

House Bill 1401

By: Representatives Barr of the 103<sup>rd</sup>, Gambill of the 15<sup>th</sup>, Smith of the 18<sup>th</sup>, Seabaugh of the 34<sup>th</sup>, Wade of the 9<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to  
2 primaries and elections generally, so as to provide that certain individuals challenging an  
3 elector's name appearing on the list of electors shall not be liable for such challenge; to  
4 provide exceptions; to provide for related matters; to repeal conflicting laws; and for other  
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and  
9 elections generally, is amended in Code Section 21-2-230, relating to challenge of persons  
10 on list of electors by other electors, procedure, hearing, and right of appeal, by adding a new  
11 subsection to read as follows:

12 "(k) Neither an elector filing a challenge pursuant to subsection (a) of this Code section,  
13 nor his or her attorneys or expert witnesses assisting with such challenge, shall be liable at  
14 law or equity for filing such challenge except in the event of gross negligence, willful or  
15 wanton misconduct, or malfeasance."

16

**SECTION 2.**

17 All laws and parts of laws in conflict with this Act are repealed.