

House Bill 131

By: Representatives Carter of the 159th, Levitas of the 82nd, Stephens of the 164th, and Bryant of the 160th

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 for the nonpartisan election of tax
3 receivers, tax collectors, and tax commissioners; to provide for the qualifying for such
4 offices; to provide for related 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 and
8 primaries generally, is amended by revising paragraph (2) of subsection (c) and subparagraph
9 (i)(1)(B) of Code Section 21-2-132, relating to filing notices of candidacy, nomination
10 petitions, and affidavits, as follows:

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

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

24 **SECTION 2.**

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

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

46 **SECTION 3.**

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