

**CHEROKEE COUNTY BOARD OF ELECTIONS AND REGISTRATION**  
**Procedures for Addressing Voter Challenges**  
**Submitted Pursuant to O.C.G.A. § 21-2-230**

1. Pursuant to SB 189, any challenge of a voter submitted within 45 days of a primary, election, or run-off therefrom shall be postponed until the completion of certification. A challenge submitted within 45 days of a primary or an election which results in a runoff shall be postponed until the completion of certification of the run-off.
  
2. For any challenge submitted more than 45 days before a primary, election, or runoff therefrom, or for any challenge submitted within 45 days of a primary, election, or run-off therefrom and postponed until after certification:
  - a. The BOE shall make a finding of probable cause, consistent with O.C.G.A. §23-2-230(b).
  - b. Probable cause shall include, but not be limited to:
    - i. Proof that a voter has died;
    - ii. Proof that a voter has voted in a different jurisdiction;
    - iii. Proof that a voter has registered to vote in a different jurisdiction;
    - iv. Proof that of a voter's homestead exemption in a different jurisdiction;
    - v. Proof that a voter is registered at a non-residential address.
  - c. The presence of a voter's name on a National Change of Address database, without additional evidence, shall not constitute probable cause.
  - d. If the BOE does not find probable cause, the challenge shall be denied.
  - e. If the BOE finds probable cause and the hearing can be held consistent with the requirements of O.C.G.A. § 21-2-229 and before advance voting begins, the BOE shall follow its Policy for Addressing Voter Challenges Submitted Pursuant to O.C.G.A. § 21-2-229.

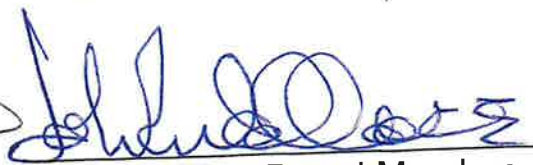
- f. If the BOE finds probable cause but the hearing cannot be held before advance voting begins, the BOE shall follow O.C.G.A. § 21-2-230(c), (d), (e), (f), (g), (h), or (i), as circumstances require.
3. Pursuant to SB 189, the BOE shall not sustain challenges regarding voters whose residency challenges is based upon O.C.G.A. § 21-2-217(a)(8) -- university students; (a)(10) -- members of the United States armed forces; or (a)(11) -- other government service.
4. Provisions in the BOE's Policy for Addressing Voter Challenges Submitted Pursuant to O.C.G.A. § 21-2-229 not in conflict with O.C.G.A. § 21-2-230, the National Voter Registration Act, and SB 189 shall apply to challenges brought pursuant to O.C.G.A. § 21-2-230
5. This policy document is intended to work in tandem with, and be consistent with, the National Voter Registration Act and O.C.G.A. §21-2-230. To the extent any part of this policy conflicts with the referenced statutes, the statutes shall control. This policy document is not intended as legal advice and does not purport to summarize all of the requirements and procedures of the relevant laws. Any person considering bringing a challenge under O.C.G.A. § 21-2-230 should consult with an attorney of their choosing.

Adopted April 1, 2024

  
Steve Divine, Chair

  
Julie Glade, Vice Chair

  
Sheree Giardino, Secretary

  
John Wallace, Board Member

  
Larry Hand, Board Member