

House Bill 1367

By: Representatives Kidd of the 141<sup>st</sup> and Powell of the 29<sup>th</sup>

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 generally, so as to provide that independent candidates shall have an additional  
3 qualifying period; to change the time for filing of nomination petitions; to provide for related  
4 matters; to 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 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections  
8 generally, is amended by revising subsection (e) of Code Section 21-2-132, relating to filing  
9 notice of candidacy, nomination petition, and affidavit, and adding a new subsection to read  
10 as follows:

11 "(e) Except as provided in subsection (i) of this Code section, each candidate required to  
12 file a notice of candidacy by this Code section shall, no earlier than 9:00 A.M. on the fourth  
13 Monday in ~~June~~ April immediately prior to the election and no later than 12:00 Noon on  
14 the second Tuesday in July immediately prior to the election, file with the same official  
15 with whom he or she filed his or her notice of candidacy a nomination petition in the form  
16 prescribed in Code Section 21-2-170, except that such petition shall not be required if such  
17 candidate is:

18 (1) A nominee of a political party for the office of presidential elector when such party  
19 has held a national convention and therein nominated candidates for President and Vice  
20 President of the United States;

21 (2) Seeking office in a special election;

22 (3) An incumbent qualifying as a candidate to succeed such incumbent if, prior to the  
23 election in which such incumbent was originally elected to the office for which such  
24 incumbent seeks reelection, such incumbent filed a notice of candidacy and a nomination  
25 petition as required by this chapter;

26 (4) A candidate seeking election in a nonpartisan election; or

27 (5) A nominee for a state-wide office by a duly constituted political body convention,  
28 provided that the political body making the nomination has qualified to nominate  
29 candidates for state-wide public office under the provisions of Code Section 21-2-180."

30 "(k) In addition to the qualifying times provided for in subsections (d) and (i) of this Code  
31 section, independent candidates for federal, state, and county officers may also qualify at  
32 the following times:

33 (1) For general elections other than the general election held in the even-numbered year  
34 immediately following the official release of the United States decennial census data to  
35 the states for the purpose of redistricting of the legislatures and the United States House  
36 of Representatives, each candidate:

37 (A) For federal or state office, or his or her agent, desiring to have his or her name  
38 placed on the election ballot shall file a notice of his or her candidacy, giving his or her  
39 name, residence address, and the office he or she is seeking, in the office of the  
40 Secretary of State no earlier than 9:00 A.M. on the fourth Monday in April immediately  
41 prior to the election and no later than 12:00 Noon on the Friday following the fourth  
42 Monday in April; or

43 (B) For a county office, or his or her agent, desiring to have his or her name placed on  
44 the election ballot shall file notice of his or her candidacy in the office of the  
45 superintendent of his or her county no earlier than 9:00 A.M. on the fourth Monday in  
46 April immediately prior to the election and no later than 12:00 Noon on the Friday  
47 following the fourth Monday in April; or

48 (2) For the general election held in the even-numbered year immediately following the  
49 official release of the United States decennial census data to the states for the purpose of  
50 redistricting of the legislatures and the United States House of Representatives, each  
51 candidate:

52 (A) For federal or state office, or his or her agent, desiring to have his or her name  
53 placed on the election ballot shall file a notice of his or her candidacy, giving his or her  
54 name, residence address, and the office he or she is seeking, in the office of the  
55 Secretary of State no earlier than 9:00 A.M. on the third Wednesday in June  
56 immediately prior to the election and no later than 12:00 Noon on the Friday following  
57 the third Wednesday in June; or

58 (B) For a county office, or his or her agent, desiring to have his or her name placed on  
59 the election ballot shall file notice of his or her candidacy in the office of the  
60 superintendent of his or her county no earlier than 9:00 A.M. on the third Wednesday  
61 in June immediately prior to the election and no later than 12:00 Noon on the Friday  
62 following the third Wednesday in June."

63

**SECTION 2.**

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