

House Bill 27

By: Representative Brooks of the 47th

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 elections and primaries generally, so as to provide for nomination of political party
3 candidates by plurality vote; to provide for related matters; to repeal conflicting laws; and
4 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 elections and
8 primaries generally, is amended by striking subsection (a) of Code Section 21-2-501, relating
9 to the number of votes required for election, and inserting in lieu thereof a new subsection (a)
10 to read as follows:

11 "(a) Except as otherwise provided in this Code section, no candidate shall be nominated
12 for public office in any primary or elected to public office in any special election unless
13 such candidate shall have received a ~~majority~~ plurality of the votes cast to fill such
14 nomination or public office. In instances where no candidate receives a ~~majority~~ plurality
15 of the votes cast, a run-off primary or special election runoff between the candidates
16 receiving the two highest numbers of votes shall be held. Unless such date is postponed
17 by a court order, such run-off primary or special election runoff shall be held on the
18 twenty-first day after the day of holding the preceding primary or special election, provided
19 that, unless postponed by court order, a runoff in the case of a special primary or special
20 election shall be held no sooner than the fourteenth day and no later than the twenty-first
21 day after the day of holding the preceding special primary or special election, which run-off
22 day shall be determined by the Secretary of State in a runoff to fill a federal or state office
23 or by the superintendent in a runoff to fill a county or militia district office. If any
24 candidate eligible to be in a runoff withdraws, dies, or is found to be ineligible, the
25 remaining candidates receiving the two highest numbers of votes shall be the candidates
26 in the runoff. The candidate receiving the highest number of the votes cast in such run-off

1 primary or special election runoff to fill the nomination or public office sought shall be
2 declared the winner. The name of a write-in candidate eligible for election in a runoff shall
3 be printed on the special election run-off ballot in the independent column. The run-off
4 primary or special election runoff shall be a continuation of the primary or special election
5 for the particular office concerned. Only the electors who were entitled to vote in the
6 primary or special election for candidates for that particular office shall be entitled to vote
7 therein, and only those votes cast for the persons designated as candidates in such run-off
8 primary or special election runoff shall be counted in the tabulation and canvass of the
9 votes cast. No elector shall vote in a run-off primary in violation of Code Section
10 21-2-224."

11 **SECTION 2.**

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