

Senate Bill 4

By: Senator Carter of the 1st

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 and primaries generally, so as to provide for the nonpartisan election of clerks of
3 superior court; to provide for the qualifying for such offices; to provide for related matters;
4 to repeal 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 elections and
8 primaries generally, is amended by revising paragraph (2) of subsection (c) and
9 subparagraph (i)(1)(B) of Code Section 21-2-132, relating to filing notices of candidacy,
10 nomination petitions, and affidavits, as follows:

11 "(2) Each candidate for a county ~~judicial~~ office, a local school board office, or an office
12 of a consolidated government, or the candidate's agent, desiring to have his or her name
13 placed on the nonpartisan election ballot shall file notice of candidacy in the office of the
14 superintendent no earlier than 9:00 A.M. on the fourth Monday in April immediately
15 prior to the election and no later than 12:00 Noon on the Friday following the fourth
16 Monday in April, notwithstanding the fact that any such days may be legal holidays;".

17 "(B) Each candidate for a county ~~judicial~~ office, a local school board office, or an
18 office of a consolidated government, or the candidate's agent, desiring to have his or her
19 name placed on the nonpartisan election ballot shall file a notice of candidacy in the
20 office of the superintendent at the same time as candidates for party nomination in the
21 general primary as provided in paragraph (1) of subsection (c) of Code Section
22 21-2-153, notwithstanding the fact that any such days may be legal holidays; and".

23 **SECTION 2.**

24 Said chapter is further amended by revising subsection (a) of Code Section 21-2-139, relating
25 to the authorization of nonpartisan elections, as follows:

26 "(a) Notwithstanding any other provisions of this chapter to the contrary, the General
27 Assembly may provide by local Act for the election in nonpartisan elections of candidates
28 to fill the office of clerk of superior court, county judicial offices, offices of local school
29 boards, and offices of consolidated governments which are filled by the vote of the electors
30 of said county or political subdivision. Except as otherwise provided in this Code section,
31 the procedures to be employed in such nonpartisan elections shall conform as nearly as
32 practicable to the procedures governing nonpartisan elections as provided in this chapter.
33 Except as otherwise provided in this Code section, the election procedures established by
34 any existing local law which provides for the nonpartisan election of candidates to fill
35 county offices shall conform to the general procedures governing nonpartisan elections as
36 provided in this chapter, and such nonpartisan elections shall be conducted in accordance
37 with the applicable provisions of this chapter, notwithstanding the provisions of any
38 existing local law. For those offices for which the General Assembly, pursuant to this
39 Code section, provided by local Act for election in nonpartisan primaries and elections,
40 such offices shall no longer require nonpartisan primaries. Such officers shall be elected
41 in nonpartisan elections held and conducted in conjunction with the general primary in
42 even-numbered years in accordance with this chapter without a prior nonpartisan primary.
43 This Code section shall apply to all nonpartisan elections for members of consolidated
44 governments. All nonpartisan elections for members of consolidated governments shall
45 be governed by the provisions of this Code section and shall be considered county elections
46 and not municipal elections for the purposes of this Code section. Nonpartisan elections
47 for municipal offices shall be conducted on the dates provided in the municipal charter."

48 **SECTION 3.**

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