

Senate Bill 35

By: Senator Buckner of the 44th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 21-2-153 of the Official Code of Georgia Annotated, relating to the
2 qualification of candidates for party nomination in a state or county primary, posting of the
3 list of all qualified candidates, and filing of an affidavit with a political party by each
4 qualifying candidate, so as to require a candidate to affirm that his or her residence is within
5 the district which he or she shall be elected to serve; to provide for related matters; to provide
6 an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 21-2-153 of the Official Code of Georgia Annotated, relating to the
10 qualification of candidates for party nomination in a state or county primary, posting of the
11 list of all qualified candidates, and filing of an affidavit with a political party by each
12 qualifying candidate, is amended in subsection (e) as follows:

13 "(e) Each candidate for party nomination described in subsection (a) of this Code section
14 shall file an affidavit with the political party at the time of his or her qualifying stating:

15 (1) His or her full name and the name as the candidate desires it to be listed on the ballot.

16 The surname of the candidate shall be the surname of the candidate as it appears on the
17 candidate's voter registration card. After such name is certified by the political party to
18 the Secretary of State or the election superintendent, the form of such name shall not be
19 changed during the primary and election for which such affidavit is submitted;

20 (2) His or her residence, with street and number, if any, ~~and~~ his or her post office
21 address, and an affirmative statement, under penalty of law, that his or her residence is
22 within the election district for the office to which he or she seeks to be elected;

23 (3) His or her profession, business, or occupation, if any;

24 (4) The name of his or her precinct;

25 (5) That he or she is an elector of the county of his or her residence eligible to vote in the
26 primary election in which he or she is a candidate for nomination;

- 27 (6) The name of the office he or she is seeking;
- 28 (7) That he or she is eligible to hold such office;
- 29 (8) That the candidate has never been convicted and sentenced in any court of competent
30 jurisdiction for fraudulent violation of primary or election laws, malfeasance in office,
31 or felony involving moral turpitude under the laws of this state or any other state or of the
32 United States, or that the candidate's civil rights have been restored and that at least ten
33 years have elapsed from the date of the completion of the sentence without a subsequent
34 conviction of another felony involving moral turpitude;
- 35 (9) That he or she will not knowingly violate this chapter or rules or regulations adopted
36 under this chapter; and
- 37 (10) Any other information as may be determined by the Secretary of State to be
38 necessary to comply with federal and state law."

39 **SECTION 2.**

40 This Act shall become effective on July 1, 2009.

41 **SECTION 3.**

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