

House Bill 454 (AS PASSED HOUSE AND SENATE)

By: Representatives Hamilton of the 23rd, Meadows of the 5th, Lindsey of the 54th, Oliver of the 83rd, Brooks of the 63rd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 5 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated,
2 relating presidential preference primary, so as to provide for the date of the presidential
3 preference primary; to provide for the submission of the names of candidates and the
4 publishing of such list; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 5 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating
9 presidential preference primary, is amended by revising Code Section 21-2-191, relating to
10 parties entitled to hold primaries, dates, decision to elect delegates to presidential nominating
11 convention in primary, and qualifying periods for candidates for delegate, as follows:

12 "21-2-191.

13 As provided in this article, a presidential preference primary shall be held in ~~2008~~ 2012 and
14 every four years thereafter for each political party or body which has cast for its candidates
15 for President and Vice President in the last presidential election more than 20 percent of
16 the total vote cast for President and Vice President in ~~the~~ this state, so that the electors may
17 express their preference for one person to be the candidate for nomination by such person's
18 party or body for the office of President of the United States; provided, however, that no
19 elector shall vote in the primary of more than one political party or body in the same
20 presidential preference primary. Such primary shall be held ~~on February 5, 2008, and on~~
21 ~~the first Tuesday in February every four years thereafter~~ in each year in which a
22 presidential election is to be conducted on a date selected by the Secretary of State which
23 shall not be later than the second Tuesday in June in such year. The Secretary of State shall
24 select such date no later than December 1 of the year immediately preceding such primary.

25 A state political party or body may by rule choose to elect any portion of its delegates to
26 that party's or body's presidential nominating convention in the primary; and, if a state
27 political party or body chooses to elect any portion of its delegates, such state political

28 party or body shall establish the qualifying period for those candidates for delegate and
 29 delegate alternate positions which are to be elected in the primary and for any party
 30 officials to be elected in the primary and shall also establish the date on which state and
 31 county party executive committees shall certify to the Secretary of State or the
 32 superintendent, as the case may be, the names of any such candidates who are to be elected
 33 in the primary; provided, however, that such dates shall not be later than ~~November 1 of~~
 34 ~~the year preceding the year in which~~ 60 days preceding the date on which the presidential
 35 preference primary is to be held."

36 **SECTION 2.**

37 Said article is further amended by revising Code Section 21-2-193, relating to list of names
 38 of candidates to appear on ballot and publication of list, as follows:

39 "21-2-193.

40 ~~Not~~ On a date set by the Secretary of State, but not later than ~~November 1 of the year~~
 41 ~~preceding the year in which~~ 60 days preceding the date on which a presidential preference
 42 primary is to be held, the state executive committee of each party which is to conduct a
 43 presidential preference primary shall submit to the Secretary of State a list of the names of
 44 the candidates of such party to appear on the presidential preference primary ballot. Such
 45 lists shall be published by on the website of the Secretary of State ~~in a newspaper of~~
 46 ~~general circulation in the state~~ during the first fourth week of ~~December in the year~~
 47 immediately preceding the year in date on which the presidential preference primary is to
 48 be held."

49 **SECTION 3.**

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