

House Bill 1306

By: Representative Willard of the 49th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 4 of Title 21 of the Official Code of Georgia Annotated, relating to recall
2 of public officers, so as to require personal service on a public officer of an application for
3 a recall petition that has been filed with the election superintendent for verification; to
4 increase the time period for the officer sought to be recalled to petition for review of the
5 sufficiency of the grounds for recall or other facts that the recall petition is based upon; to
6 provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 4 of Title 21 of the Official Code of Georgia Annotated, relating to recall of public
10 officers, is amended by revising paragraph (3) of subsection (f) of Code Section 21-4-5,
11 relating to the application for recall petition, as follows:

12 "(3) Upon filing an application for a recall petition, the sponsors of such application
13 election superintendent shall immediately notify in writing have the sheriff or other
14 authorized process server serve the public officer named for recall in the application that
15 with a copy of the completed application for a recall petition has been filed with the
16 election superintendent for verification. If the sheriff is unable to serve the public officer
17 personally, service may be had by delivering such notification to any person who is sui
18 juris residing at the public officer's residence."

19 **SECTION 2.**

20 Said chapter is further amended by revising subsection (a) of Code Section 21-4-6, relating
21 to the review of grounds for a recall petition, as follows:

22 "(a) Within four seven days after the date of submission service of the application for a
23 recall petition for verification upon the public officer pursuant to paragraph (3) of
24 subsection (f) of Code Section 21-4-5, excluding Saturdays, Sundays, and legal holidays,
25 the public officer sought to be recalled may file a petition in the superior court of the

1 county in which such officer is domiciled applying for a review of the sufficiency of the
2 ground or grounds for the recall and the fact or facts upon which such ground or grounds
3 are based as set forth in such recall application."

4 **SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.