

House Bill 135

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

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

46 **SECTION 3.**

47 All laws and parts of laws in conflict with this Act are repealed.