

House Bill 58

By: Representative Powell of the 29th

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 that the General Assembly by local law
3 may provide for the nonpartisan election of clerks of the superior court, sheriffs, tax
4 receivers, tax collectors, and tax commissioners; to provide for the qualifying for such
5 offices; to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and
9 primaries generally, is amended by revising paragraph (2) of subsection (c) and subparagraph
10 (i)(1)(B) of Code Section 21-2-132, relating to filing notices of candidacy, nomination
11 petitions, and affidavits, as follows:

12 "(2) Each candidate for a county ~~judicial~~ office, a local school board office, or an office
13 of a consolidated government, or the candidate's agent, desiring to have his or her name
14 placed on the nonpartisan election ballot shall file notice of candidacy in the office of the
15 superintendent no earlier than 9:00 A.M. on the fourth Monday in June immediately prior
16 to the election and no later than 12:00 Noon on the Friday following the fourth Monday
17 in June, notwithstanding the fact that any such days may be legal holidays."

18 "(B) Each candidate for a county ~~judicial~~ office, a local school board office, or an
19 office of a consolidated government, or the candidate's agent, desiring to have his or
20 her name placed on the nonpartisan election ballot shall file a notice of candidacy in the
21 office of the superintendent no earlier than 9:00 A.M. on the last Monday in July
22 immediately prior to the election and no later than 12:00 Noon on the Friday following
23 the last Monday in July, notwithstanding the fact that any such days may be legal
24 holidays;".

SECTION 2.

Said chapter is further amended by revising subsection (a) of Code Section 21-2-139, relating to the authorization of nonpartisan elections, as follows:

"(a) Notwithstanding any other provisions of this chapter to the contrary, the General Assembly may provide by local Act for the election in nonpartisan elections of candidates to fill county judicial offices, the office of sheriff, the office of tax receiver, the office of tax collector, the office of tax commissioner, the office of clerk of superior court, offices of local school boards, and offices of consolidated governments which are filled by the vote of the electors of said county or political subdivision. Except as otherwise provided in this Code section, the procedures to be employed in such nonpartisan elections shall conform as nearly as practicable to the procedures governing nonpartisan elections as provided in this chapter. Except as otherwise provided in this Code section, the election procedures established by any existing local law which provides for the nonpartisan election of candidates to fill county offices shall conform to the general procedures governing nonpartisan elections as provided in this chapter, and such nonpartisan elections shall be conducted in accordance with the applicable provisions of this chapter, notwithstanding the provisions of any existing local law. For those offices for which the General Assembly, pursuant to this Code section, provided by local Act for election in nonpartisan primaries and elections, such offices shall no longer require nonpartisan primaries. Such officers shall be elected in nonpartisan elections held and conducted in conjunction with the November general election in accordance with this chapter without a prior nonpartisan primary. Nonpartisan elections for municipal offices shall be conducted on the dates provided in the municipal charter."

SECTION 3.

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