

Senate Bill 264

By: Senator Wiles of the 37th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated,
2 relating to general provisions regarding elections and primaries, so as to provide for certain
3 requirements to qualify for a party's nomination or to run for public office; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to
8 general provisions regarding elections and primaries, is amended by revising Code Section
9 21-2-8, relating to eligibility for party nomination or public office, as follows:

10 "21-2-8.

11 (a) For the purposes of this Code section, 'adverse military discharge' shall mean any
12 offense committed during military service, for which the final sentence included either a
13 dishonorable or bad conduct discharge and incarceration for more than 30 days.

14 (b) No person shall be eligible for party nomination for or election to public office, nor
15 shall he or she perform any official acts or duties as a superintendent, registrar, deputy
16 registrar, poll officer, or party officer, as set forth in this chapter, in connection with any
17 election or primary held under this chapter, if under the laws of this state, any other state,
18 or the United States he or she has been convicted and sentenced, in any court of competent
19 jurisdiction, for fraudulent violation of primary or election laws, malfeasance in office, or
20 felony involving moral turpitude, or adverse military discharge, unless such person's civil
21 rights have been restored and at least ten years have elapsed from the date of the
22 completion of the sentence without a subsequent conviction of another felony involving
23 moral turpitude. Additionally, the person shall not be holding illegally any public funds.
24 In the event of the disqualification of the superintendent as described in this Code section,
25 the clerk of the superior court shall act in his or her stead. Notwithstanding the above, the
26 governing authority of a municipality shall appoint an individual to serve as superintendent

1 for municipal elections or municipal primaries in the event of the disqualification of the
2 municipal superintendent, unless the municipality has contracted with a county government
3 for the provision of election services, in which event the clerk of the superior court shall
4 act in place of a disqualified superintendent."

5 **SECTION 2.**

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