

Senate Bill 457

By: Senator Lee of the 29th

A BILL TO BE ENTITLED  
AN ACT

1 To provide for the nonpartisan nomination and election of the judge of the Probate Court of Troup  
2 County; to provide for the requirements and procedures of the nonpartisan nomination and election;  
3 to provide for other matters relative to the foregoing; to provide for the authority for this Act; to  
4 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 Troup County shall be elected by the qualified voters of Troup  
8 County in a nonpartisan primary and election. Except as otherwise provided in this Act, the judge  
9 of the probate court shall be elected pursuant to the general elections laws of Georgia.

10 **SECTION 2.**

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

16 **SECTION 3.**

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

22 **SECTION 4.**

23 The candidate receiving a majority of votes in the nonpartisan primary shall be the nominee for the  
24 office of judge of the probate court and shall be the only candidate for such office to have his or her  
25 name appear on the general election ballot. In the event no candidate receives a majority of the  
26 votes cast, the two candidates receiving the highest number of votes for the office shall be in a

1 runoff to be held on the same day as a runoff from the general primary, as provided by state law, to  
2 determine which candidate will be on the general election ballot.

3 **SECTION 5.**

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

9 **SECTION 6.**

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

11 **SECTION 7.**

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