Senate Bill 72

By: Senator Carter of the 1st

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 district

3   attorneys; to provide for the qualifying for such offices; to provide for related matters; to

4   repeal conflicting laws; and for other purposes.

5   BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6   **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 subsection (c) and paragraph (1) of subsection (i)

9   of Code Section 21-2-132, relating to filing notices of candidacy, nomination petitions, and

10 affidavits, as follows:

11 "(c) Except as provided in subsection (i) of this Code section, all candidates seeking

12   election in a nonpartisan election shall file their notice of candidacy and pay the prescribed

13   qualifying fee by the date prescribed in this subsection in order to be eligible to have their

14   names placed on the nonpartisan election ballot by the Secretary of State or election

15   superintendent, as the case may be, in the following manner:

16   (1) Each candidate for the office of <u>district attorney,</u> judge of the superior court, Judge

17   of the Court of Appeals, or Justice of the Supreme Court, or the candidate's agent,

18   desiring to have his or her name placed on the nonpartisan election ballot shall file a

19   notice of candidacy, giving his or her name, residence address, and the office sought, in

20   the office of the Secretary of State no earlier than 9:00 A.M. on the fourth Monday in

21   June immediately prior to the election and no later than 12:00 Noon on the Friday

22   following the fourth Monday in June, notwithstanding the fact that any such days may

23   be legal holidays; and

24   (2) Each candidate for a county ~~judicial~~ office, a local school board office, or an office

25   of a consolidated government, or the candidate's agent, desiring to have his or her name

26   placed on the nonpartisan election ballot shall file notice of candidacy in the office of the

27   superintendent no earlier than 9:00 A.M. on the fourth Monday in June immediately prior

28   to the election and no later than 12:00 Noon on the Friday following the fourth Monday

29   in June, notwithstanding the fact that any such days may be legal holidays."

30   "(1) All candidates seeking election in a nonpartisan election shall file their notice of

31   candidacy and pay the prescribed qualifying fee by the date prescribed in this paragraph

32   in order to be eligible to have their names placed on the nonpartisan election ballot by the

33   Secretary of State or election superintendent, as the case may be, in the following

34   manner:

35   (A) Each candidate for the office of district attorney, judge of the superior court, Judge

36   of the Court of Appeals, or Justice of the Supreme Court, or the candidate's agent,

37   desiring to have his or her name placed on the nonpartisan election ballot shall file a

38   notice of candidacy, giving his or her name, residence address, and the office sought,

39   in the office of the Secretary of State no earlier than 9:00 A.M. on the last Monday in

40   July immediately prior to the election and no later than 12:00 Noon on the Friday

41   following the last Monday in July, notwithstanding the fact that any such days may be

42   legal holidays; and

43   (B) Each candidate for a county judicial office, a local school board office, or an office

44   of a consolidated government, or the candidate's agent, desiring to have his or her name

45   placed on the nonpartisan election ballot shall file a notice of candidacy in the office

46   of the superintendent no earlier than 9:00 A.M. on the last Monday in July immediately

47   prior to the election and no later than 12:00 Noon on the Friday following the last

48   Monday in July, notwithstanding the fact that any such days may be legal holidays;"

49   **SECTION 2.**

50   Said chapter is further amended by revising subsection (a) of Code Section 21-2-139, relating

51   to the authorization of nonpartisan elections, as follows:

52   "(a) Notwithstanding any other provisions of this chapter to the contrary, the General

53   Assembly may provide by local Act for the election in nonpartisan elections of candidates

54   to fill the office of district attorney, county judicial offices, offices of local school boards,

55   and offices of consolidated governments which are filled by the vote of the electors of said

56   county or political subdivision. Except as otherwise provided in this Code section, the

57   procedures to be employed in such nonpartisan elections shall conform as nearly as

58   practicable to the procedures governing nonpartisan elections as provided in this chapter.

59   Except as otherwise provided in this Code section, the election procedures established by

60   any existing local law which provides for the nonpartisan election of candidates to fill

61   county offices shall conform to the general procedures governing nonpartisan elections as

62   provided in this chapter, and such nonpartisan elections shall be conducted in accordance

63   with the applicable provisions of this chapter, notwithstanding the provisions of any

64   existing local law. For those offices for which the General Assembly, pursuant to this

65   Code section, provided by local Act for election in nonpartisan primaries and elections,

66   such offices shall no longer require nonpartisan primaries. Such officers shall be elected

67   in nonpartisan elections held and conducted in conjunction with the November general

68   election in accordance with this chapter without a prior nonpartisan primary. Nonpartisan

69   elections for municipal offices shall be conducted on the dates provided in the municipal

70   charter."

71   **SECTION 3.**

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