

House Bill 939

By: Representatives Rynders of the 152nd, Brockway of the 101st, Hamilton of the 23rd, Powell of the 29th, and Morgan of the 39th

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 provide that, if the disqualification of a candidate
3 is the result of an error or negligence and not the result of any action of the candidate and
4 such error or negligence is verified in writing by the Secretary of State, the qualifying fee
5 paid by the candidate may be refunded to the candidate; to provide for related matters; to
6 repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and
10 elections generally, is amended by revising subsection (e) of Code Section 21-2-134, relating
11 to withdrawal, death, or disqualification of candidate for office and nomination certificate,
12 as follows:

13 "(e) The qualifying fee shall be returned to the candidate in the event such candidate
14 withdraws, dies, or is disqualified prior to the close of the qualifying period; however, after
15 the close of the qualifying period, the qualifying fee shall not be returned to the candidate
16 for any reason including withdrawal, death, or disqualification; provided, however, that,
17 if such disqualification is the result of an error or negligence of the officer with whom such
18 candidate qualified and not the result of any action of the candidate and such error or
19 negligence is verified in writing by the Secretary of State, such fee may be refunded to the
20 candidate."

21 **SECTION 2.**

22 All laws and parts of laws in conflict with this Act are repealed.