

House Bill 182

By: Representatives Birdsong of the 123rd and Holmes of the 53rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, known as the
2 "Georgia Election Code," so as to provide that in any general primary where an unopposed
3 candidate is seeking party nomination for a public office, where such candidate's name
4 appears on the primary ballot but such candidate fails to receive a single vote, such candidate
5 shall not be nominated for such public office and such party shall not have a candidate for
6 that public office on the ballot in the ensuing general election; to change certain provisions
7 relating to procedures as to unopposed candidates; to repeal conflicting laws; and for other
8 purposes.

9 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

10 **SECTION 1.**

11 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, known as the "Georgia
12 Election Code," is amended by adding at the end of Part 2 of Article 4, relating to political
13 party and nonpartisan primaries, a new Code Section 21-2-158 to read as follows:

14 "21-2-158.

15 In any general primary where an unopposed candidate is seeking party nomination for a
16 public office, where such candidate's name appears on the primary ballot but such
17 candidate fails to receive a single vote, such candidate shall not be nominated for such
18 public office and such party shall not have a candidate for that public office on the ballot
19 in the ensuing general election."

20 **SECTION 2.**

21 Said chapter is further amended by striking in its entirety Code Section 21-2-291, relating
22 to procedure as to unopposed candidates, and inserting in lieu thereof a new Code Section
23 21-2-291 to read as follows:

1 "21-2-291.

2 Any other provision of law to the contrary notwithstanding, in the event there is no
3 opposed candidate in a precinct in a special or general election, no special or general
4 election shall be held in such precinct unless a write-in candidate has qualified as provided
5 by law or unless there are issues to be submitted to the electorate. ~~Each~~ Except as
6 provided in Code Section 21-2-158, each such unopposed candidate shall be deemed to
7 have voted for himself or herself. Where feasible, the superintendent shall provide notice
8 reasonably calculated to inform the affected electorate that no special or general election
9 is to be conducted. The superintendent shall certify such unopposed candidate as elected
10 in the same manner as he or she certifies other candidates as elected pursuant to Code
11 Section 21-2-493."

12 **SECTION 3.**

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