



Georgia: Biennial Democracy & Elections Bulletin

*Examining the health
& sustainability of
state representative
democracy*

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1. INTRODUCTION

On July 13, 2023, Georgia First published a first of its kind, state-level report on democracy and elections. This report was based on a custom five-tier rating system and scoring criteria developed exclusively by the authors. In its inaugural 2023 report, Georgia scored **“Above Average,”** earning **88 out of an overall 99 points**. However, the report also issued a cautionary note: *“It is important to note that if some of the 2023 proposed election legislation were enacted, it would significantly decrease Georgia’s final 2023 rating.”* The [full 2023 report](#) details the ranking criteria and scoring methods, along with a comprehensive analysis, and is available on the Georgia First website at Georgia1st.org under the “Resources” section.

To account for Georgia’s two-year (Biennium) legislative schedule, Georgia First will issue a full democracy and elections scoring report during the first year of each biennium cycle (e.g., 2023). In the second year (e.g., 2024), a shorter risk-rating bulletin, similar to this inaugural bulletin, will be released after the end of the calendar year. According to this schedule, Georgia First’s next full scoring report will be published in late-2025, reflecting any additional legislative and/or regulatory action taken during year-one of the 34th Biennial that began on January 13, 2025, as well as any State Election Board (SEB) actions taken during the first half of 2025.

It is important to note that all democracy and elections reporting and thought leadership by Georgia First are grounded in these three foundational principles:

The state of Georgia,

- ◆ Should adopt common sense policies that build trust in our elections
- ◆ Should refrain from enacting partisanly charged election laws and regulatory policies
- ◆ Has a responsibility to ensure newly enacted elections requirements are adequately funded

2. KEY 2024 HIGHLIGHTS

The key highlights below summarize important legislative, regulatory, and legal activities that took place after the 2023 legislative session concluded and between the issuance of the full report scoring on July 13, 2023, and the release of this 2024–2025 bulletin on March 18, 2025. This section aims to provide an overview of the current landscape, ongoing considerations, and new challenges.

LEGISLATIVE

Legislative tinkering in the elections process continued into the 2024 session. During the 2024 legislative session, Georgia First tracked a total of 18 bills:

- Supported (1) – HB 826
- Opposed (8) – HB 974, HB 976, HB 1376, SB 189, SB 212, SB 221, SB 358 & SB 367

- Neutral (3) – HB 894, SB 226 & SB 355
- Watching (6) – HB 975, HB 977, HB 1039, HB 1207, HB 1256 & HB 1370

Georgia First remains concerned about bills focusing on or utilizing language that does not support election workers or appropriately fund new processes or requirements enacted. Additionally, Georgia First has concerns regarding efforts to strip Georgia’s Office of the Secretary of State, a constitutional officer, of his/her duties and measures geared toward appeasing fringe groups sowing doubt in the process and eroding voter confidence.

Several 2024 bills heard included problematic language, including

- HB 976, new rules for voter challenges;
- SB 189, unfunded mandates specific to QR codes; and
- SB 358, removed the Secretary of State from the State Election Board.

Independently, HB 976 and SB 358 were not brought to the floor for a final vote but were instead added to SB 189 in the last moments of Sine Die, creating a cobbled elections omnibus bill.

Key elements of the final SB 189 bill:

- lowers the threshold for mass voter challenges; eliminates QR codes from the ballot;
- adds chain of custody language;
- eases requirements for third-party presidential candidates to secure a place on the ballot; and
- removes the Secretary of State from the State Elections Board.

While Georgia First supported certain portions of SB 189, we opposed the bill in its final form and advocated for a veto. The Governor signed SB 189 into law on May 7, 2024, with some provisions taking effect on July 1, 2024, and others on January 1, 2025.

REGULATORY

The second half of 2023 and 2024 brought significant changes to and from the State Election Board (SEB).

In December 2023, the SEB members, chaired by Matt Mashburn – a 2020 Senate appointee, attorney, and former Republican Party poll watcher – dead-locked with a 2–2 vote on a proposal to investigate Secretary of State Brad Raffensperger’s oversight of the 2020 election audit in Fulton County. This decision drew open criticism from various Republican state legislators.

In January 2024, there were notable administrative changes, including the Governor’s appointment of a new chair, John Fervier, a Waffle House executive. Additionally, two Republican appointees – Matt Mashburn (Senate appointee) and Ed Lindsey (House appointee)

– either resigned or were replaced. The Senate appointed Rick Jeffares in January 2024, and the House appointed Janelle King in May 2024. These appointments, along with the prior selection of Dr. Janice Johnston by the Georgia GOP in 2022, created a far-right majority on the board. This shift was evident through their overtly partisan public statements made during SEB meetings and publicly. In addition to their unlawful execution of a board meeting in July 2024, the board brazenly and continually voted contrary to the legal advice provided to them by their mandated legal counsel, the Georgia Attorney General (AG). Dr. Johnston also mentioned in open meetings she sought and secured legal counsel from an independent, private attorney regarding SEB rules and administration, which is only permissible if selected by the AG’s office.

In the final months leading up to a national election cycle, and in some cases just weeks prior, the SEB voted to adopt new rules related to reasonable inquiry; election-related document examination; absentee ballots; drop box surveillance; poll-watchers; hand-counts; posting reconciliation reports; early and absentee daily reporting; reconciling ballot counts with tabulator tapes; and recorded ballot counts. In most cases, the newly adopted rule was slated to be implemented during the active election cycle. In some cases, new rules were proposed after some counties had distributed initial ballots.

For comparison, the current SEB held 14 meetings in 2024, while the previous SEB had five meetings each year in 2022 and 2023. During the 2024 meetings, many pro-democracy organizations, both partisan and nonpartisan, signed up to offer public comment opposing many of the proposed rules, suggesting the board was legislating through rulemaking and exceeding its statutory authority granted under Georgia law. Additionally, local election officials repeatedly expressed opposition to several proposed rules, offering public comments and providing on-record responses to direct SEB questions during public meetings. In addition to meeting participation, the professional membership association of county election officials, GAVREO, the Georgia Association of Voter Registration and Election Officials, which has over 500 members, issued an official statement on August 17, 2024, just 77 days before Election Day. They requested the SEB to *“halt the implementation of additional SEB election rules that would go into effect for the upcoming election,”* stating, *“GAVREO members are gravely concerned that dramatic changes at this stage will disrupt the preparation and training processes already in motion for poll workers, absentee voting, advance voting and Election Day preparation.”*

In a letter dated September 19, 2024, from the Attorney General’s Office to the SEB, the review of new rules proposed by members of the board *“reveals several issues including that several of the proposed rules, if passed, very likely exceed the Board’s statutory authority and in some instances appear to conflict with the statutes governing the conduct of elections.”* The letter also emphasized that passing rules about election processes is *“disfavored when implemented close to an election,”* which in this case was within 50 days of the November 5 election. Furthermore, it noted several concerning rules did not fall within the board’s regulatory powers and belonged to the Secretary of State or exceeded the board’s rulemaking authority.

Despite the AG’s formal written guidance and public warnings from Chair Fervier about the AG’s legal advice, the majority board members voted in favor of adopting the proposed rules.

Note: The information above is intended to be a high-level summary of Georgia’s overall regulatory conditions since Georgia First issued its 2023 full report. This biennial alternating bulletin format does not fully account for the serious regulatory conditions that arose in 2024. These conditions will be detailed and factored into the 2025 Georgia: Democracy and Elections Report.

LEGAL/LITIGATION

The regulatory actions outlined above resulted in swift legal action from a host of plaintiffs—both individuals and organizations. Numerous lawsuits, both Republican- and Democratic-led, were filed in the Superior Courts for DeKalb, Fulton, and Muscogee. In some cases, the defendants included the State of Georgia, the State Election Board, or a designated county board of elections and registration. Most lawsuits argued that the SEB lacked authority and/or had exceeded its authority under Georgia law. These lawsuits often sought a declaratory judgment and injunctive relief to invalidate the SEB’s newly adopted rules and enjoining (preventing) their enforcement. The lawsuits were supported by multiple favorable judicial rulings, effectively halting the implementation of the adopted rules for the 2024 General Election.

Georgia First, along with the individual authors of this report, filed nine amici curiae (*friend of the court briefs*) in support of the plaintiffs in the above-referenced lawsuits. These briefs were submitted in partnership with several organizations, individuals, and law firms, including but not limited to Caplan Cobb LLC, The Lincoln Project, State Democracy Defenders Fund, a nonpartisan organization, and Lawrence & Bundy LLC. The coalition also included a range of pro-democracy and rule-of-law supporters, such as conservative Republicans who previously served as a U.S. Attorney, counsel to Watergate prosecutor, chairman of the Federal Election Commission, counsel to John McCain’s presidential campaign, White House Special Counsel during the Mueller investigation, former congressmen, a former Assistant Attorney General and state representative, and founding trustee of The Heritage Foundation, as well as a Republican Lieutenant Governor.

One lawsuit, distinct from the other lawsuits, filed by a Democratic state legislator in Fulton Superior Court, sought a “writ of mandamus.” This writ aimed to direct Georgia’s Governor to conduct a hearing per Georgia law to investigate the submitted formal complaints, asserting the SEB violated the Open Meetings Act and alleging partisan conduct. The plaintiffs contended that the Governor had the authority to conduct an administrative hearing and could remove SEB members if the allegations were confirmed. However, Fulton Superior Court Judge Glanville dismissed the case on October 9, 2024, siding with the September 9, 2024, opinion issued by the State Attorney General. The judge reasoned that citizen complaints alone are insufficient to compel the Governor to hold a hearing, noting that “*formal charges*” are necessary.

3. THREE-TIER RISK RATING

The interim bulletin rating is designed to provide an overall subjective risk assessment, based on Georgia First’s evaluation of the legislative, regulatory, and legal/litigation conditions present during the months since the last full report’s quantitative analysis was issued in mid-2023. Our assessment of the overall conditions and the assigned risk rating is based on the three foundational principles reflected under *1. Introduction* above.

The alternating even-year biennial democracy and election bulletins, released in even years, will utilize a three-tier risk rating scale:

- 1) **Positive Watch** – No legislative tinkering or minor legislative adjustments with emphasis on four key categories examined in the full report (see Note below); regulatory actions that fall within purview, statutory or constitutional authority of a board and/or elected official; compliance with all state laws governing administrative functions, including but not limited to open meetings and records; deference and adherence to state legal counsel guidance and/or demonstrated commitment to seeking official opinions before promulgating rules or acting; regard for constitutional authority granted to the Secretary of State; and insignificant legal action resulting from legislative and/or regulatory election actions.
- 2) **Neutral Outlook** – Overall legislative, regulatory, and legal/litigation landscape and conditions have generally maintained and/or reflect the overall conditions at the time the preceding full report rating was issued.
- 3) **Negative Watch** – Significant legislative tinkering and/or omnibus elections bills introduced or passed; regulatory actions that fall outside the purview of a statutory or constitutional authority of a board and/or elected official; inconsistent compliance with all state laws governing administrative functions, including but not limited to open meetings and records; disregard for and/or defiance of state legal counsel guidance and/or demonstrated unwillingness to proactively actively seek official opinions before promulgating rules or acting; actively pursuing ways to limit the existing constitutional authority of the Secretary of State; and significant legal actions, state and/or federal, resulting from questionable or unlawful legislative and/or regulatory election actions.

Note: The odd-year, biennial full report and comprehensive analysis will continue its five-tier, custom-developed scoring rubric, examining four key categories: Elections Integrity & Security, Elections Administration, Elections Funding, and Voter Access & Participation.

4. GEORGIA’S 2025 RISK RATING

Risk Rating Assigned: Negative Watch

Given the significant legislative, regulatory, and litigation actions and circumstances outlined under *2. Key 2024 Highlights*, **Georgia meets the risk-rating definition assigned.**

5. RISK MITIGATION RECOMMENDATIONS

To mitigate a downgrade in the 2025 full report, Georgia must:

- Refrain from further and continued legislative tinkering in the 2025 session
- Ensure that any election legislation is adequately funded for local election officials
- Actively seek input and guidance from Georgia’s local elections officials who are responsible for administering our elections
- Adhere to Attorney General’s legal counsel, both formal opinions and informal guidance
- Refrain from further attempts to limit the constitutional authority of the Secretary of State
- Adhere to accountability measures for appointed State Election Board members to ensure decisions align with election laws, voter rights, and the best interests of all Georgia voters

6. 2024-2025 BULLETIN SUMMARY

Georgia First’s 2024–2025 Democracy and Elections Risk Rating Bulletin highlights significant legislative, regulatory, and legal challenges impacting election integrity in Georgia since the inaugural publication of its 2023 full report. While Georgia initially received an “Above Average” rating in 2023, legislative developments, including the passage of SB 189, raised concerns about voter challenges, QR code ballot mandates, and efforts to weaken Secretary of State Brad Raffensperger’s authority. The State Election Board (SEB) saw substantial board composition and leadership changes, leading to more frequent meetings and a more partisan decision-making process, with several rule changes implemented close to the 2024 general election. Legal challenges followed, with courts halting many of the SEB’s controversial rules due to concerns over their authority and timing.

Given these developments since the 2023 full report, Georgia First has assigned the state a **“Negative Watch”** risk rating, signaling a decline in election administration stability. To mitigate further risks for the 2025 scoring, the report recommends halting excessive legislative changes, ensuring proper election funding, consulting local election officials, adhering to legal counsel guidance, and maintaining the constitutional role of the Office of the Secretary of State. These steps are crucial to preserving trust, rebuilding voter confidence, and ensuring Georgia’s electoral process is safe, accessible, secure, and easy for every eligible voter.



7. About the Authors



Natalie Crawford, Founder & Executive Director

A Georgia native and lifelong Republican, Crawford served two terms as a Northeast Georgia county commissioner as vice chair and chair, holding community leadership roles with the Association County Commissioners of Georgia (ACCG) and the Georgia Mountains Regional Commission. An MBA graduate from Piedmont University, she has professional experience spanning the public sector and the banking and financial technology industries. Named to Georgia Trend’s 2020 Top 40 Under 40, her dedication to servant leadership and good governance led her to establish Georgia First in 2021.

Shannon Morris Ferguson, Senior Policy Analyst & Strategic Communications Director

A staunch Independent, Ferguson moved to Georgia in 1999 after earning her Master of Public Administration from UAB. With a career spanning state government and the private sector, she served 10 years in the State Treasurer’s Office overseeing Georgia’s 529 college savings plan before transitioning to senior public involvement roles in the utility industry. She met Crawford over a decade ago while working in higher education with UGA’s Carl Vinson Institute of Government, forging a shared commitment to public service, bipartisan solutions, and Georgia’s future.

8. About Georgia First

Georgia First, a 501(c)4 nonprofit policy think tank and advocacy organization, founded by Georgia native, Natalie Crawford, is committed to preserving and growing the strength and wellbeing of our state, her people, and our collective future. We are committed to advancing the lives of all Georgians by advocating for strong fiscal policies that create a robust middle class, expanding healthcare access and affordability, and standing as a voice above the fray on democracy and elections.



Disclaimer

This bulletin is a year two companion and supplement to the year one full democracy and elections report, “Georgia: Democracy & Elections Report 2023,” which utilized a custom scoring rubric, developed by Georgia First, to assess election safety, security, accessibility, and fairness in the Peach State. The full 2023 report nor this 2024 bulletin are intended to be an authoritative or exhaustive measure of democracy and elections. These collective documents are intended to serve as a guiding framework for assessing state-level democracy and elections, based on Georgia First’s beliefs and perceived best practices, as outlined in detail in the 2023 report and on the organization’s website at www.georgialst.org.