

House Bill 68

By: Representative Setzler of the 35th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 21-2-540 of the Official Code of Georgia Annotated, relating to
2 conduct of special elections generally, so as to modify provisions relating to a special
3 election to present a question to the voters; to provide for related matters; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Code Section 21-2-540 of the Official Code of Georgia Annotated, relating to conduct of
8 special elections generally, is amended by revising paragraph (2) of subsection (c) as follows:

9 "(2) Notwithstanding any other provision of law to the contrary, a special election to
10 present a question to the voters shall be held only on one of the following dates which is
11 at least 29 days after the date of the call for the special election:

12 (A) In odd-numbered years, any such special election shall only be held on the third
13 Tuesday in March or on the Tuesday after the first Monday in November; ~~and~~

14 (B) In even-numbered years, any such special election shall only be held on:

15 (i) The date of and in conjunction with the presidential preference primary if one is
16 held that year;

17 (ii) The date of the general primary; or

18 (iii) The Tuesday after the first Monday in November; or

19 (C) Where provided by local law adopted by the General Assembly, the General
20 Assembly may further restrict the optional dates provided in subparagraphs (A) and (B)
21 of this paragraph and may also provide for the category of question which may be
22 limited to the fewer designated optional dates; provided, however, that no such local
23 law adopted by the General Assembly shall exclude the Tuesday after the first Monday
24 in November in even-numbered years as an optional date to hold a special election to
25 present a question to the voters."

26

SECTION 2.

27 All laws and parts of laws in conflict with this Act are repealed.