

House Bill 439

By: Representatives Kidd of the 141st and Powell of the 29th

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 generally, so as to provide that an incumbent may qualify for reelection as an
3 independent candidate or as the candidate of a political body without filing a nomination
4 petition; to provide for related matters; to 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
8 generally, is amended by revising subsection (e) of Code Section 21-2-132, relating to filing
9 notice of candidacy, nomination petition, and affidavit, as follows:

10 "(e) Except as provided in subsection (i) of this Code section, each candidate required to
11 file a notice of candidacy by this Code section shall, no earlier than 9:00 A.M. on the fourth
12 Monday in June immediately prior to the election and no later than 12:00 Noon on the
13 second Tuesday in July immediately prior to the election, file with the same official with
14 whom he or she filed his or her notice of candidacy a nomination petition in the form
15 prescribed in Code Section 21-2-170, except that such petition shall not be required if such
16 candidate is:

17 (1) A nominee of a political party for the office of presidential elector when such party
18 has held a national convention and therein nominated candidates for President and Vice
19 President of the United States;

20 (2) Seeking office in a special election;

21 (3) An incumbent qualifying as a candidate to succeed ~~such incumbent if, prior to the~~
22 ~~election in which such incumbent was originally elected to the office for which such~~
23 ~~incumbent seeks reelection, such incumbent filed a notice of candidacy and a nomination~~
24 ~~petition as required by this chapter~~ himself or herself;

25 (4) A candidate seeking election in a nonpartisan election; or

26 (5) A nominee for a state-wide office by a duly constituted political body convention,
27 provided that the political body making the nomination has qualified to nominate
28 candidates for state-wide public office under the provisions of Code Section 21-2-180."

29 **SECTION 2.**

30 All laws and parts of laws in conflict with this Act are repealed.