

The Senate Ethics Committee offered the following substitute to HB 310:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 21 of the Official Code of Georgia Annotated, relating to elections, so as to
2 revise the dates for primaries and elections and runoffs resulting therefrom; to revise times
3 for qualifying for office; to revise the time for calling certain special elections; to revise the
4 times for filing certain campaign financing disclosure reports; to provide for related matters;
5 to provide an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

7
8 Title 21 of the Official Code of Georgia Annotated, relating to elections, is amended by
9 revising subsections (c), (d), (e), and (i) of Code Section 21-2-132, relating to filing notice
10 of candidacy, nomination petition, and affidavit; payment of qualifying fee; pauper's affidavit
11 and qualifying petition for exemption from qualifying fee; and military service, as follows:

12 "~~(c) Except as provided in subsection (i) of this Code section, all~~ All candidates seeking
13 election in a nonpartisan election shall file their notice of candidacy and pay the prescribed
14 qualifying fee by the date prescribed in this subsection in order to be eligible to have their
15 names placed on the nonpartisan election ballot by the Secretary of State or election
16 superintendent, as the case may be, in the following manner:

17 (1) Each candidate for the office of judge of the superior court, Judge of the Court of
18 Appeals, or Justice of the Supreme Court, or the candidate's agent, desiring to have his
19 or her name placed on the nonpartisan election ballot shall file a notice of candidacy,
20 giving his or her name, residence address, and the office sought, in the office of the
21 Secretary of State no earlier than 9:00 A.M. on the ~~fourth~~ fourth Monday ~~in April~~ of the
22 eleventh week immediately prior to the election and no later than 12:00 Noon on the
23 Friday immediately following ~~the fourth~~ such Monday ~~in April~~, notwithstanding the fact
24 that any such days may be legal holidays;

25 (2) Each candidate for a county judicial office, a local school board office, or an office
26 of a consolidated government, or the candidate's agent, desiring to have his or her name
27 placed on the nonpartisan election ballot shall file notice of candidacy in the office of the

28 superintendent no earlier than 9:00 A.M. on the ~~fourth~~ Monday ~~in April~~ of the eleventh
 29 week immediately prior to the election and no later than 12:00 Noon on the Friday
 30 immediately following ~~the fourth~~ such Monday ~~in April~~, notwithstanding the fact that any
 31 such days may be legal holidays;

32 (3) Each candidate for a nonpartisan municipal office or a designee shall file a notice of
 33 candidacy in the office of the municipal superintendent of such candidate's municipality
 34 during the municipality's nonpartisan qualifying period. Each municipal superintendent
 35 shall designate the days of such qualifying period, which shall be no less than three days
 36 and no more than five days. The days of the qualifying period shall be consecutive days.
 37 Nonpartisan qualifying periods shall commence no earlier than 8:30 A.M. on the last
 38 Monday in August immediately preceding the general election and shall end no later
 39 than 4:30 P.M. on the following Friday; and, in the case of a special election, the
 40 municipal nonpartisan qualifying period shall commence no earlier than the date of the
 41 call and shall end no later than 25 days prior to the election; and

42 (4) In any case where an incumbent has filed notice of candidacy and paid the prescribed
 43 qualifying fee in a nonpartisan election to succeed himself or herself in office but
 44 withdraws as a candidate for such office prior to the close of the applicable qualifying
 45 period prescribed in this subsection, qualifying for candidates other than such incumbent
 46 shall be reopened at 9:00 A.M. on the Monday next following the close of the preceding
 47 qualifying period and shall cease at 5:00 P.M. on the Tuesday immediately following
 48 such reopening, notwithstanding the fact that any such days may be legal holidays.

49 (d) ~~Except as provided in subsection (i) of this Code section, all~~ All political body and
 50 independent candidates shall file their notice of candidacy and pay the prescribed
 51 qualifying fee by the date prescribed in this subsection in order to be eligible to have their
 52 names placed on the election ballot by the Secretary of State or election superintendent, as
 53 the case may be, in the following manner:

54 (1) Each candidate for federal or state office, or his or her agent, desiring to have his or
 55 her name placed on the election ballot shall file a notice of his or her candidacy, giving
 56 his or her name, residence address, and the office he or she is seeking, in the office of the
 57 Secretary of State either during the period beginning at 9:00 A.M. on the ~~fourth~~ Monday
 58 ~~in April~~ of the thirty-fifth week immediately prior to the election and ending at 12:00
 59 Noon on the Friday immediately following ~~the fourth~~ such Monday ~~in April~~,
 60 notwithstanding the fact that any such days may be legal holidays, or during the period
 61 beginning at 9:00 A.M. on the fourth Monday in June immediately prior to the election
 62 and ending at 12:00 Noon on the Friday following the fourth Monday in June,
 63 notwithstanding the fact that any such days may be legal holidays, in the case of a general
 64 election. In the case of a special election to fill a federal office, each candidate shall file

65 a notice of his or her candidacy, giving his or her name, residence address, and the office
 66 sought, in the office of the Secretary of State no earlier than the date of the call of the
 67 special election and no later than 60 days prior to the special election. In the case of a
 68 special election to fill a state office, each candidate shall file a notice of his or her
 69 candidacy, giving his or her name, residence address, and the office sought, in the office
 70 of the Secretary of State and no earlier than the date of the call of the special election and
 71 no later than 25 days prior to the special election in the case of a special election;

72 (2) Each candidate for a county office, or his or her agent, desiring to have his or her
 73 name placed on the election ballot shall file notice of his or her candidacy in the office
 74 of the superintendent of his or her county either during the period beginning at 9:00 A.M.
 75 on the ~~fourth~~ Monday ~~in April~~ of the thirty-fifth week immediately prior to the election
 76 and ending at 12:00 Noon on the Friday immediately following ~~the fourth~~ such Monday
 77 ~~in April~~, notwithstanding the fact that any such days may be legal holidays, or during the
 78 period beginning at 9:00 A.M. on the fourth Monday in June immediately prior to the
 79 election and ending at 12:00 Noon on the Friday following the fourth Monday in June,
 80 notwithstanding the fact that any such days may be legal holidays, in the case of a general
 81 election and no earlier than the date of the call of the election and no later than 25 days
 82 prior to the election in the case of a special election;

83 (3) Each candidate for municipal office or a designee shall file a notice of candidacy in
 84 the office of the municipal superintendent of such candidate's municipality during the
 85 municipality's qualifying period. Each municipal superintendent shall designate the days
 86 of the qualifying period, which shall be no less than three days and no more than five
 87 days. The days of the qualifying period shall be consecutive days. Qualifying periods
 88 shall commence no earlier than 8:30 A.M. on the last Monday in August immediately
 89 preceding the general election and shall end no later than 4:30 P.M. on the following
 90 Friday; and, in the case of a special election, the municipal qualifying period shall
 91 commence no earlier than the date of the call and shall end no later than 25 days prior to
 92 the election; and

93 (4)(A) In extraordinary circumstances as described in Code Section 21-2-543.1, each
 94 candidate, or his or her agent, desiring to have his or her name placed on the election
 95 ballot shall file a notice of his or her candidacy, giving his or her name, residence
 96 address, and the office he or she is seeking, with the Office of the Secretary of State no
 97 earlier than the date of the call of the special election and ~~not~~ no later than ten days after
 98 the announcement of such extraordinary circumstances.

99 (B) The provisions of this subsection shall not apply where, during the 75 day period
 100 beginning on the date of the announcement of the vacancy:

101 (i) A regularly scheduled general election for the vacant office is to be held; or

102 (ii) Another special election for the vacant office is to be held pursuant to a writ for
 103 a special election issued by the Governor prior to the date of the announcement of the
 104 vacancy.

105 The hours of qualifying each day shall be from 8:30 A.M. until 4:30 P.M. with one hour
 106 allowed for the lunch break; provided, however, that municipalities which have normal
 107 business hours which cover a lesser period of time shall conduct qualifying during normal
 108 business hours for each such municipality. Except in the case of a special election, notice
 109 of the opening and closing dates and the hours for candidates to qualify shall be published
 110 at least two weeks prior to the opening of the qualifying period.

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

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

121 (2) Seeking office in a special election;

122 (3) An incumbent qualifying as a candidate to succeed himself or herself;

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

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

127 ~~"(i) Notwithstanding any other provision of this chapter to the contrary, for general~~
 128 ~~elections held in the even-numbered year immediately following the official release of the~~
 129 ~~United States decennial census data to the states for the purpose of redistricting of the~~
 130 ~~legislatures and the United States House of Representatives, candidates in such elections~~
 131 ~~shall qualify as provided in this subsection:~~

132 ~~(1) All candidates seeking election in a nonpartisan election shall file their notice of~~
 133 ~~candidacy and pay the prescribed qualifying fee by the date prescribed in this paragraph~~
 134 ~~in order to be eligible to have their names placed on the nonpartisan election ballot by the~~
 135 ~~Secretary of State or election superintendent, as the case may be, in the following~~
 136 ~~manner:~~

137 ~~(A) Each candidate for the office of judge of the superior court, Judge of the Court of~~
 138 ~~Appeals, or Justice of the Supreme Court, or the candidate's agent, desiring to have his~~

139 ~~or her name placed on the nonpartisan election ballot shall file a notice of candidacy,~~
 140 ~~giving his or her name, residence address, and the office sought, in the office of the~~
 141 ~~Secretary of State at the same time as candidates for party nomination in the general~~
 142 ~~primary as provided in paragraph (1) of subsection (c) of Code Section 21-2-153,~~
 143 ~~notwithstanding the fact that any such days may be legal holidays;~~

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

150 ~~(C) In any case where an incumbent has filed notice of candidacy and paid the~~
 151 ~~prescribed qualifying fee in a nonpartisan election to succeed himself or herself in~~
 152 ~~office but withdraws as a candidate for such office prior to the close of the applicable~~
 153 ~~qualifying period prescribed in this paragraph, qualifying for candidates other than such~~
 154 ~~incumbent shall be reopened at 9:00 A.M. on the Monday next following the close of~~
 155 ~~the preceding qualifying period and shall cease at 5:00 P.M. on the Tuesday~~
 156 ~~immediately following such reopening, notwithstanding the fact that any such days may~~
 157 ~~be legal holidays;~~

158 ~~(2) All political body and independent candidates shall file their notice of candidacy and~~
 159 ~~pay the prescribed qualifying fee by the date prescribed in this paragraph in order to be~~
 160 ~~eligible to have their names placed on the general election ballot by the Secretary of State~~
 161 ~~or election superintendent, as the case may be, in the following manner:~~

162 ~~(A) Each candidate for federal or state office, or his or her agent, desiring to have his~~
 163 ~~or her name placed on the general election ballot shall file a notice of his or her~~
 164 ~~candidacy, giving his or her name, residence address, and the office he or she is~~
 165 ~~seeking, in the office of the Secretary of State either during the period beginning at 9:00~~
 166 ~~A.M. on the Wednesday immediately following the third Monday in May immediately~~
 167 ~~prior to such election and ending at 12:00 Noon on the Friday immediately following~~
 168 ~~the Wednesday immediately following the third Monday in May, notwithstanding the~~
 169 ~~fact that any such days may be legal holidays, or during the period beginning at 9:00~~
 170 ~~A.M. on the last Monday in July immediately prior to the election and ending at 12:00~~
 171 ~~Noon on the Friday following the last Monday in July, notwithstanding the fact that any~~
 172 ~~such days may be legal holidays; and~~

173 ~~(B) Each candidate for a county office, or his or her agent, desiring to have his or her~~
 174 ~~name placed on the general election ballot shall file notice of his or her candidacy in the~~
 175 ~~office of the superintendent of his or her county either during the period beginning at~~

176 ~~9:00 A.M. on the Wednesday immediately following the third Monday in May~~
 177 ~~immediately prior to such election and ending at 12:00 Noon on the Friday immediately~~
 178 ~~following the Wednesday immediately following the third Monday in May,~~
 179 ~~notwithstanding the fact that any such days may be legal holidays, or during the period~~
 180 ~~beginning at 9:00 A.M. on the last Monday in July immediately prior to the election and~~
 181 ~~ending at 12:00 Noon on the Friday following the last Monday in July, notwithstanding~~
 182 ~~the fact that any such days may be legal holidays; and~~

183 ~~(3) Candidates required to file nomination petitions under subsection (e) of this Code~~
 184 ~~section shall file such petitions not earlier than 9:00 A.M. on the fourth Monday in July~~
 185 ~~immediately prior to the general election and not later than 12:00 Noon on the first~~
 186 ~~Monday in August immediately prior to the general election Reserved."~~

187

SECTION 2.

188 Said title is further amended by revising Code Section 21-2-150, relating to the date of the
 189 general primary and conflicts with political party conventions, as follows:

190 "21-2-150.

191 (a) Whenever any political party holds a primary to nominate candidates for public offices
 192 to be filled in the ensuing November election, such primary shall be held on the ~~third~~
 193 ~~Tuesday in July~~ of the twenty-fourth week prior to the November general election in each
 194 even-numbered year or, in the case of municipalities, on the third Tuesday in July in each
 195 odd-numbered year, ~~except as provided in subsection (b) of this Code section.~~

196 (b)(1) ~~Whenever the primary occurs during the same week of the national convention of~~
 197 ~~either the political party whose candidates received the highest number of votes or the~~
 198 ~~political party whose candidates received the next highest number of votes in the last~~
 199 ~~presidential election, the general primary shall be conducted on the second Tuesday in~~
 200 ~~July of such year. This paragraph shall not apply unless the date of the convention of the~~
 201 ~~political party is announced by the political party prior to April 1 of the year in which the~~
 202 ~~general primary is conducted.~~

203 (2) ~~For general primaries held in the even-numbered year immediately following the~~
 204 ~~official release of the United States decennial census data to the states for the purpose of~~
 205 ~~redistricting of the legislatures and the United States House of Representatives, the~~
 206 ~~general primary shall be conducted on the last Tuesday in July."~~

207

SECTION 3.

208 Said title is further amended by revising subsections (c) and (f) of Code Section 21-2-153,
 209 relating to qualification of candidates for party nomination in a state or county primary,
 210 posting of list of all qualified candidates, filing of affidavit with political party by each

211 qualifying candidate, and performance of military service does not create vacancy, as
 212 follows:

213 "(c)(1)(A) In the case of a general state or county primary, the candidates or their
 214 agents shall commence qualifying at 9:00 A.M. on the ~~fourth Monday in April~~ of the
 215 eleventh week immediately prior to the state or county primary and shall cease
 216 qualifying at 12:00 Noon on the Friday immediately following the ~~fourth~~ such Monday
 217 ~~in April~~, notwithstanding the fact that any such days may be legal holidays. All
 218 qualifying for federal and state offices shall be conducted in the state capitol.

219 ~~(B) In the case of a general primary held in the even-numbered year immediately~~
 220 ~~following the official release of the United States decennial census data to the states for~~
 221 ~~the purpose of redistricting of the legislatures and the United States House of~~
 222 ~~Representatives:~~

223 ~~(i) The candidates or their agents for political party nomination to county offices shall~~
 224 ~~commence qualifying at 9:00 A.M. on the Wednesday immediately following the~~
 225 ~~third Monday in May immediately prior to such primary and shall cease qualifying~~
 226 ~~at 12:00 Noon on the Friday immediately following the Wednesday immediately~~
 227 ~~following the third Monday in May, notwithstanding the fact that any such days may~~
 228 ~~be legal holidays, and~~

229 ~~(ii) Candidates for political party nomination to federal and state offices in a general~~
 230 ~~primary shall commence qualifying at 9:00 A.M. on the Wednesday immediately~~
 231 ~~following the third Monday in May immediately prior to such primary and shall cease~~
 232 ~~qualifying at 12:00 Noon on the Friday immediately following the Wednesday~~
 233 ~~immediately following the third Monday in May, notwithstanding the fact that any~~
 234 ~~such days may be legal holidays, and shall qualify in person or by their agents with~~
 235 ~~their respective political party in the state capitol under such rules and regulations as~~
 236 ~~the Secretary of State may promulgate. All qualifying for federal and state offices on~~
 237 ~~the last day of the qualifying period shall be conducted in the chamber of the House~~
 238 ~~of Representatives in the state capitol~~ Reserved.

239 (C) In the case of a special primary for a federal office, the candidate shall qualify no
 240 earlier than the date of the call for the special primary and no later than ~~25~~ 60 days
 241 immediately prior to the date of such special primary, and such qualifying period shall
 242 be open for a minimum of two and one-half days. In the case of a special primary for
 243 any other office, the candidate shall qualify no earlier than the date of the call for the
 244 special primary and no later than 25 days immediately prior to the date of such special
 245 primary, and such qualifying period shall be open for a minimum of two and one-half
 246 days.

247 (D) In any case where an incumbent has qualified as a candidate to succeed himself or
 248 herself in office but withdraws as a candidate for such office prior to the close of the
 249 applicable qualifying period prescribed in this paragraph, qualifying for candidates
 250 other than such incumbent shall be reopened at 9:00 A.M. on the Monday next
 251 following the close of the preceding qualifying period and shall cease at 5:00 P.M. on
 252 the Tuesday immediately following such reopening, notwithstanding the fact that any
 253 such days may be legal holidays.

254 (2) If a political party has not designated at least 14 days immediately prior to the
 255 beginning of qualifying a party official in a county with whom the candidates of such
 256 party for county elective offices shall qualify, the election superintendent of the county
 257 shall qualify candidates on behalf of such party. The election superintendent shall give
 258 notice in the legal organ of the county at least three days before the beginning of
 259 qualifying giving the dates, times, and location for qualifying candidates on behalf of
 260 such political party."

261 "(f) Candidates for the office of presidential elector or their agents who have been
 262 nominated in accordance with the rules of a political party shall qualify beginning at
 263 9:00 A.M. on the ~~fourth~~ Monday in ~~April~~ of the thirty-fifth week prior to the November
 264 general election in the year in which a presidential election shall be held and shall cease
 265 qualifying at 12:00 Noon on the Friday immediately following ~~the fourth~~ such Monday in
 266 ~~April~~, notwithstanding the fact that any such days may be legal holidays; ~~provided,~~
 267 ~~however, that, for presidential elections held in the even-numbered year immediately~~
 268 ~~following the official release of the United States decennial census data to the states for the~~
 269 ~~purpose of redistricting of the legislatures and the United States House of Representatives,~~
 270 ~~candidates for the office of presidential elector who have been nominated in accordance~~
 271 ~~with the rules of a political party shall commence qualifying beginning at 9:00 A.M. on the~~
 272 ~~Wednesday immediately following the third Monday in May immediately prior to such~~
 273 ~~election and shall cease qualifying at 12:00 Noon on the Friday immediately following the~~
 274 ~~Wednesday immediately following the third Monday in May, notwithstanding the fact that~~
 275 ~~any such days may be legal holidays, and shall qualify in person or by their agents with~~
 276 ~~their respective political party in the state capitol under such rules and regulations as the~~
 277 ~~Secretary of State may promulgate. All qualifying for the office of presidential elector~~
 278 shall be conducted in the state capitol."

279 SECTION 4.

280 Said title is further amended by revising subsection (e) of Code Section 21-2-172, relating
 281 to nomination of presidential electors and candidates of political bodies by convention, as
 282 follows:

283 "(e) A convention for the purpose of nominating candidates shall be held at least 150 days
 284 prior to the date on which the general election is conducted; ~~provided, however, that, in the~~
 285 ~~case of a general election held in the even-numbered year immediately following the~~
 286 ~~official release of the United States decennial census data to the states for the purpose of~~
 287 ~~redistricting of the legislatures and the United States House of Representatives, the~~
 288 ~~convention shall be held at least 120 days prior to the date on which the general election~~
 289 ~~is conducted."~~

290 **SECTION 5.**

291 Said title is further amended by revising Code Section 21-2-187, relating to holding of
 292 conventions by political bodies and filing notice of candidacy, as follows:

293 "21-2-187.

294 Political bodies shall hold their conventions in accordance with Code Section 21-2-172,
 295 and candidates nominated for state-wide public office in convention shall file a notice of
 296 candidacy no earlier than 9:00 A.M. on the fourth Monday in June immediately prior to the
 297 election and no later than 12:00 Noon on the Friday following the fourth Monday in June
 298 as prescribed in Code Section 21-2-132; provided, however, that the political body must
 299 file its qualifying petition no later than 12:00 Noon on the second Tuesday in July
 300 following the convention as prescribed in Code Section 21-2-172 in order to qualify its
 301 candidates to be listed on the general election ballot; ~~provided, further, that, for general~~
 302 ~~elections held in the even-numbered year immediately following the official release of the~~
 303 ~~United States decennial census data to the states for the purpose of redistricting of the~~
 304 ~~legislatures and the United States House of Representatives, candidates nominated for~~
 305 ~~state-wide public office shall file a notice of candidacy no earlier than 9:00 A.M. on the last~~
 306 ~~Monday in July immediately prior to the election and no later than 12:00 Noon on the~~
 307 ~~Friday following the last Monday in July as prescribed in Code Section 21-2-132;~~
 308 ~~provided, further, that the political body must file its qualifying petition no later than 12:00~~
 309 ~~Noon on the first Monday in August following the convention as prescribed in Code~~
 310 ~~Section 21-2-172 in order to qualify its candidates to be listed on the general election~~
 311 ~~ballot."~~

312 **SECTION 6.**

313 Said title is further amended by revising subsection (d) of Code Section 21-2-385, relating
 314 to procedure for voting by absentee ballot and advance voting, as follows:

315 "(d)(1) There shall be a period of advance voting that shall commence:

316 (A) ~~on~~ On the fourth Monday immediately prior to each primary or election;

317 (B) ~~and as~~ On the fourth Monday immediately prior to a runoff from a general primary;

318 (C) On the fourth Monday immediately prior to a runoff from a general election in
 319 which there are candidates for a federal office on the ballot in the runoff; and
 320 (D) As soon as possible prior to a runoff from any other general election in which there
 321 are only state or county candidates on the ballot in the runoff
 322 and shall end on the Friday immediately prior to each primary, election, or runoff.
 323 Voting shall be conducted during normal business hours on weekdays during such period
 324 and shall be conducted on the second Saturday prior to a primary or election during the
 325 hours of 9:00 A.M. through 4:00 P.M.; provided, however, that in primaries and elections
 326 in which there are no federal or state candidates on the ballot, no Saturday voting hours
 327 shall be required. Except as otherwise provided in this paragraph, counties and
 328 municipalities may extend the hours for voting beyond regular business hours and may
 329 provide for additional voting locations pursuant to Code Section 21-2-382 to suit the
 330 needs of the electors of the jurisdiction at their option."

331 **SECTION 7.**

332 Said title is further amended by revising subsection (a) of Code Section 21-2-501, relating
 333 to number of votes required for election, as follows:

334 "(a)(1) Except as otherwise provided in this Code section, no candidate shall be
 335 nominated for public office in any primary or special primary or elected to public office
 336 in any election or special election unless such candidate shall have received a majority
 337 of the votes cast to fill such nomination or public office. In instances where no candidate
 338 receives a majority of the votes cast, a run-off primary, special primary runoff, run-off
 339 election, or special election runoff between the candidates receiving the two highest
 340 numbers of votes shall be held. Unless such date is postponed by a court order, such
 341 run-off primary, ~~or special primary runoff, run-off election, or special election runoff~~
 342 ~~shall be held on the twenty-first day after the day of holding the preceding primary or~~
 343 ~~special primary, provided that, unless postponed by court order, a runoff in the case of~~
 344 ~~an election or special election shall be held on the twenty-eighth day after the day of~~
 345 ~~holding the preceding election or special election; provided, however, that, in the event~~
 346 ~~that a special election is held at the time of a general primary, any special election runoff~~
 347 ~~shall be held at the time of the general primary runoff as provided in this subsection.~~

348 (2) In the case of a runoff from a general primary or a special primary or special election
 349 held in conjunction with a general primary, the runoff shall be held on the Tuesday of the
 350 ninth week following such general primary.

351 (3) In the case of a runoff from a general election for a federal office or a runoff from a
 352 special primary or special election for a federal office held in conjunction with a general

353 election, the runoff shall be held on the Tuesday of the ninth week following such general
 354 election.

355 (4) In the case of a runoff from a general election for an office other than a federal office
 356 or a runoff from a special primary or special election for an office other than a federal
 357 office held in conjunction with a general election, the runoff shall be held on the
 358 twenty-eighth day after the day of holding the preceding general election.

359 (5) In the case of a runoff from a special primary or special election for a federal office
 360 not held in conjunction with a general primary or general election, the runoff shall be held
 361 on the Tuesday of the ninth week following such special primary or special election.

362 (6) In the case of a runoff from a special primary or special election for an office other
 363 than a federal office not held in conjunction with a general primary or general election,
 364 the runoff shall be held on the twenty-eighth day after the day of holding the preceding
 365 special primary or special election.

366 (7) If any candidate eligible to be in a runoff withdraws, dies, or is found to be ineligible,
 367 the remaining candidates receiving the two highest numbers of votes shall be the
 368 candidates in the runoff.

369 (8) The candidate receiving the highest number of the votes cast in such run-off primary,
 370 special primary runoff, run-off election, or special election runoff to fill the nomination
 371 or public office sought shall be declared the winner.

372 (9) The name of a write-in candidate eligible for election in a runoff shall be printed on
 373 the election or special election run-off ballot in the independent column.

374 (10) The run-off primary, special primary runoff, run-off election, or special election
 375 runoff shall be a continuation of the primary, special primary, election, or special election
 376 for the particular office concerned. Only the electors who were duly registered to vote
 377 and not subsequently deemed disqualified to vote in the primary, special primary,
 378 election, or special election for candidates for that particular office shall be entitled to
 379 vote therein, and only those votes cast for the persons designated as candidates in such
 380 run-off primary, special primary runoff, run-off election, or special election runoff shall
 381 be counted in the tabulation and canvass of the votes cast. No elector shall vote in a
 382 run-off primary or special primary runoff in violation of Code Section 21-2-224."

383 **SECTION 8.**

384 Said title is further amended by revising subsection (b) of Code Section 21-2-540, relating
 385 to conduct of special elections generally, as follows:

386 "(b) At least 29 days shall intervene between the call of a special primary and the holding
 387 of same, and at least 29 days shall intervene between the call of a special election and the
 388 holding of same. The period during which candidates may qualify to run in a special

389 primary or a special election shall remain open for a minimum of two and one-half days.
 390 Special elections which are to be held in conjunction with the presidential preference
 391 primary, a state-wide general primary, or state-wide general election shall be called at least
 392 90 days prior to the date of such presidential preference primary, state-wide general
 393 primary, or state-wide general election; provided, however, that this requirement shall not
 394 apply to special elections held on the same date as such presidential preference primary,
 395 state-wide general primary, or state-wide general election but conducted completely
 396 separate and apart from such state-wide general primary or state-wide general election
 397 using different ballots or voting equipment, facilities, poll workers, and paperwork.
 398 Notwithstanding any provision of this subsection to the contrary, special elections which
 399 are to be held in conjunction with the state-wide general primary or state-wide general
 400 election in 2014 shall be called at least 60 days prior to the date of such state-wide general
 401 primary or state-wide general election."

402 **SECTION 9.**

403 Said title is further amended by revising subsection (c) of Code Section 21-5-34, relating to
 404 disclosure reports, as follows:

405 "(c) Candidates or campaign committees which accept contributions, make expenditures
 406 designed to bring about the nomination or election of a candidate, or have filed a
 407 declaration of intention to accept campaign contributions pursuant to subsection (g) of
 408 Code Section 21-5-30 shall file campaign contribution disclosure reports in compliance
 409 with the following schedule:

- 410 (1) In each nonelection year on January 31 and June 30;
- 411 (2) In each election year:
- 412 (A) On January 31, March 31, June 30, September 30, ~~and~~ October 25, and
 413 December 31;
- 414 (B) Six days before any run-off primary or election in which the candidate is listed on
 415 the ballot; and
- 416 (C) During the period of time between the last report due prior to the date of any
 417 election for which the candidate is qualified and the date of such election, all
 418 contributions of \$1,000.00 or more shall be reported within two business days of receipt
 419 and also reported on the next succeeding regularly scheduled campaign contribution
 420 disclosure report;
- 421 (3) If the candidate is a candidate in a special primary or special primary runoff, 15 days
 422 prior to the special primary and six days prior to the special primary runoff; and
- 423 (4) If the candidate is a candidate in a special election or special election runoff, 15 days
 424 prior to the special election and six days prior to the special election runoff.

425 All persons or entities required to file reports shall have a five-day grace period in filing
426 the required reports, except that the grace period shall be two days for required reports
427 prior to run-off primaries or run-off elections, and no grace period shall apply to
428 contributions required to be reported within two business days. Reports required to be filed
429 within two business days of a contribution shall be reported by facsimile or electronic
430 transmission. Any facsimile filing shall also have an identical electronic filing within five
431 business days following the transmission of such facsimile filing. Each report required in
432 the election year shall contain cumulative totals of all contributions which have been
433 received and all expenditures which have been made in support of the campaign in question
434 and which are required, or previously have been required, to be reported."

435 **SECTION 10.**

436 This Act shall become effective upon its approval by the Governor or upon its becoming law
437 without such approval.

438 **SECTION 11.**

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