



STATE ELECTION BOARD

STATE BOARD OF ELECTION RESOLUTION

RATIONALE

The integrity of our electoral process rests on fundamental pillars, including accountability and transparency. As we approach the upcoming elections, the legal and administrative status of our primary voting equipment—specifically the utilization of QR codes for ballot tabulation—faces severe legal uncertainty.

Without a guaranteed extension permitting the continued use of the Liberty Vote (Dominion) systems that will be debated during the coming special session, the State Board of Elections must act decisively to prevent an administrative vacuum that would cause systemic confusion at the precinct level. This resolution is firmly grounded in the statutory duties and enforcement powers vested in this Board by the State of Georgia:

- Pursuant to **O.C.G.A. § 21-2-31(1)**, it is the explicit duty of the State Election Board to obtain uniformity in the practices and proceedings of superintendents, registrars, deputy registrars, poll officers, and other officials, and to maintain the legality and purity in all primaries and elections.
- In accordance with **O.C.G.A. § 21-2-31(10)**, this Board is empowered to take all necessary actions consistent with the law to ensure the fair, legal, and orderly conduct of primaries and elections across all jurisdictions.
- Under **O.C.G.A. § 21-2-33.1(a)(1)**, the State Election Board is uniquely vested with the authority to issue cease-and-desist orders and make provisions requiring any violator to stop committing acts that breach the state election code.

The continued employment of these machine methods, where the voter is unable to verify their selections on paper according to state code, is fundamentally unlawful. Operating under an unauthorized voting method instantly places county election offices out of compliance, exposing local superintendents and the state to severe legal liability for violating the statutory protections guaranteed to voters.

To allow counties to proceed without a clear, alternative directive would be a failure of oversight. Because an unauthorized voting method constitutes an explicit violation of state law, this Board is utilizing its statutory authority to proactively guide all 159 counties into full legal compliance through emergency paper ballot procedures.

This resolution is necessitated by the following factors:

- **Legal Continuity:** To ensure that all 159 counties are operating under a uniform, legally codified standard should current system legality issues remain unresolved.

- **Voter Confidence:** By transitioning to human-readable, hand-marked paper ballots, we provide a voting method that is verifiable by the elector and the auditor alike.
- **Operational Readiness:** Election Superintendents require ample lead time to secure supplies, train poll workers, and inform the public. Waiting for a "last-minute" legislative action or judicial ruling without a pre-authorized contingency plan would jeopardize the stability of the election.
- **System Vulnerabilities and Documented Issues**
 - Independent technical analysis and experts have confirmed severe vulnerabilities within the Dominion (now Liberty Vote) software.
 - The U.S. Cybersecurity and Infrastructure Security Agency (CISA) officially validated these technical findings, issuing an active advisory warning that the system's vulnerabilities present distinct security risks requiring urgent mitigation.
 - Documented software anomalies and barcode mismatches, aka coding errors, have previously resulted in severe miscounts that altered initial election night results, requiring emergency manual recounts to establish the correct outcome.
 - The core software infrastructure and underlying operating configurations have not received a comprehensive, statewide security update or patch to remediate these known vulnerabilities since their initial deployment.

This resolution is not merely a contingency; it is a commitment to the voters of this State. We are ensuring that the election process remains uninterrupted, that every vote is cast securely, and that the transition to emergency procedures is seamless, standardized, and beyond reproach.

SUBJECT: Guidance and Authorization for Emergency Paper Ballot Procedures for the November 2026 General Election.

WHEREAS, the State Board of Elections is charged with the duty to promulgate rules and regulations to ensure the uniform, efficient, and secure administration of elections across all **159 counties**; and

WHEREAS, the current voting system manufactured by Dominion (now referred to as **Liberty Vote**) utilizes QR codes for the purposes of recording and tabulating voter selections; and

WHEREAS, the legal extension permitting the use of QR-coded ballots as the primary method of tabulation is subject to expiration on July 1, 2026; and

WHEREAS, in the event that the current voting system issue is unresolved, the use of such machines for any election after July 1 would be prohibited under current state statutes; and

WHEREAS, it is the responsibility of this Board to provide clear, written guidance to County Election Superintendents to prevent disenfranchisement and ensure the continuity of the democratic process.

NOW, THEREFORE, BE IT RESOLVED BY THE STATE BOARD OF ELECTIONS THAT:

I. Authorization of Emergency Procedures

In the event that the extension for the Liberty Vote (Dominion) QR-code tabulation system is not granted during the upcoming special session called for June 17, 2026, or is otherwise vacated prior to the commencement of the upcoming elections, all 159 county election offices are hereby authorized and directed to implement **Emergency Paper Ballot Procedures** for non-ADA voters.

II. Legal Authority

This resolution is issued pursuant to the following authorities:

- **O.C.G.A. § 21-2-334:** Provides that if the use of voting machines or equipment is "not possible or practicable," the election may be conducted by paper ballots.
- **O.C.G.A. § 21-2-281:** Governing the use of paper ballots when the use of voting equipment is impossible.
- **State Election Board Rule 183-1-12-.11 (Emergency Procedures):** Outlines the specific conditions under which a county may transition to hand-marked paper ballots to ensure the election proceeds without interruption.

III. Administration of Emergency Procedures

Should these procedures be triggered, County Election Superintendents shall adhere to the following administrative protocols:

1. Transition to Hand-Marked Paper Ballots

In accordance with **O.C.G.A. § 21-2-281 and § 21-2-334**, which authorize the use of paper ballots when the use of voting equipment is "impossible or impracticable," the following marking protocols shall apply:

- **Standardized Ballots:** All voters shall be provided with an official paper ballot as defined in **O.C.G.A. § 21-2-2**.
- **Marking Instruments:** Per **O.C.G.A. § 21-2-438(a)**, ballots must be marked using a pen or pencil. To ensure compatibility with optical scanners and archival clarity, this Board directs the use of blue or black ink pens.
- **Correction of Errors:** Voters who make an error shall be instructed to return the "spoiled" ballot to a poll official to be voided and receive a replacement, as provided in **O.C.G.A. § 21-2-433**.

2. Tabulation Method & Voter Intent

Should the Liberty Vote (Dominion) scanning software be unable to function without QR-code reliance, the following tabulation hierarchy is mandated:

- **Optical Scanning (Human-Readable):** Scanners shall be utilized only if they are configured to read visible, human-readable marks (e.g., filled bubbles) rather than QR codes, in alignment with the requirements of SB 189 (2024) and **O.C.G.A. § 21-2-379.23**.
- **Manual Hand-Count:** If compliant scanning is unavailable, counties shall conduct a manual count at the precinct and county tabulation centers on election night for Advanced In-Person voted ballots pursuant to **O.C.G.A. § 21-2-437**.

- Voter Intent Standard: In all counting scenarios, the "Voter Intent" standard established in **O.C.G.A. § 21-2-438(c)** shall be the primary metric. Any ballot that clearly and without question indicates the candidate for whom the elector desires to vote shall be counted, regardless of the regularity of the mark.

3. Secure Chain of Custody

To maintain the security of the vote as required by **O.C.G.A. § 21-2-440** and **SEB Rule 183-1-12-.13**:

- Immediate Deposit: Immediately after marking, the voter will place the paper ballot in the scanner or put it into the provisional ballot bag or whatever is used as an acceptable means of submitting the ballot
- Oversight: A minimum of two poll officers must remain with the ballot box at all times during the hours of voting and during the transport of ballots to the central counting center.
- Sealing and Documentation: Upon the close of polls, ballot boxes must be sealed with numbered security seals. A Chain of Custody Form must be signed by the team, recording the seal numbers and the total number of ballots cast, as required by **O.C.G.A. § 21-2-440**

4. Public Notice Requirements

Transparency and public notification are mandated under **O.C.G.A. § 21-2-265**:

- Courthouse & Digital Posting: Notice of the shift to emergency paper ballots must be posted prominently at the county courthouse and on the county's official website within 24 hours of the determination.
- Precinct Posting: A copy of this resolution and the specific state code authorizations shall be posted at the entrance of every affected polling place for Advance in-person voting and on Election Day to inform electors of the change in voting method.

5. Emergency Supply Audit & Inventory

While **SEB Rule 183-1-12-.11(2)(c)** requires a minimum of 10% backup of unvoted, pre-printed paper ballots, this Board finds that a transition to a full paper-ballot election requires enhanced readiness:

- Inventory Requirement: Superintendents are directed to procure and maintain a sufficient stock of paper ballots for each ballot style within their jurisdiction, calculated using total registered voter counts and historical election data. This number may be reduced for Advanced In-Person voting by the number of mail-in ballots sent to voters in the election. This number may be reduced for Election Day precinct voting by the number of mail-in ballots sent and the number of early voting ballots cast. This ensures a surplus to accommodate high turnout, spoiled ballots, and provisional needs, with proper security protocols for blank ballot stock according to Georgia law.
- Reporting: All 159 counties shall submit a Certification of Ballot Readiness to the Secretary of State no later than 21 days before the General Election, verifying that sufficient supplies and marking pens are on hand.

IV. Final Confirmation

This resolution serves as the official written confirmation for all 159 counties that the move to hand-marked paper ballots is the only approved contingency should the Liberty Vote (Dominion) QR-code extension fail to be secured.

DULY RESOLVED this 4th day of June, 2026.

ADOPTED by the Georgia State Election Board on June 4, 2026