

HENRY M. HENDERSON
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October 1, 1966

Honorable Arthur K. Bolton
The Attorney General
Judicial Building
40 Capitol Square, S. W.
Atlanta, Georgia 30334

Dear Mr. Attorney General:

letter of
Attached is a copy of/even date addressed by the writer hereof to the Honorable Ben W. Fortson, Jr., Secretary of State, which is self-explanatory.

In the indicated regard this is to request of you an unofficial opinion in answer to the following question:

In view of the repeal by Section 34-2001 (n) of the "Georgia Election Code" (Georgia Laws, 1964 Extra. Session, pp. 26, 199) of the previous statute (Georgia Laws, 1962, pp. 98, 99) prohibiting the use of stickers, pasters, etc., in the casting of write-in votes, does any currently effective provision of law preclude the use of stickers, pasters, etc., in the casting of write-in votes in a General Election, particularly the one to be held on the 8th day of November next?

The writer has not found any such provision contained in the said Georgia Election Code, as amended. Section 34-103 of said Election Code, in subdivision "(ag)", appearing on page 32 of Georgia Laws, 1964 Extraordinary Session, defines the words "write-in ballot" as "the paper or other material on which a vote is cast for persons whose names do not appear on the ballot labels."

In the opinion of the writer, the provisions of neither Section 34-1224 nor Section 34-1505 of said Georgia Election Code, respectively published on pages 122 and 171 of Georgia Laws, 1964 Extra. Session, appear to preclude the use of stickers, pasters, etc., in the casting of such write-in ballots, and the indicated Section 34-1505 contains the words "affixed in or on receptacles for that purpose," (underscoring supplied by the writer).

Sincerely yours,

Henry M. Henderson

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Attachment