

The House Committee on Governmental Affairs offers the following substitute to HB 48:

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 elections and primaries generally, so as to authorize the General Assembly to provide by
3 local legislation for nonpartisan elections for district attorney of a judicial circuit or
4 solicitors-general of state courts; to provide procedures for such nonpartisan general
5 elections; and 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 elections and
9 primaries generally, is amended by adding a new Code section to read as follows:

10 "21-2-138.1.

11 (a) Notwithstanding any other provisions of this chapter to the contrary, the General
12 Assembly may provide by local Act for the election in nonpartisan elections of candidates
13 to fill the office of district attorney for a judicial circuit or solicitors-general of state courts.

14 (b) The names of all candidates who have qualified with the election superintendent for
15 such office of district attorney for a judicial circuit or solicitors-general of state courts shall
16 be placed on the ballot in a nonpartisan general election to be held and conducted jointly

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17 with the general primary in each even-numbered year. No candidate for any such office
18 shall be nominated by a political party or by a petition as a candidate of a political body or
19 as an independent candidate. Candidates for any such office shall have their names placed
20 on the nonpartisan portion of each ballot only after meeting those requirements prescribed
21 in Code Section 21-2-132 specifically related to such nonpartisan candidates and by paying
22 the requisite qualifying fees as prescribed in Code Section 21-2-131. Candidates shall be
23 listed on the official ballot in a nonpartisan general election as provided in Code Sections
24 21-2-284.1 and 21-2-285.1, respectively. Except as otherwise specified in this chapter, the
25 procedures to be employed in conducting the nonpartisan general election of any such
26 district attorney or solicitor-general shall conform as nearly as practicable to the procedures
27 governing general elections; and such general election procedures as are necessary to
28 complete this nonpartisan general election process shall be adopted in a manner consistent
29 with such nonpartisan elections."

30

SECTION 2.

31 All laws and parts of laws in conflict with this Act are repealed.