

House Bill 198

By: Representative Sims of the 167<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To provide for the nonpartisan nomination and election of the judge of the Probate Court of  
2 Coffee County; to provide for the requirements and procedures of the nonpartisan nomination  
3 and election; to provide for other matters relative to the foregoing; to provide for the  
4 authority for this Act; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 The judge of the Probate Court of Coffee County shall be elected by the qualified voters of  
8 Coffee County in a nonpartisan primary and election. Except as otherwise provided in this  
9 Act, the judge of the probate court shall be elected pursuant to the general elections laws of  
10 Georgia.

11 **SECTION 2.**

12 Beginning with the election held in 2004 and every four years thereafter, the judge of the  
13 probate court shall be elected at the nonpartisan primary and general election immediately  
14 preceding the expiration of the term of office of the judge of the probate court and shall take  
15 office on January 1 immediately following such election for a term of four years and until  
16 such judge's successor is elected and qualified.

17 **SECTION 3.**

18 Candidates for the office of judge of the probate court shall be nominated in a nonpartisan  
19 primary to be held at the same time as and in conjunction with the general primary every four  
20 years. A nominating petition shall not be required to place the name of any such candidate  
21 on the primary ballot. A candidate may have his or her name placed on the primary ballot  
22 by filing a notice of candidacy with the county election superintendent and by paying the  
23 qualifying fee.

24 **SECTION 4.**

1 The candidate receiving a majority of votes in the nonpartisan primary shall be the nominee  
2 for the office of judge of the probate court and shall be the only candidate for such office to  
3 have his or her name appear on the general election ballot. In the event no candidate receives  
4 a majority of the votes cast, the two candidates receiving the highest number of votes for the  
5 office shall be in a runoff to be held on the same day as a runoff from the general primary,  
6 as provided by state law, to determine which candidate will be on the general election ballot.

7 **SECTION 5.**

8 The names of all candidates for the office of judge of the probate court shall appear in a  
9 separate section of each primary and general election ballot of each elector. No party  
10 designation or affiliation shall appear beside the name of any such candidate on any primary  
11 or general election ballot, and no candidate for the office of judge of the probate court shall  
12 be nominated by any political party.

13 **SECTION 6.**

14 This Act is enacted pursuant to the authority of Code Section 21-2-139 of the O.C.G.A.

15 **SECTION 7.**

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