

House Bill 302 (AS PASSED HOUSE AND SENATE)

By: Representatives Sheldon of the 105<sup>th</sup>, Lindsey of the 54<sup>th</sup>, Yates of the 73<sup>rd</sup>, Bryant of the 160<sup>th</sup>, and Collins of the 27<sup>th</sup>

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

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

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

63 immediately following the ~~third~~ Wednesday ~~in June~~ immediately following the third  
64 Monday in May, notwithstanding the fact that any such days may be legal holidays, and  
65 shall qualify in person or by their agents with their respective political party in the state  
66 capitol under such rules and regulations as the Secretary of State may promulgate."

67

**SECTION 3.**

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