Twitter Thread by Bryan L. Sells

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Since it's Veteran's Day, it seems like an appropriate time to talk about how the Georgia General Assembly has screwed military voters out of their opportunity to vote in runoff elections for state offices like the one we're about to have on December 1 (for PSC). #gapol 1/

To begin, you have to understand that there is a federal law, the Uniformed and Overseas Citizens Absentee Voting Act (known as UOCAVA "you-oh-cava"), that protects military voters and citizens living overseas. 2/

One provision of the UOCAVA requires states to send absentee ballots to protected UOCAVA voters at least 45 days before any federal election. This is because mail to and from overseas military can be very slow. 3/

Back in the early 2010s, the Department of Justice under Obama sued the State of Georgia because the state's election calendar held runoff elections too close to the general election to allow absentee ballots to meet the 45-day deadline. 4/

Georgia argued in court that the UOCAVA did not apply to runoff elections and it lost. UOCAVA applies to *all* federal elections, including runoff elections. 5/

As a result, the General Assembly amended the relevant statutes to push the date of any runoff for federal offices forward far enough to meet the 45-day UOCAVA deadline. This gives UOCAVA voters a much better chance to vote in federal runoffs like the one we'll have on Jan 5. 6/

But the General Assembly chose not to put runoffs for state offices on the same day. (Most states sync up their election days for state and federal office, but the General Assembly chose not to do so here.) 7/

This means that Georgia will have two general runoff elections -- one on December 1 for state offices (at least one race for PSC appears to be headed for a runoff), and one on January 5 for two U.S. Senate seats. 8/

This also means that many UOCAVA voters in Georgia won't have an equal opportunity to participate in the state runoff. There just isn't enough time for them to request, receive, and return and absentee ballot from overseas. 9/

Georgia uses something called a statewide write-in absentee ballot (SWAB) for circumstances like this. UOCAVA voters are sent an extra blank ballot along with their regular ballot for use in the event of a state runoff. 10/

But a SWAB is an inferior ballot. First, UOCAVA voters have to go to the SoS website to see if there is a runoff. Then, they have to write in their choice and return it to their county in time to be counted. 11/

Because the state runoff won't officially be scheduled until the SoS certifies the results on or about November 20, there just isn't enough time, as a practical matter, for UOCAVA voters to mail a ballot back unless the voter pays for something like FedEx. 12/

This is a disgrace, in my view, and one that the General Assembly should fix at its next opportunity. /end