



## OFFICIAL ELECTION BULLETIN

December 28, 2020

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**TO: County Election Officials and County Registrars**  
**FROM: Chris Harvey, Elections Division Director**  
**RE: Giving or Receiving Things of Value for Voting and “Line Warming”**

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What started as a simple and restrained practice of offering water to voters waiting in the heat to vote has become, in some places, an atmosphere where food and drink and other things of value are being offered to voters who vote, and in some cases, might be offered as an inducement to vote in violation of O.C.G.A. 21-2-570:

### **O.C.G.A. 21-2-570. Giving or receiving, offering to give or receive, or participating in the giving or receiving of money or gifts for registering as a voter, voting, or voting for a particular candidate**

*Any person who gives or receives, offers to give or receive, or participates in the giving or receiving of money or gifts for the purpose of registering as a voter, voting, or voting for a particular candidate in any primary or election shall be guilty of a felony.*

The appearance of Food Trucks, doughnuts, free coffee, snacks, and other items of value being given to voters (even beyond the 150’ distance limit) have the possibility of being seen as rewarding people who vote in violation of the previously stated law.

We have even received reports that some of these food and drink providers even tell people, “These doughnuts/coffees/pastries/etc are just for voters,” in a blatant violation of O.C.G.A. 21-2-570.

### **Other Voter Solicitations**

The prohibition in O.C.G.A. 21-2-414 against soliciting votes within 150’ of a polling place or within 25’ of a voter standing in line to vote is designed to create an atmosphere of calm and non-interference in voters who are contemplating exercising one of their most

basic constitutional rights. Offers of anything of value, including food and drinks that could be considered a “reward” for voting or an inducement to vote in the first place are not proper or legal and do very little to preserve this atmosphere of serenity and non-interference for voters waiting to cast their votes. In addition, “volunteers” who approach voters in line to vote and encourage them to, “Tell three friends to come vote too,” or some other exhortation to vote within 150’ of the polling place or within 25’ of a voter waiting to vote can be equally disruptive and possibly a violation of O.C.G.A. 21-2-414(a):

**§ 21-2-414. Restrictions on campaign activities and public opinion polling within the vicinity of a polling place; cellular phone use prohibited; prohibition of candidates from entering certain polling places; penalty**

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*(a) No person shall solicit votes in any manner or by any means or method, nor shall any person distribute or display any campaign material, nor shall any person solicit signatures for any petition, nor shall any person, other than election officials discharging their duties, establish or set up any tables or booths on any day in which ballots are being cast:*

*(1) Within 150 feet of the outer edge of any building within which a polling place is established;*

*(2) Within any polling place; or*

*(3) Within 25 feet of any voter standing in line to vote at any polling place.*

I know that county election officials are not responsible for what happens off-site near a polling place, but we are asking that you report these egregious situations to our Investigations Division so that our investigators can follow up on these possible violations. I know that you take your obligation to provide an influence-free voting experience very seriously. It is unfortunate that other people seem less concerned with trying to influence voters who have clearly made their intention to vote clear by already being in line. Being in line to vote should be a place free from attempts to influence the voter in any way.