

House Bill 927

By: Representatives Ralston of the 7th, Forster of the 3rd, Franklin of the 43rd, Day of the 163rd, and Mitchell of the 88th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 3 of Article 4 of Chapter 2 of Title 21 of the Official Code of Georgia
2 Annotated, relating to nomination and qualification of candidates, so as to provide a short
3 title; to provide for legislative intent; to change the provisions relating to nomination of
4 candidates by petition; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 This Act shall be known and may be cited as the "Ballot Access Reform Act of 2005."

9 **SECTION 2.**

10 It is the intent of the General Assembly to increase voter participation and political debate
11 by making the ballot more accessible for candidates of political bodies and for independent
12 candidates and to provide for simplified and consistent petition standards for all public
13 offices.

14 **SECTION 3.**

15 Part 3 of Article 4 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated,
16 relating to nomination and qualification of candidates, is amended by striking in its entirety
17 subsection (b) of Code Section 21-2-170, relating to nomination of candidates by petition,
18 and inserting in lieu thereof a new subsection (b) to read as follows:

19 "(b) A nomination petition of a candidate seeking ~~an~~ state-wide, congressional, General
20 Assembly or other office which is voted upon ~~state-wide~~ in a partisan election shall be
21 signed by a number of voters equal to at least 2 † percent of the total number of ~~registered~~
22 ~~voters eligible to vote~~ votes cast in the last election for the filling of the office the candidate
23 is seeking and the signers of such petition shall be registered and eligible to vote in the
24 election at which such candidate seeks to be elected. ~~A nomination petition of a candidate~~

1 ~~for any other office shall be signed by a number of voters equal to 5 percent of the total~~
2 ~~number of registered voters eligible to vote in the last election for the filling of the office~~
3 ~~the candidate is seeking and the signers of such petition shall be registered and eligible to~~
4 ~~vote in the election at which such candidate seeks to be elected.~~ However, in the case of
5 a candidate seeking an office for which there has never been an election or seeking an
6 office in a newly constituted constituency, the ~~percentage figure~~ number of votes cast for
7 the purpose of determining nomination petition requirements only shall be computed on
8 the total number of active registered voters in the constituency who would have been
9 qualified to vote for such office had the election been held at the last general election,
10 prorated by the state-wide percentage of registered voters voting, and the signers of such
11 petition shall be registered and eligible to vote in the election at which such candidate seeks
12 to be elected. However, if in the last election for the filling of an office the candidate
13 qualified for the same office by nominating petition or other provision of this subsection
14 and received at least 5 percent of the votes cast for that office, the number of signatures
15 required shall be reduced by half; if the candidate received at least 10 percent of the votes
16 cast for that office, the requirement for a nominating petition is waived."

17 **SECTION 4.**

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