

House Bill 64

By: Representatives Efration of the 104<sup>th</sup>, Oliver of the 82<sup>nd</sup>, Willard of the 51<sup>st</sup>, Mabra of the 63<sup>rd</sup>, Kelley of the 16<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 for the reopening of qualifications with  
3 regard to nonpartisan candidates under certain circumstances; to provide for related matters;  
4 to repeal 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 Code Section 21-2-134, relating to withdrawal,  
9 death, or disqualification of candidate for office, return of qualifying fee, and nomination  
10 certificate, by adding a new subsection to read as follows:

11 "(g) Notwithstanding any provision of law to the contrary, in the event the incumbent in  
12 a nonpartisan election for an office is disqualified or withdraws after the qualifying period  
13 but prior to the nonpartisan election for such office and such event would leave no  
14 candidate or only one candidate on the ballot in the nonpartisan election for such office,  
15 then no election shall be held for such office in the nonpartisan election and the officer with  
16 whom candidates for such office qualify shall reopen qualifications for such office for a  
17 period of not fewer than three nor more than five days, and such office shall be filled by  
18 a special election as provided in Code Section 21-2-540."

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

20 All laws and parts of laws in conflict with this Act are repealed.