

## Gauging the Effects of SB 202 on Voting in Georgia

M.V. (Trey) Hood III  
([th@uga.edu](mailto:th@uga.edu))

Department of Political Science  
180 Baldwin Hall  
University of Georgia  
Athens, GA 30602

Seth C. McKee  
([mckee@okstate.edu](mailto:mckee@okstate.edu))

Department of Political Science  
220 Social Sciences and Humanities  
Oklahoma State University  
Stillwater, OK 74078

**Abstract:** In the aftermath of the 2020 election cycle, Republican legislators in the Georgia General Assembly passed omnibus election reform in Senate Bill (SB) 202. Since becoming law, SB 202 remains controversial among many in the state who view the measure as potentially acting to suppress voter turnout. This research project is designed to study the effects brought about through implementation of SB 202 during the 2022 general election. Research proceeded along two primary fronts: (1) a telephone survey of 2022 non-precinct voters in Georgia and (2) a survey of county election officials. Results have been disseminated to the Georgia Secretary of State, the Georgia Association of Voter Registration and Election Officials (GAVREO), various academic journals, and media outlets.

**Funding:** \$57,193.00

## **Introduction**

This research project is designed to study the effects stemming from implementation of an omnibus election-reform bill (SB 202) passed by the Georgia Legislature following the 2020 general election. We do so by examining the reaction to the law through the lens of voters, as well as those officials charged with implementing the election at the local-level. Following the 2022 election we conducted a statewide telephone survey of Georgia voters in order to gauge their experience with casting a ballot in the post-SB 202 election environment in order to quantify voter confidence and general satisfaction with the state's election system. In the spring of 2023, we distributed a survey to county local election officials (LEOs) to get their perspective concerning changes to the election process brought about by SB 202.

## **The Election Integrity Act of 2021 (SB 202)**

For a brief time following the 2020 presidential election Georgia found itself at the center of the political universe as Joe Biden was determined to have bested Donald Trump by less than 12,000 votes. Not since 1992 had the Peach State gone for the Democratic presidential nominee. Although no less than three vote counts confirmed this outcome, the Trump camp continued to falsely claim that the election outcome had been marred by fraud. In January of 2021, Georgia Republicans lost two U.S. Senate seats in a set of runoff elections. To say this string of election losses coupled with claims of election malfeasance had demoralized Georgia Republican voters would be an understatement. Post-election polling in the wake of the 2020 election-cycle revealed voter confidence among GOP adherents had greatly eroded.

Within this context the Republican-controlled General Assembly passed an omnibus reform bill known as the *Election Integrity Act of 2021* (hereafter referred to as SB 202). The 98-page bill touched upon myriad aspects of the election process. Some, like changes to procedures for non-precinct voting were visible to voters, while others like vote counting procedures were only discernable to local election officials. Prior to implementation in 2022, the effects of these reforms were yet to be determined. There is little question, however, regarding the intent of the legislation as it is clearly stated in the bill itself: to restore voter confidence in Georgia's election system. Of course, at the time the real target of SB 202 from this standpoint was, without a doubt, Georgia Republicans.

There was certainly no shortage of controversy related to SB 202 which was met by a flurry of negative predictions, especially concerning diminishment of access to the ballot box. SB 202 was labeled by some as a voter suppression measure, including various corporations like Coca-Cola and Delta. The MLB All-Star Game, scheduled to be held in Atlanta, was canceled (and relocated to Denver, Colorado) and President Biden dubbed SB 202 Jim Crow 2.0. Against this backdrop of partisan controversy, we engaged in a systematic effort to evaluate the effects of SB 202 during the 2022 general election.

## **How SB 202 Changed Georgia Election Law**

The following is a brief overview of how SB 202 altered Georgia's election code prior to the 2022 general election. For additional detail concerning these changes see Table A at the end of this report.

- Absentee ballot applications and absentee ballots verified using state ID numbers
- Absentee ballot request deadline shortened

- Authorized limited use of, and conditions for, absentee ballot drop boxes by counties
- Allowed for the processing and scanning of absentee ballots prior to Election Day
- Set parameters for vote tabulation, including deadlines
- Expanded options for weekend early in-person voting
- Expanded options for early in-person voting hours
- Shortened the time between the general the election and runoff elections

### **The Effects of SB 202 on Voting in Georgia**

in this section we discuss our findings from our post-election surveys of voters and local election officials.

#### *General Findings*

- Overall, Georgia voters reported a positive voting experience during the 2022 midterm
- Almost no voters reported issues of any kind in casting a ballot in the 2022 election
- In terms of difficulty, almost all voters indicated that casting a ballot in 2022 was easier or the same as casting a ballot in 2020
- In general, voter confidence was up in 2022 as compared to 2020
- An overwhelming majority of voters were confident their vote was counted as intended and a healthy majority were also confident the statewide vote was correctly counted
- The largest rebound in voter confidence between 2020 and 2022 occurred among Republican voters.
- A plurality of respondents indicated that SB 202 had increased their confidence in Georgia’s election system
- The noted effect between SB 202 and voter confidence was the most discernible for Republican partisans
- LEO opinions concerning whether SB 202 improved election administration at the local level were decidedly mixed
- Most LEOs agreed that the state did provide adequate training regarding the implementation of SB 202
- A plurality of LEOs found the verification process for absentee ballots and absentee ballot applications was faster
- A plurality of LEOs indicated that the absentee ballot/application verification process did not result in fewer rejections
- A plurality of LEOs stated that the shortened deadline to request an absentee ballot resulted in fewer problems
- Opinions among LEOs were decidedly mixed concerning the administration of absentee ballot drop boxes
- Opinions were also mixed concerning additional weekend days for early in-person voting, with opinions concerning optional early in-person voting hours more neutral
- A supermajority of LEOs indicated that shortening the time between the general election and runoffs made elections more difficult to administer
- The vote counting reforms were generally well received by LEOs

#### *Detailed Findings from the Survey of Georgia Voters*

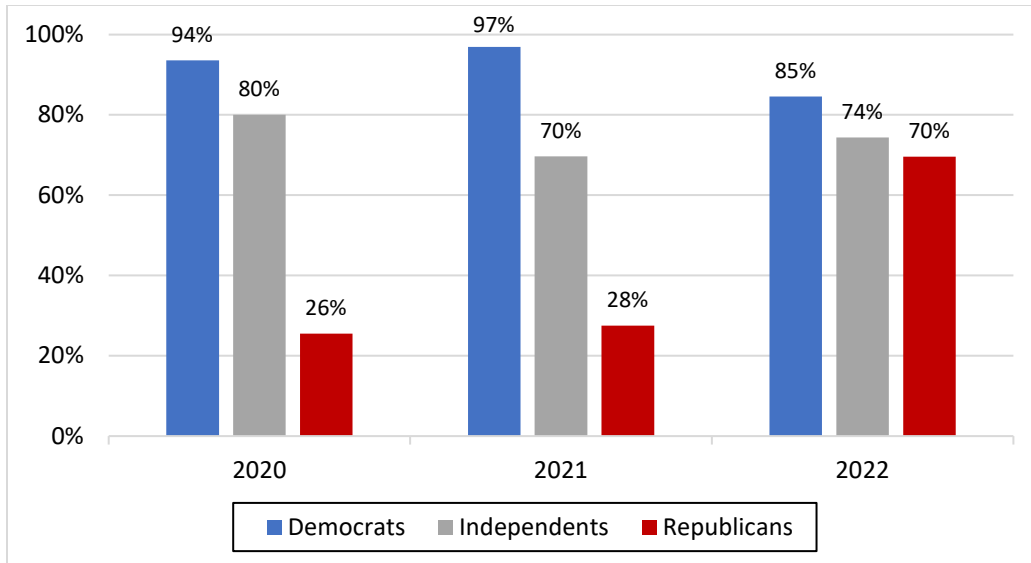
Our post-election telephone survey of Georgia voters included more than 1,200 Georgians who participated in the 2022 midterm election. In short, the bulk of the findings from this survey paint

a very positive picture of voters' perceptions of their experiences in this first post-SB 202 election. There were few reports of issues with voting during the 2022 midterm and this is reflected in the results of our survey. Overall, only 1.1% of survey respondents reported they encountered an issue while casting their ballot. Of those who voted in-person (Election Day or Early In-Person), 75% reported wait times of ten minutes or less. In terms of overall voting experience, 72% rated their experience as *excellent*, up from 55% of voters following the 2020 presidential contest. Eighty-seven percent of voters gave county election officials a grade of *excellent* or *good* for the 2022 midterm election.

Also, 90% of voters reported they were *very* or *somewhat confident* that their vote was counted as intended in 2022—a 12-point increase over 2020. In terms of confidence that votes at the state-level were counted as intended, three-quarters (76%) of respondents were *very* or *somewhat confident*, compared to only 59% of respondents in 2020. In regard specifically to SB 202, 42% reported that the measure had increased their confidence in the state's election system, 25% reported that it had decreased their confidence, and 33% expressed no opinion on the matter.

Asked to rate the difficulty of casting a ballot in 2022 compared to 2020, 92% of respondents reported that the process was easier or the same. Asked to agree or disagree with a series of statements concerning elections in Georgia, 82% of respondents agreed that votes were counted in a timely manner; 77% agreed that only properly cast ballots were counted; and 77% agreed that it is easy to cast a ballot. Finally, respondents were also asked to rate the manner in which Georgia conducts elections on a 1 to 10 scale, with 1 being *not at all* satisfied and 10 *extremely* satisfied. More than half (56%) of respondents gave the state a score of 8 or higher and the mean for the overall distribution was 7.4.

We also used the survey to examine the relationship between voter confidence and partisanship pre- and post-SB 202. Following the 2020 election Republican voters exhibited a steep decline in voter confidence at both the individual- and state-level. In 2020 state-level voter confidence for Republicans cratered at only 26%, but rebounds to 70% in 2022. In contrast, Democratic voters' confidence shows relatively little movement and is extremely high (94% in 2020 and 85% in 2022), in part a function of being on the winning side of the 2020-21 election cycle (see Figure 1 below for a graphical representation of state-level voter confidence by partisanship across time).



**Figure 1.** State-Level Voter Confidence in Georgia, 2020-2022

The key question we sought to answer is whether confidence in Republican-passed SB 202 had the effect of boosting voters’ confidence in the 2022 midterm. Table 1 below displays the distribution for the survey question asking respondents about their opinion concerning SB 202. As expected, there are also some notable partisan differences relating to opinions on SB 202. Among Republicans, 59.1% indicated that SB 202 had increased (greatly or somewhat) their confidence in Georgia elections, as compared to 36.6% of Independents and a much lower 29.1% of Democrats holding this view. Conversely, a 46.8% plurality of Democrats expressed a decrease (greatly or somewhat) in confidence in Georgia elections because of SB 202; a markedly larger share of the electorate vis-à-vis the 7% of Republicans and 21% of Independents expressing the same sentiment. The high percentage of *Don’t Know* responses (33.2%) was also anticipated, not only due to the elapsed time since passage of SB 202, but also because most voters tend to ignore the details of a multifaceted election reform bill.

**Table 1. SB 202 and Its Effect on Voter Confidence**

Category	Total	Republican	Independent	Democrat
Greatly increase	14.7	24.7	9.6	6.2
Somewhat increase	27.5	34.4	27.0	22.9
Somewhat decrease	16.2	3.4	14.7	32.9
Greatly decrease	8.4	3.6	6.6	13.9
Don’t know	33.2	33.9	42.1	24.1

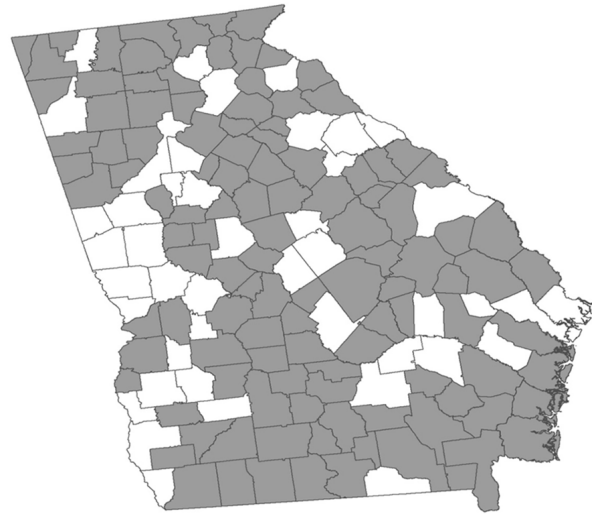
Using a set of multivariate models, we find Republicans expressing greater confidence in SB 202 had more confidence in their vote being tallied correctly and also the statewide count in the 2022 contests. By comparison, because Democratic voters opposed SB 202 as a detrimental partisan electoral reform, their confidence in SB 202 is markedly lower and almost wholly unrelated to their individual- and state-level confidence in the 2022 elections. Thus, from these results there

does appear to be some empirical evidence that SB 202 did boost voter confidence among its primary target audience, Republicans in the Peach State.

Before moving on to our survey of local election officials, we would like to inject a note of caution concerning our findings related to voter confidence in Georgia. There is no doubt that voter confidence, measured in different ways, increased from 2020 to 2022. Second, most of the noted increase in confidence was due to an uptick on these measures on the part of Republican partisans. Finally, Republicans were also more likely to state that SB 202 had increased their confidence in the state’s election system. Taken together, it would appear that there is a correlation between voter confidence, partisanship, and SB 202. However, we cannot make any definitive statements from a causal standpoint as we are unable to completely rule out competing explanations. For example, it is possible that Republican confidence rebounded in 2022 because of the noted winner’s effect (the fact that the Georgia GOP won all statewide offices with the exception of a U.S. Senate seat).

*Detailed Findings from the Survey of Local Election Officials:*

We also surveyed county election officials in order to gauge their reaction to the implementation of SB 202 procedures during the 2022 election (For a detailed listing of major administrative changes brought about by SB 202 see Table A at the end of this document). We received valid responses from 115 of Georgia’s 159 counties for a 72% response rate. Figure 2 below presents a geographic display of counties shaded in gray that participated in our LEO survey.



**Figure 2. Counties participating in LEO Survey**

Table 2 provides comparisons of survey participation and all counties on various socio-demographic, political, and voting-related factors, while Table 3 provides a distribution of registrants across counties, respectively. As indicated by these comparisons, there is a close congruence between the counties participating in our LEO survey and Georgia’s 159 counties as a whole.

**Table 2. Mean Comparisons between Sample and All Counties**

	<b>Sample</b>	<b>All Counties</b>
% College Graduates	20.3%	20.3%
Median Household Income	\$58,236	\$57,725
% Black Registrants	23.2%	25.2%
% 65+ Registrants	25.9%	25.7%
% EIP Voters	54.9%	54.2%
% ABM Voters	5.6%	5.9%
% Election Day Voters	39.2%	39.7%
% Total Turnout	57.9%	57.8%
% 2020 Trump Vote	66.7%	64.6%
<i>N</i>	115	159

Sources: 2022 American Community Survey, U.S. Census; Georgia Secretary of State

**Table 3. Number of Registrants**

<b>Voter Registrants</b>	<b>Sample</b>	<b>All Counties</b>
Up to 5,000	26.1%	30.8%
	[30]	[49]
5,001-10,000	26.1%	23.3%
	[30]	[37]
10,001-25,000	28.7%	25.2%
	[33]	[40]
25,000+	19.1%	20.8%
	[22]	[33]

Notes: Entries are column percentages with frequencies in brackets.

Overall, opinions concerning SB 202 were decidedly mixed among local election officials (LEOs), with 26% stating the law improved election administration; 29% that it did not improve elections; 13% that it made no difference; and a third (32%) offering no opinion. Two-thirds of LEOs (67%) agreed that the state did provide sufficient training in reference to changes brought about by SB 202.

Looking at specific provisions of the law, however, there are some positive signs. SB 202 altered verification for absentee applications and ballots from signature verification to use of a driver's license or state ID number. Almost half of the counties responding indicated that processing of absentee applications (49%) and ballots (46%) was faster in 2022. In addition, 34% of counties reported fewer ABM applications rejected and 32% reported fewer ABM ballots rejected as compared to 2022. SB 202 also moved the deadline to request an ABM ballot from 4 days prior to the election to 11 days. In reference to this change, 48% of county election administrators reported that this change created fewer administrative problems in 2022.

The most negative reaction on the part of LEOs to an SB 202 provision involved shortening the time between the general election and the runoff period, from approximately nine weeks to four weeks. Almost three-quarters of election officials surveyed indicated that shortening the time between elections made administering the runoff more difficult.

SB 202 also mandated an additional Saturday to the early in-person voting period for a total of two Saturdays. At their discretion, counties could also make use of up to two Sundays for early in-person voting. LEOs were split between the position that the additional early voting days made administering the election more difficult (39%) versus this change made no difference one way or the other (39%). Early in-person voting hours from 9:00 am to 5:00 pm are mandated, while SB 202 allows counties to extend hours from 7:00 am to 7:00 pm. Eleven percent of LEOs responded that this provision made administering the election more difficult; 11% less difficult; 46% that it made no difference one way or the other; and a quarter (26%) reported that they did not make use of these optional hours.

SB 202 also mandated at least one absentee ballot drop box per county for the 2022 election (with additional drop boxes optional for larger counties). In 2020, drop boxes were used for the first time in Georgia on a temporary basis due to the pandemic. Opinions were split on this provision with 33% indicating drop boxes made the election more difficult to administer, 24% less difficult, and 37% that it did not make a difference one way or the other.

Finally, LEOs were asked about various activities related to vote counting. Following the 2020 election, vote counting became an issue both in terms of starting and stopping and the length of time some counties took to reach an initial count. Before SB 202, election officials were not allowed to process and scan any ballots in advance of Election Day. SB 202 allowed administrators to start processing and scanning ballots on the third Monday before Election Day. Also, SB 202 stipulates that *tabulation* of absentee ballots can begin no earlier than 7:00 am on Election Day and it must conclude by 5:00 pm the day after the election. Previously, tabulation could not start until the polls closed on Election Day, and the tabulation must continue until an initial tally is reached. Approximately three-fifths (58%) of counties in our survey indicated that they started processing and scanning absentee ballots prior to Election Day, and 39% reported they had begun absentee ballot tabulation prior to the close of polls on Election Day. Overall, seven out of ten (71%) LEOs reported that the ability to scan and tabulate absentee ballots before the polls closed on Election Day made the vote counting process less difficult.

#### **Academic Dissemination:**

Results from our surveys of Georgia voters and local election officials have been presented at academic conferences as well as submitted for publication in academic journals (see section on Products below for more detail).

#### **Non-Academic Dissemination:**

Results from our post-election survey of Georgia voters were disseminated through media reporting, both print and broadcast. Media outlets included the *Atlanta Journal-Constitution*, *Axios*, and *Fox News*. The Georgia Secretary of State also issued a press release regarding the survey. Results were also presented to the statewide meeting of GAVREO (Georgia Association of Voter Registration and Election Officials) on February 15, 2023 and to the Georgia Senate



Ethics Committee on February 16, 2023. We have also shared the results of our survey of local election officials with GAVREO.

### **Products:**

The following products were created from this research grant:

#### *Datasets:*

1. 2022 Post-Election Survey of Georgia Voters  
A dataset containing the results of our 2022 post-election survey of voters in Georgia.
2. Survey of Local Election Officials in Georgia  
A dataset containing the results of our survey of local election officials in Georgia detailing their opinions on SB 202 generally and as related to specific provisions of the law.
3. Post-2022 General Georgia Voter Registration Database  
A copy of the Georgia voter registration database with voter history and vote method (in-person precinct; early in-person; and absentee by mail) appended.
4. 2022 General Non-Precinct Voters  
A dataset containing information on non-precinct (absentee by mail and early in-person) voters during the 2022 general election. File contains information on vote method, when and where early in-person vote was cast, when absentee ballot application was received, when absentee ballot was sent to voter, when absentee ballot was received by county election officials, and if ballot was rejected and reasons for rejection.
5. Georgia Early In-Person Voting Sites  
Locations, addresses, days, and times for early in-person voting sites used in the 2022 general.

#### *Reports:*

1. 2022 Post-Election Survey of Voters  
A report detailing basic findings from the 2022 post-election survey of Georgia voters.

#### *Conference Presentations:*

1. “Local-Level Implementation of SB 202 in Georgia.” Annual Meeting of the Election Science, Reform & Administration Conference. Athens, GA.
2. “Where Do Things Stand Now? Assessing the State of the Georgia Electorate Post-2022.” Annual Meeting of the Southern Political Science Association. St. Pete Beach, FL.

#### *Articles:*

1. “Winners, Losers, and Voter Confidence in Response to Partisan Electoral Reform”  
Article detailing the results of our survey of Georgia voters, SB 202, and confidence in elections published at *Political Science Quarterly* (Online First: <https://doi.org/10.1093/psquar/qqae012>).
2. “Taking the Pulse of Georgia Local Election Officials in the Wake of Senate Bill 202”  
Article detailing the results of our survey of local election officials published at *State and Local Government Review* (Online First: <https://doi.org/10.1177/0160323X241234561>).

**Participants:**

In implementing the survey of local election officials, we partnered with GAVREO (Georgia Association of Voter Registration and Election Officials). Our chief contact at GAVREO was then organization president Mandi Smith who is the Director of Elections for Forsyth County. We were also in communication with election officials from the Georgia Secretary of State's Office concerning the results of the post-election survey of voters, specifically Director of Elections Blake Evans, Deputy Secretary of State Jordan Fuchs, and Chief Operating Officer Gabriel Sterling.

**Impact:**

High profile changes to Georgia's election code in the form of SB 202 were colored by competing partisan claims, with Democrats focused on questions of diminished voter access and Republicans contending the measure was necessary to restore confidence in the state's election system. In order to evaluate such statements, however, requires systematic empirical testing following the implementation of such election-related changes. In this vein, we would contend that the field of election science is in a position to provide clarity concerning the effects of changing a jurisdiction's election procedures. More specifically, in the case of Georgia and SB 202 we directly asked end-users (voters) and administrators/implementors (local election officials) about their experiences in the 2022 general election. The results from our survey of Georgia voters have already been reported directly to state (Secretary of State; State Senate Ethics Committee) and local officials, and the results of our survey of local election officials have likewise been reported to policymakers. Especially in the latter case, we hope that such feedback might assist LEOs in making minor modifications to improve administrative efficiency.

**Alterations and Suggestions:**

We had initially thought that the project should focus on changes specifically to non-precinct voting (early in-person and absentee by mail) brought about by SB 202. As the project progressed, we decided to take a more inclusive approach in studying SB 202 to include other facets of elections and election administration affected by SB 202, in addition to non-precinct voting.

Surveying local election officials is never an easy task. Nevertheless, if possible, we believe it is important to secure the cooperation of, or partnership with a statewide organization, to facilitate the likelihood of receiving responses from LEOs. Adding such a stamp of legitimacy can certainly help to boost response rates. In addition, one should be prepared to survey using mixed-mode approaches, such as mailing hard copies and e-mailing an electronic link. Diligent tracking and re-contacting should also be carried out, including reaching out via telephone. We used part of our grant funding to pay two graduate students to help track and follow-up with counties not responding to the initial survey request.

**Table A. Major Administrative Changes in Senate Bill (SB) 202**

<b>Provision</b>	<b>Prior to SB 202</b>	<b>SB 202</b>	<b>Applicable Code</b>
Application for Absentee Ballot	Verification through signature matching	Verification using DL or State ID number printed on container envelope	O.C.G.A. § 21-2-386(a)(1)(B)
Absentee Ballot	Verification through signature matching	Verification using DL or State ID number printed on container envelope	O.C.G.A. § 21-2-381(a)(1)(C)(i)
Absentee Ballot Request Deadline	180 to 4 days prior to Election Day	78 to 11 days prior to Election Day	O.C.G.A. § 21-2-381(a)(1)(A)
Absentee Ballot Drop Boxes	No provision under previous election code (SOS authorized use under emergency powers granted during pandemic. In 2020 number of sites, locations, and times set by county).	Mandated one per county; larger counties can have the lesser of one per 100,000 active registrants or one per early in-person voting site; use limited to early in-person voting hours; locations limited to county election offices or early voting sites.	O.C.G.A. § 21-2-382(c)(1)
Scanning of Absentee Ballots	Processing and scanning prior to Election Day not permitted	Processing and scanning permitted to begin third Monday prior to Election Day	O.C.G.A. § 21-2-386(a)(2)(A)
Weekend Early In-Person Voting	One Saturday mandated; one Sunday optional	Two Saturdays mandated; up to two Sundays optional	O.C.G.A. § 21-2-385(d)(1)
Early In-Person Voting Hours	Normal business hours (9:00 am-5:00 pm)	9:00 am-5:00 pm mandated; can extend up to 7:00 am to 7:00 pm	O.C.G.A. § 21-2-385(d)(1)

Timing of Run-Off Elections	Runoff held Tuesday of the ninth week following general election	Runoff held 28 days following general election	O.C.G.A. § 21-2-501(a)(1)
Vote Tabulation	No specific provision.	Vote tabulation must continue uninterrupted until an initial tally is reached. Tally for absentee ballots must be completed by 5:00 pm the day following Election Day.	O.C.G.A. § 21-2-420(a); O.C.G.A. § 21-2-386(d)

---