

Senate Bill 109

By: Senators McKoon of the 29th, Williams of the 19th, Cowser of the 46th and Staton of the 18th

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 primaries and elections generally, so as to adjust the dates for certain elections to be held in  
3 2012 and the dates for qualifying for such elections; 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 style="text-align:center">**SECTION 1.**

7 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and  
8 elections generally, is amended by revising paragraph (2) of subsection (b) of Code  
9 Section 21-2-150, relating to the date of the general primary, as follows:

10 "(2) For general primaries held in the even-numbered year immediately following the  
11 official release of the United States decennial census data to the states for the purpose of  
12 redistricting of the legislatures and the United States House of Representatives, the  
13 general primary shall be conducted on the ~~next-to-last~~ last Tuesday in ~~August~~ July."

14 style="text-align:center">**SECTION 2.**

15 Said chapter is further amended by revising subsections (c) and (f) of Code Section 21-2-153,  
16 relating to qualification of candidates for party nomination in a state or county primary, as  
17 follows:

18 "(c)(1) In the case of a general state or county primary, the candidates or their agents  
19 shall commence qualifying at 9:00 A.M. on the fourth Monday in April immediately prior  
20 to the state or county primary and shall cease qualifying at 12:00 Noon on the Friday  
21 following the fourth Monday in April, notwithstanding the fact that any such days may  
22 be legal holidays; provided, however, that, in the case of a general primary held in the  
23 even-numbered year immediately following the official release of the United States  
24 decennial census data to the states for the purpose of redistricting of the legislatures and  
25 the United States House of Representatives, the candidates or their agents for political

26 party nomination to county offices shall commence qualifying at 9:00 A.M. on the ~~third~~  
 27 Wednesday ~~in June~~ following the third Monday in May immediately prior to such  
 28 primary and shall cease qualifying at 12:00 Noon on the Friday following the ~~third~~  
 29 Wednesday ~~in June~~ following the third Monday in May, notwithstanding the fact that any  
 30 such days may be legal holidays, and provided, further, that candidates for political party  
 31 nomination to federal and state offices in a general primary shall commence qualifying  
 32 at 9:00 A.M. on the ~~third~~ Wednesday ~~in June~~ following the third Monday in May  
 33 immediately prior to such primary and shall cease qualifying at 12:00 Noon on the Friday  
 34 following the ~~third~~ Wednesday ~~in June~~ following the third Monday in May,  
 35 notwithstanding the fact that any such days may be legal holidays, and shall qualify in  
 36 person or by their agents with their respective political party in the state capitol under  
 37 such rules and regulations as the Secretary of State may promulgate and provided,  
 38 further, that all qualifying for federal and state offices on the last day of the qualifying  
 39 period shall be conducted in the chamber of the House of Representatives in the state  
 40 capitol. In the case of a special primary, the candidate shall qualify no earlier than the  
 41 date of the call for the special primary and no later than 25 days prior to the date of such  
 42 primary, and such qualifying period shall be open for a minimum of two and one-half  
 43 days.

44 (2) If a political party has not designated at least 14 days prior to the beginning of  
 45 qualifying a party official in a county with whom the candidates of such party for county  
 46 elective offices shall qualify, the election superintendent of the county shall qualify  
 47 candidates on behalf of such party. The election superintendent shall give notice in the  
 48 legal organ of the county at least three days before the beginning of qualifying giving the  
 49 dates, times, and location for qualifying candidates on behalf of such political party."

50 "(f) Candidates for the office of presidential elector or their agents who have been  
 51 nominated in accordance with the rules of a political party shall qualify beginning at 9:00  
 52 A.M. on the fourth Monday in April in the year in which a presidential election shall be  
 53 held and shall cease qualifying at 12:00 Noon on the Friday following the fourth Monday  
 54 in April, notwithstanding the fact that any such days may be legal holidays; provided,  
 55 however, that, for presidential elections held in the even-numbered year immediately  
 56 following the official release of the United States decennial census data to the states for the  
 57 purpose of redistricting of the legislatures and the United States House of Representatives,  
 58 candidates for the office of presidential elector who have been nominated in accordance  
 59 with the rules of a political party shall commence qualifying beginning at 9:00 A.M. on the  
 60 ~~third~~ Wednesday ~~in June~~ following the third Monday in May immediately prior to such  
 61 election and shall cease qualifying at 12:00 Noon on the Friday following the ~~third~~  
 62 Wednesday ~~in June~~ following the third Monday in May, notwithstanding the fact that any

63 such days may be legal holidays, and shall qualify in person or by their agents with their  
64 respective political party in the state capitol under such rules and regulations as the  
65 Secretary of State may promulgate."

66 **SECTION 3.**

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