

House Bill 191

By: Representatives Kendrick of the 93rd, Stover of the 71st, Stovall of the 74th, and Jones of the 91st

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 revise the provisions of law regarding ballot access
3 for political body and independent candidates; to provide for related matters; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and
8 elections generally, is amended by revising subparagraph (B) of paragraph (2) of Code
9 Section 21-2-130, relating to procedures for qualification of candidates generally, as follows:
10 "(B) Nomination for a ~~state-wide~~ public office by a duly constituted political body
11 convention as prescribed in Code Section 21-2-172 if the political body making the
12 nomination has qualified to nominate candidates for ~~state-wide~~ public office under the
13 provisions of Code Section 21-2-180;"

14 style="text-align:center">**SECTION 2.**

15 Said chapter is further amended by revising paragraph (5) of subsection (e) of Code
16 Section 21-2-132, relating to filing notice of candidacy, nomination petition, and affidavit,
17 payment of qualifying fee, pauper's affidavit and qualifying petition for exemption from
18 qualifying fee, and military service, as follows:

19 "(5) A nominee for a ~~state-wide~~ public office ~~by~~ of a duly constituted political body
20 convention, provided that the political body making the nomination has qualified to
21 nominate candidates for ~~state-wide~~ public office under the provisions of Code Section
22 21-2-180."

23

SECTION 3.

24 Said chapter is further amended by revising subsection (b) of Code Section 21-2-170, relating
 25 to nomination of candidates by petition, form of petition, signatures, limitations as to
 26 circulation and amendment of petitions, listing of such candidates on ballots, and charter or
 27 ordinance authorization, as follows:

28 "~~(b) A nomination petition of a candidate seeking an office which is voted upon state wide~~
 29 shall be signed by a number of voters equal to 1 percent of the total number of ~~registered~~
 30 ~~voters eligible to vote~~ electors who voted in the last election for the filling of the office the
 31 candidate is seeking or 200 signatures, whichever is less, and the signers of such petition
 32 shall be registered and eligible to vote in the election at which such candidate seeks to be
 33 elected. ~~A nomination petition of a candidate for any other office shall be signed by a~~
 34 ~~number of voters equal to 5 percent of the total number of registered voters eligible to vote~~
 35 ~~in the last election for the filling of the office the candidate is seeking and the signers of~~
 36 ~~such petition shall be registered and eligible to vote in the election at which such candidate~~
 37 ~~seeks to be elected.~~ However, in the case of a candidate seeking an office for which there
 38 has never been an election or seeking an office in a newly constituted constituency, the
 39 percentage figure shall be computed on the total number of registered voters in the
 40 constituency who would have been qualified to vote for such office had the election been
 41 held at the last general election and the signers of such petition shall be registered and
 42 eligible to vote in the election at which such candidate seeks to be elected."

43

SECTION 4.

44 Said chapter is further amended by revising Code Section 21-2-180, relating to manner of
 45 qualification of political bodies, as follows:

46 "21-2-180.

47 Any political body which is duly registered as provided for in Code Section 21-2-110 is
 48 qualified to nominate candidates for ~~state-wide~~ public office by convention if:

49 (1) The political body files with the Secretary of State a petition signed by voters equal
 50 in number to 1 percent of the registered voters who were registered and eligible to vote
 51 in the preceding general election; or

52 (2) At the preceding general election, the political body nominated a candidate for
 53 state-wide office and such candidate received a number of votes equal to 1 percent of the
 54 total number of registered voters who were registered and eligible to vote in such general
 55 election."

56 **SECTION 5.**

57 Said chapter is further amended by revising Code Section 21-2-181, relating to filing of
58 petitions generally, as follows:

59 "21-2-181.

60 Petitions to qualify political bodies to nominate candidates for ~~state-wide~~ public office by
61 convention shall be filed with the Secretary of State and shall be signed by voters in the
62 manner provided in this part. Such petitions shall provide sufficient space for the printing
63 of the voter's name and for the voter's signature. No forms other than those prescribed in
64 this part shall be used for qualifying a political body to nominate candidates for public
65 office."

66 **SECTION 6.**

67 Said chapter is further amended by revising Code Section 21-2-184, relating to restriction on
68 amendment of supplementation, as follows:

69 "21-2-184.

70 A petition to qualify a political body to nominate candidates for ~~state-wide~~ public office
71 by convention shall not be amended or supplemented after its presentation to the Secretary
72 of State for filing."

73 **SECTION 7.**

74 Said chapter is further amended by revising Code Section 21-2-186, relating to examination
75 of petitions and judicial review, as follows:

76 "21-2-186.

77 Petitions to qualify a political body to nominate candidates for ~~state-wide~~ public office by
78 convention shall be examined and shall be subject to judicial review in the same manner
79 as provided for candidates nominated by petition pursuant to Code Section 21-2-171."

80 **SECTION 8.**

81 Said chapter is further amended by revising Code Section 21-2-187, relating to holding of
82 conventions and filing notice of candidacy, as follows:

83 "21-2-187.

84 Political bodies shall hold their conventions in accordance with Code Section 21-2-172,
85 and candidates nominated for ~~state-wide~~ public office in convention shall file a notice of
86 candidacy no earlier than 9:00 A.M. on the fourth Monday in June immediately prior to the
87 election and no later than 12:00 Noon on the Friday following the fourth Monday in June
88 as prescribed in Code Section 21-2-132; provided, however, that the political body must
89 file its qualifying petition no later than 12:00 Noon on the second Tuesday in July

90 following the convention as prescribed in Code Section 21-2-172 in order to qualify its
91 candidates to be listed on the general election ballot."

92 **SECTION 9.**

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