



*Fighting for transparent, secure, and accountable elections all voters can trust.*

## MYTH vs. FACT: 2024 GEORGIA STATE ELECTION BOARD RULES

There is no excuse for not following the law. The Georgia State Election Board has adopted several rules in 2024 that mirror state statutes for certifying elections, implementing existing requirements for reconciling the number of voters, ballots and votes cast, and other rules ensuring transparency and accuracy. Anti-Election Integrity Progressive Democrats and their media cheerleaders have gone ballistic, attacking the rules and the SEB members to prevent Georgia from complying with its own election laws.

This is about election administration—not the manner in which or when voters cast their ballots. The Board should be applauded for their diligent work under intense pressure from those who believe the law can simply be ignored. Every election law should be adhered to, in every county, so that every voter is confident that their ballot is counted fairly and equally.

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**MYTH:** The new rules will delay certification.

**FACT:** The statutory certification deadlines are unchanged by the new rules. If election administrators understand the law and implement the procedures to ensure that they are followed, there is no reason for certification to be delayed. Doing what the law requires and completing it by the time and date of certification is a responsibility that rests solely on the shoulders of county boards and superintendents. The 2024 rules change nothing insofar as the certification deadline.

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**MYTH:** The new rules will cause chaos and can't possibly be complied with.

**FACT:** The 2024 rules do just the opposite; each is tied directly to existing state law. When county officials say they "cannot comply," serious concerns should be raised about their knowledge of *existing laws*. There are zero 'major overhauls' required under any of the rules. Rather, they all outline systems and procedures for election administration that streamline, standardize and operationalize current statutory requirements.

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**MYTH:** The county election board members and superintendents have no legal authority to access the election records and materials.

**FACT:** Harris-Walz campaign lawyer Marc Elias and others have dispatched their attorneys to Georgia and elsewhere to bully election officials into not following the law. They are brazenly

advancing the false notion that bipartisan election boards lack legal authority to access election records to confirm the accuracy of election results. Their novel legal theory ignores the statutory responsibilities conferred on members of the election boards in Georgia to “examine all the registration and primary or election documents whatever relating to such precinct”. GA Code § 21-2-493 (b)

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**MYTH:** The county election board members (and superintendents) are ceremonial only, having no legal authority to exercise their knowledge or judgment, and must simply rubber-stamp the election reports presented by the election office staff.

**FACT:** This false assertion ignores the oath that every Georgia election board member must take, swearing that he/she will ... “to the best of my ability prevent any fraud, deceit, or abuse ... (and) that I will make a true and perfect return of such primaries and elections, and that I will at all times truly, impartially, and faithfully perform my duties in accordance with Georgia laws to the best of my judgment and ability.” GA Code § 21-2-70

In fact, an official opinion was issued by the attorney general decades ago confirming that, *“The power to certify elections most certainly involves the exercise of judgment and discretion.”* According to existing law, in signing a certification, county election board members (and superintendents) attest subject to felony prosecution that the vote count is accurate. Obviously, each of them is expected to make that determination themselves otherwise there would be no point in having boards or board members. This is NOT a “ministerial” or “ceremonial” duty.