

House Bill 333

By: Representatives Sharper of the 177<sup>th</sup>, Wilkerson of the 38<sup>th</sup>, and Kidd of the 145<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 1 of Article 4 of Chapter 2 of Title 21 and Article 1 of Chapter 16 of Title 45  
2 of the Official Code of Georgia Annotated, relating to general provisions relative to the  
3 selection and qualification of candidates and presidential electors and general provisions  
4 relative to coroners, respectively, so as to provide for the nonpartisan election of coroners;  
5 to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 1 of Article 4 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated,  
9 relating to general provisions relative to the selection and qualification of candidates and  
10 presidential electors, is amended by revising Code Section 21-2-138, relating to nonpartisan  
11 elections for judicial offices, as follows:

12 "21-2-138.

13 The names of all candidates who have qualified with the Secretary of State for the office  
14 of judge of a superior court, Judge of the Court of Appeals, or Justice of the Supreme Court  
15 of this state and the names of all candidates who have qualified with the election  
16 superintendent for the office of coroner or judge of a state court shall be placed on the  
17 ballot in a nonpartisan election to be held and conducted jointly with the general primary  
18 in each even-numbered year. No candidates for any such office shall be nominated by a  
19 political party or by a petition as a candidate of a political body or as an independent  
20 candidate. Candidates for any such office shall have their names placed on the nonpartisan  
21 portion of each ballot by complying with the requirements prescribed in Code Section  
22 21-2-132 specifically related to such nonpartisan candidates and by paying the requisite  
23 qualifying fees as prescribed in Code Section 21-2-131. Candidates shall be listed on the  
24 official ballot in a nonpartisan election as provided in Code Sections 21-2-284.1 and  
25 21-2-285.1, respectively. Except as otherwise specified in this chapter, the procedures to  
26 be employed in conducting the nonpartisan election of coroners, judges of state courts,

27 judges of superior courts, Judges of the Court of Appeals, and Justices of the Supreme  
 28 Court shall conform as nearly as practicable to the procedures governing general elections;  
 29 and such general election procedures as are necessary to complete this nonpartisan election  
 30 process shall be adopted in a manner consistent with such nonpartisan elections."

31 **SECTION 2.**

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

34 "(a) Notwithstanding any other provisions of this chapter to the contrary, the General  
 35 Assembly may provide by local Act for the election in nonpartisan elections of candidates  
 36 to fill county judicial offices not otherwise provided for in Code Section 21-2-138, offices  
 37 of local school boards, and offices of consolidated governments which are filled by the vote  
 38 of the electors of said county or political subdivision. Except as otherwise provided in this  
 39 Code section, the procedures to be employed in such nonpartisan elections shall conform  
 40 as nearly as practicable to the procedures governing nonpartisan elections as provided in  
 41 this chapter. Except as otherwise provided in this Code section, the election procedures  
 42 established by any existing local law which provides for the nonpartisan election of  
 43 candidates to fill county offices shall conform to the general procedures governing  
 44 nonpartisan elections as provided in this chapter, and such nonpartisan elections shall be  
 45 conducted in accordance with the applicable provisions of this chapter, notwithstanding the  
 46 provisions of any existing local law. For those offices for which the General Assembly,  
 47 pursuant to this Code section, provided by local Act for election in nonpartisan primaries  
 48 and elections, such offices shall no longer require nonpartisan primaries. Such officers  
 49 shall be elected in nonpartisan elections held and conducted in conjunction with the general  
 50 primary in even-numbered years in accordance with this chapter without a prior  
 51 nonpartisan primary. This Code section shall apply to all nonpartisan elections for  
 52 members of consolidated governments. All nonpartisan elections for members of  
 53 consolidated governments shall be governed by the provisions of this Code section and  
 54 shall be considered county elections and not municipal elections for the purposes of this  
 55 Code section. Nonpartisan elections for municipal offices shall be conducted on the dates  
 56 provided in the municipal charter."

57 **SECTION 3.**

58 Article 1 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to  
 59 general provisions relative to coroners, is amended by revising subsection (a) of Code  
 60 Section 45-16-1, relating to the election, commission, removal, and qualifications of  
 61 coroners, as follows:

62 "~~(a) Coroners are elected;~~ shall be elected by the qualified electors of the county, shall be  
63 elected on a nonpartisan basis as provided by law, and shall serve for a term of four years.  
64 Coroners shall be commissioned; and removed as are clerks of the superior courts;~~and~~  
65 ~~coroners shall hold their offices for four years."~~

66 **SECTION 4.**

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