

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 provisions relating to advance voting; to
3 extend the period of mandatory advance voting; to revise the time for holding runoffs in
4 general and primary elections; to provide for related matters; to repeal conflicting laws; and
5 for other 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 by revising subsection (d) of Code Section 21-2-385 of the
10 Official Code of Georgia Annotated, relating to procedure for voting by absentee ballot and
11 advance voting, as follows:

12 "(d)(1) There shall be a period of advance voting that shall commence:

13 (A) On the fourth Monday immediately prior to each primary or election; and

14 (B) As soon as possible prior to a runoff from any general primary or election but no
15 later than the ~~second~~ third Monday immediately prior to such runoff

16 and shall end on the Friday immediately prior to each primary, election, or runoff.
17 Voting shall be conducted beginning at 9:00 A.M. and ending at 5:00 P.M. on weekdays,
18 other than observed state holidays, during such period. Voting and shall also be
19 conducted on the second and third Saturdays prior to a primary, election, or runoff during
20 the hours of 9:00 A.M. through 5:00 P.M. and, if the registrar or absentee ballot clerk so
21 chooses, the second Sunday, the third Sunday, or both the second and third Sundays prior
22 to a primary or election during hours determined by the registrar or absentee ballot clerk,
23 but no longer than 7:00 A.M. through 7:00 P.M.; provided, however, that, if In the event
24 that such second Saturday is a public and legal holiday pursuant to Code Section 1-4-1,
25 if such second Saturday follows a public and legal holiday occurring on the Thursday or
26 Friday immediately preceding such second Saturday, or if such second Saturday
27 immediately precedes a public and legal holiday occurring on the following Sunday or
28 Monday, such advance voting shall not be held on such second Saturday but shall be held
29 on the third Saturday prior to such primary, or election, or runoff beginning at 9:00 A.M.
30 and ending at 5:00 P.M. If the registrar or absentee ballot clerk so chooses, advance
31 voting may also be conducted on the second Sunday, the third Sunday, or both the second
32 and third Sundays prior to a primary, election, or runoff during hours determined by the
33 registrar or absentee ballot clerk, but no longer than from 7:00 A.M. through 7:00 P.M.
34 Except as otherwise provided in this paragraph, the registrars may extend the hours for
35 voting to permit advance voting from 7:00 A.M. until 7:00 P.M. and may provide for
36 additional voting locations pursuant to Code Section 21-2-382 to suit the needs of the
37 electors of the jurisdiction at their option; provided, however, that voting shall occur only
38 on the days specified in this paragraph and counties and municipalities shall not be
39 authorized to conduct advance voting on any other days.

40 (2) The registrars or absentee ballot clerk, as appropriate, shall provide reasonable notice
41 to the electors of their jurisdiction of the availability of advance voting as well as the
42 times, dates, and locations at which advance voting will be conducted. In addition, the

43 registrars or absentee ballot clerk shall notify the Secretary of State in the manner
44 prescribed by the Secretary of State of the times, dates, and locations at which advance
45 voting will be conducted.

46 (3) The board of registrars shall publish the dates, times, and locations of the availability
47 of advance voting in its jurisdiction on the homepage of the county's publicly accessible
48 website associated with elections or registrations, or if the county does not have such a
49 website, in a newspaper of general circulation, and by posting in a prominent location in
50 the county, no later than 14 days prior to the beginning of the advance voting period for
51 a general primary, special primary, general election, or special election and no later than
52 seven days prior to the beginning of the advance voting period for any run-off election.
53 Any new advance voting locations added after that deadline shall be published in the
54 same manner as soon as possible. The board of registrars shall not remove any advance
55 voting location after the notice of such location is published, except in the case of an
56 emergency or unavoidable event that renders a location unavailable for use. Any changes
57 that are made due to an emergency or unavoidable event after a notice of a location has
58 been published shall be published as soon as possible in the same manner set forth in this
59 paragraph."

60 SECTION 2.

61 Said chapter is further amended in Code Section 21-2-501, relating to number of votes
62 required for election and runoff, by revising subsection (a) as follows:

63 "(a)(1) Except as otherwise provided in this Code section, no candidate shall be
64 nominated for public office in any primary or special primary or elected to public office
65 in any election or special election or shall take or be sworn into such elected public office
66 unless such candidate shall have received a majority of the votes cast to fill such
67 nomination or public office. In instances where no candidate receives a majority of the
68 votes cast, a run-off primary, special primary runoff, run-off election, or special election

69 runoff between the candidates receiving the two highest numbers of votes shall be held.
70 Unless such date is postponed by a court order, such runoff shall be held on the
71 ~~twenty-eighth day after the day of holding the preceding~~ Tuesday of the sixth week
72 following such general or special primary or general or special election.

73 (2) If any candidate eligible to be in a runoff withdraws, dies, or is found to be ineligible,
74 the remaining candidates receiving the two highest numbers of votes shall be the
75 candidates in the runoff.

76 (3) The candidate receiving the highest number of the votes cast in such run-off primary,
77 special primary runoff, run-off election, or special election runoff to fill the nomination
78 or public office sought shall be declared the winner.

79 (4) The name of a write-in candidate eligible for election in a runoff shall be printed on
80 the election or special election run-off ballot in the independent column.

81 (5) The run-off primary, special primary runoff, run-off election, or special election
82 runoff shall be a continuation of the primary, special primary, election, or special election
83 for the particular office concerned. Only the electors who are duly registered to vote and
84 not subsequently deemed disqualified to vote in the runoff for candidates for that
85 particular office shall be entitled to vote therein, and only those votes cast for the persons
86 designated as candidates in such run-off primary, special primary runoff, run-off election,
87 or special election runoff shall be counted in the tabulation and canvass of the votes cast.
88 No elector shall vote in a run-off primary or special primary runoff in violation of Code
89 Section 21-2-224."

90 **SECTION 3.**

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