

House Bill 330

By: Representatives Sharper of the 177th and Kidd of the 145th

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 15
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 sheriffs, respectively, so as to provide for the nonpartisan election of sheriffs; to
5 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 paragraph (2) of subsection (c) of Code Section
11 21-2-132, relating to filing notice of candidacy, nomination petition, and affidavit, as
12 follows:

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

20 **SECTION 2.**

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

23 "(a) The office of sheriff shall be filled by election in nonpartisan elections.
24 Notwithstanding any other provisions of this chapter to the contrary, the General Assembly
25 may provide by local Act for the election in nonpartisan elections of candidates to fill other

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

46 **SECTION 3.**

47 Article 1 of Chapter 16 of Title 15 of the Official Code of Georgia Annotated, relating to
 48 general provisions relative to sheriffs, is amended by revising subsection (b) of Code Section
 49 15-16-1, relating to the qualification requirements for sheriff, as follows:

50 "(b) **General requirements.** Except as otherwise provided in this Code section, sheriffs
 51 ~~are elected,~~ shall be elected by the qualified electors of the county and shall be elected on
 52 a nonpartisan basis as provided by law and shall be qualified, commissioned, hold their
 53 offices for the same term, and are subject to the same disabilities as the clerks of the
 54 superior courts."

55 **SECTION 4.**

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