

House Bill 47

By: Representatives Walker of the 115th, O`Neal of the 117th, Royal of the 140th and DeLoach of the 127th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 21-2-139 of the Official Code of Georgia Annotated, relating to
2 when nonpartisan elections are authorized, so as to specify certain county offices for which
3 nonpartisan elections may be provided for by local Act; to provide for related matters; to
4 repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 21-2-139 of the Official Code of Georgia Annotated, relating to when
8 nonpartisan elections are authorized, is amended by striking subsection (a) and inserting in
9 its place a new subsection to read as follows:

10 "(a) Notwithstanding any other provisions of this chapter to the contrary, the General
11 Assembly may provide by local Act for the election in nonpartisan elections of candidates
12 to fill county judicial offices, offices of local school boards, and offices of consolidated
13 governments which are filled by the vote of the electors of said county or political
14 subdivision. For the purposes of this Code section, the term 'county judicial offices' shall
15 include coroners, sheriffs, clerks of court, and solicitors general as well as judges and
16 magistrates. Except as otherwise provided in this Code section, the procedures to be
17 employed in such nonpartisan elections shall conform as nearly as practicable to the
18 procedures governing nonpartisan elections as provided in this chapter. Except as otherwise
19 provided in this Code section, the election procedures established by any existing local law
20 which provides for the nonpartisan election of candidates to fill county offices shall
21 conform to the general procedures governing nonpartisan elections as provided in this
22 chapter, and such nonpartisan elections shall be conducted in accordance with the
23 applicable provisions of this chapter, notwithstanding the provisions of any existing local
24 law. For those offices for which the General Assembly as of July 1, 2001, pursuant to this
25 Code section, provided by local Act for election in nonpartisan primaries and elections,
26 such offices shall no longer require nonpartisan primaries. Such officers shall be elected

1 in nonpartisan elections held and conducted in conjunction with the general primary in
2 accordance with this chapter without a prior nonpartisan primary. For those offices for
3 which the General Assembly as of July 1, 2001, provided by local Act for election in a
4 nonpartisan election without a prior nonpartisan primary, such offices shall be elected in
5 nonpartisan elections held and conducted in conjunction with the November general
6 election without a prior nonpartisan primary. Nonpartisan elections for municipal offices
7 shall be conducted on the dates provided in the municipal charter."

8 **SECTION 2.**

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