

House Bill 674

By: Representatives Stephens of the 164th and Petrea of the 166th

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 authorize the General Assembly to provide for the
3 nonpartisan election of district attorneys, solicitors-general of state courts, sheriffs, coroners,
4 tax commissioners, clerks of superior court, and members of county governing authorities;
5 to provide for the qualifying of such offices; to provide for related matters; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and
10 elections generally, is amended by revising paragraph (1) of subsection (c) of Code
11 Section 21-2-132, relating to filing notice of candidacy, nomination petition, and affidavit,
12 payment of qualifying fee, pauper's affidavit and qualifying petition for exemption from
13 qualifying fee, and military service, as follows:

14 "(1) Each candidate for the office of district attorney, when a local Act has been enacted
15 for the filling of such office in a nonpartisan election, and each candidate for the office
16 of judge of the superior court, Judge of the Court of Appeals, or Justice of the Supreme

17 Court, or the candidate's agent, desiring to have his or her name placed on the nonpartisan
18 election ballot shall file a notice of candidacy, giving his or her name, residence address,
19 and the office sought, in the office of the Secretary of State no earlier than 9:00 A.M. on
20 the Monday of the eleventh week immediately prior to the election and no later
21 than 12:00 Noon on the Friday immediately following such Monday, notwithstanding the
22 fact that any such days may be legal holidays;"

23 **SECTION 2.**

24 Said chapter is further amended by revising subsection (a) of Code Section 21-2-139, relating
25 to nonpartisan elections authorized and conduct, as follows:

26 "(a) Notwithstanding any other provisions of this chapter to the contrary, the General
27 Assembly may provide by local Act for the election in nonpartisan elections of candidates
28 to fill the office of district attorney, solicitor-general of the state court, sheriff, coroner, tax
29 commissioner, and clerk of superior court; county judicial offices;; offices of local boards
30 of education;; offices of county governing authorities; and offices of consolidated
31 governments which are filled by the vote of the electors of ~~said~~ such judicial circuit,
32 county, or political subdivision. Except as otherwise provided in this Code section, the
33 procedures to be employed in such nonpartisan elections shall conform as nearly as
34 practicable to the procedures governing nonpartisan elections as provided in this chapter.
35 Except as otherwise provided in this Code section, the election procedures established by
36 any existing local law which provides for the nonpartisan election of candidates to fill
37 county offices shall conform to the general procedures governing nonpartisan elections as
38 provided in this chapter, and such nonpartisan elections shall be conducted in accordance
39 with the applicable provisions of this chapter, notwithstanding the provisions of any
40 existing local law. For those offices for which the General Assembly, pursuant to this
41 Code section, provided by local Act for election in nonpartisan primaries and elections,
42 such offices shall no longer require nonpartisan primaries. Such officers shall be elected

43 in nonpartisan elections held and conducted in conjunction with the general primary in
44 even-numbered years in accordance with this chapter without a prior nonpartisan primary.
45 This Code section shall apply to all nonpartisan elections for members of consolidated
46 governments. All nonpartisan elections for members of consolidated governments shall
47 be governed by the provisions of this Code section and shall be considered county elections
48 and not municipal elections for the purposes of this Code section. Nonpartisan elections
49 for municipal offices shall be conducted on the dates provided in the municipal charter."

50

SECTION 3.

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