTED VOTE BY MAIL**

SB 241- Voter Suppression Bill

ACLU of GA Position: OPPOSED

STATUS: Did Not Pass

SB 241 attacked absentee voting, sought to ban mobile voting units. SB 241 would have required legislative approval for state consent agreements and emergency rule changes, established voter fraud hotline, allowed legislative delegations to suspend elections supervisors, and regulated timeline for processing mail ballots, etc.

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SB 62- Voter Suppression Bill; Absentee Ballot Restrictions

ACLU of GA Position: OPPOSED

STATUS: Did Not Pass

- SB 62 sought to place arduous, costly and unnecessary restrictions on the handling of absentee voting.

SB67- Voter Suppression Bill; Absentee Ballot Restrictions

ACLU of GA Position: OPPOSED

STATUS: Did Not Pass

- SB 67 sought to place more restrictions on the application process for an absentee ballot by creating the requirement that those who apply for an absentee ballot must submit photocopies of their ID in addition to their application.

SB 69- Voter Suppression Bill; Elimination of Automatic Voter Registration

ACLU of GA Position: OPPOSED

STATUS: Did Not Pass

- SB 69 sought to eliminate the automatic voter registration (AVR) system in Georgia, which registers or updates voter registration information when eligible Georgians apply for a driver's licenses, renews a license, or submits change of address information with the Georgia Department of Driver Services (DDS)

SB 71- Voter Suppression Bill; Elimination of No-Excuse Absentee Voting

ACLU of GA Position: OPPOSED

STATUS: FAILED

- SB 71 sought to eliminate no-excuse absentee voting and set strict new requirements to qualify for absentee voting

SB 74- Voter Suppression Bill

ACLU of GA Position: OPPOSED

STATUS: FAILED

- This bill provides poll watchers access to all areas of the tabulation center (where ballots are received and processed) but this bill incorrectly protects the poll observers and not the local elections officials. The Officials are the people who go through the ongoing intimidation and harassment and would still be subjected to this under SB74.

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SB 93- Voter Suppression Bill

ACLU of GA Position: OPPOSED

STATUS: Did Not Pass

- Senate Bill 93 eliminated mobile voting units, a popular and secure voting method.

SB 141- Voter Suppression Bill; Restrictions on Vote Tabulation

ACLU of GA Position: OPPOSED

STATUS: Did Not Pass

- B 141 sought to place burdensome restrictions on the vote tabulation process.

SB 178- Voter Suppression Bill; Prohibition on Sending Out Unsolicited Absentee Ballots

ACLU of GA Position: OPPOSED

STATUS: Did Not Pass

- **Senate Bill 178** sought to prohibit the Secretary of State and local election officials from sending unsolicited absentee ballot applications to registered voters.

SB 232- Voter Suppression Bill;

ACLU of GA Position: OPPOSED

STATUS: Did Not Pass

- **Senate Bill 232** would have required the addition of a bar code and accompanying tracking number to all absentee ballots and envelopes which had the potential to violate the privacy of citizens who vote in Georgia.

SB 253- Polling location changes notice

ACLU GA Position: SUPPORTED

STATUS: Did Not Pass

- **Senate bill 253** would have ensured that if a polling location is moved, notices of the new location must be posted during the seven days before the day of the election and on Election Day. This bill also would have removed the burden of the last-minute change which would only cause more confusion.

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SR 100- Voter Suppression Bill

ACLU of GA Position: OPPOSED

STATUS: Did Not Pass

- **T, Senate Resolution 100** would add an amendment to the Georgia Constitution that would set up statewide grand juries to investigate and hand down indictments over any election law violation.

HB 59- Ranked choice voting and runoff timeline

ACLU position: OPPOSED

STATUS: Did Not Pass

- **House Bill 59** would have introduced a ranked choice “special” document versus requiring another absentee ballot in a run off. Although Ranked Choice Voting has some positive impacts, this would have treated voters differently based in voting in person or by mail and more research is needed to determine its impact on voters.

HB 270- Voter Suppression Bill; Shortens Absentee Ballot Application Window

ACLU of GA Position: OPPOSED

STATUS: Did Not Pass

- **House Bill 270** would have shortened the absentee ballot application window. The bill would have also mandated that local election officials must mail out the application within three days of receiving the application.

HB 701- Voter Suppression Bill

ACLU of GA Position: OPPOSED

STATUS: Did Not Pass

- **House Bill 701** would add the definition of “superintendent” as an appointed individual appointed by the State Election Board to exercise power over the election. The state board may also suspend these county or municipal superintendent and appoint someone to take their place. The Superintendent has all power to make decisions regarding poll watchers, election officials and supervisors.

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First Amendment Rights*

SB171- Anti- Protest Bill

ACLU GA Position: OPPOSED

STATUS: Did Not Pass

- Senate Bill 171 sought to incentivize counties and municipalities to crack down on Georgians who exercise their U.S. Constitutional First Amendment Right to Protest while punishing counties or municipalities that attempt to rein in the police. This bill would have also provided legal protections for drivers who injure or kill protestors.

SB226- School Censorship Bill

ACLU GA Position: OPPOSED

STATUS: Did Not Pass

- Senate Bill 226 sought to override existing mechanisms for parents to file complaints on school materials that they might find objectionable. This bill would have also forced school administrators to field complaints from parents that fail to be “harmful” to minors which would have wasted time and resources and caused government censorship from librarians, teachers, and fellow students.

SB200- Religious exemption Bill

ACLU GA Position: OPPOSED

STATUS: Did Not Pass

- Senate Bill 200 sought to exempt religious services and worship services from restrictions enacted during public emergencies. By allowing religious institutions to continue all operations and activities during a state of emergency—without regard for the risk these activities pose and without mandated safety precautions— SB 200 was deeply irresponsible and raised serious constitutional concerns.

HB547- Student-led Prayer in Public Schools Bill

ACLU GA Position: OPPOSED

STATUS: Did Not Pass

- House Bill 547 sought to create a 60-second quiet reflection period in schools that would have risked promoting a secular religion. The bill also included a suggested prayer that states “we ask these blessings through Jesus Christ our Lord.”

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LGBTQ+ Rights*

SB 266- Anti-trans sports bill

ACLU GA Position: OPPOSED

STATUS: Did Not Pass

- Senate Bill 266 would have permitted discrimination based on transgender status and sex which would have violated the U.S. Constitution and Title IX of the Civil Rights Act by prohibiting student athletes from participating on the sports team that corresponds to their gender identity.

HB372- Anti-Trans Sports bill

ACLU GA Position: OPPOSED

STATUS: Did Not Pass

- House Bill 372 would have permitted discrimination based on transgender status and sex which would have violated the U.S. Constitution and Title IX of the Civil Rights Act by prohibiting student athletes from participating on the sports team that corresponds to their gender identity.

Criminal Justice and Police Reform*

HB479- Repeals citizen's arrest

ACLU GA Position: SUPPORTED

STATUS: PASSED

- House Bill 479 repeals the statute allowing for arrest by private persons.

HB286- Anti-police reform and accountability bill

ACLU GA Position: OPPOSED

STATUS: PASSED

- House Bill 286 penalizes counties and municipalities for reducing police budgets and limits the ability for local governments to set budget priorities based on the needs of their community.

SB105- Early termination of Probation

ACLU GA Position: SUPPORTED

STATUS: PASSED

- Senate Bill 105 establishes guidelines that allow for early termination of probation in certain circumstances.

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