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Board of Registration and Elections
4380 Memorial Drive, Suite 300
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MEMORANDUM

TO: ALL CANDIDATES
FROM: ERICA HAMILTON, DIRECTOR
SUBJECT: CAMPAIGNING AT THE POLLS ON ELECTION DAY
DATE: MARCH 2018

The Official Code of Georgia, Annotated §21-2-414, specifies the distance from the polls beyond which persons may solicit votes, distribute campaign material, solicit petition signatures, or conduct exit polls or public opinion polls. The provisions of this law prohibit such conduct within 150 feet of the outer edge of any building within which a polling place is established. For your information, enclosed is a copy of §21-2-414.

Please remember, a candidate may not shake hands or greet voters at the polls (even at their own poll). This is considered a form of campaigning. Please be sure to remove buttons, badges and other campaign material before entering the polling place.

As you know, many of our polling places are located in private facilities, primarily churches. We have written agreements with these facilities, which contain stipulations concerning our use of the facility. Inappropriate behavior of campaign workers at these facilities could result in the loss of a polling place.

Many problems referred to the Voter Registration & Elections Office on Election Day involve campaign activities at the polls. This takes valuable time, which could be better spent in assisting voters and poll workers with their questions and difficulties. Your cooperation and the cooperation of your campaign workers in complying with the distance requirements will be greatly appreciated. If a campaign worker persists in violating the law after being told by the poll manager to stop, the worker will be asked to leave. If the violators refuse to leave, the poll manager will call the appropriate law enforcement authority and have the person removed.

The red signs reading, **“NO CAMPAIGNING BY ANYONE (INCLUDING CANDIDATES) WITHIN 150 FEET OF THE POLLING PLACE”** will be posted at the main entrance to the polling place. Nothing in the Election Code requires that these signs be posted 150 feet from the polling place. These signs are to serve as a warning to campaign workers about the distance requirements. **Further, there is to be NO CAMPAIGNING, including signs on the property of any voting facility on Election Day or during Early/Advance Voting in person (GA ELECTIONS CODE §16-7-58).** Please make certain your campaign workers are aware of the laws pertaining to campaigning.

Your cooperation will be greatly appreciated. If you need clarification or have any questions, please call.

EDH/mfw

GEORGIA CODE

*** Current Through the 2017 Regular Session ***

TITLE 21. ELECTIONS
CHAPTER 2. ELECTIONS AND PRIMARIES GENERALLY
ARTICLE 11. PREPARATION FOR AND CONDUCT OF PRIMARIES AND ELECTIONS
PART 1. GENERAL PROVISIONS

O.C.G.A. § **21-2-414** (2017)

- § **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

(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.

These restrictions shall not apply to conduct occurring in private offices or areas which cannot be seen or heard by such electors.

- **(b)** Rooms under the control or supervision of the board of registrars or absentee ballot clerk in which absentee ballots are being cast shall be considered polling places.
- **(c)**
 - **(1)** No person shall conduct any exit poll or public opinion poll with voters within 25 feet of the exit of any building in which a polling place is established on any day in which ballots are being cast.
 - **(2)** Except for credentialed poll watchers, poll workers, and law enforcement officers, poll managers may manage the number of persons allowed in the polling place to prevent confusion, congestion, and inconvenience to voters.
- **(d)** No person whose name appears as a candidate on the ballot being voted upon at a primary, election, special primary, or special election, except a judge of the probate court serving as the election superintendent, shall physically enter any polling place other than the polling place at which that person is authorized to cast his or her ballot for that primary, election, special primary, or special election and, after casting his or her ballot, the candidate shall not return to such polling place until after the poll has closed and voting has ceased or other than to transact business with the board of registrars, so long as the person does not violate any other provision of this Code section. Judges of the probate court serving as election superintendents shall enter polling places only as necessary to fulfill their duties as election superintendents and shall not engage in any practice prohibited by this Code section.
- **(e)** This Code section shall not be construed to prohibit a poll officer from distributing materials, as required by law, which are necessary for the purpose of instructing electors or from distributing materials prepared by the Secretary of State which are designed solely for the purpose of encouraging voter participation in the election being conducted.
- **(f)** Any person who violates this Code section shall be guilty of a misdemeanor.