

Senate Bill 399

By: Senators McKoon of the 29th, Crane of the 28th, Williams of the 27th, Hill of the 32nd,
Heath of the 31st and others

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 filling of a United States senator
3 vacancy by special election only; to provide for procedures for a special election; to provide
4 for related matters; to provide an effective date; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and
9 primaries generally, is amended by revising Code Section 21-2-542, relating to special
10 election for United States senator vacancy and temporary appointment by Governor, as
11 follows:

12 "21-2-542.

13 Whenever a vacancy shall occur in the representation of this state in the Senate of the
14 United States, ~~such vacancy shall be filled for the unexpired term by the vote of the electors~~
15 ~~of the state at a special election to be held at the time of the next November state-wide~~
16 ~~general election, occurring at least 40 days after the occurrence of such vacancy; and it~~
17 ~~shall be the duty of the Governor to issue his or her proclamation for such election. Until~~
18 ~~such time as the vacancy shall be filled by an election as provided in this Code section, the~~
19 ~~Governor may make a temporary appointment to fill such vacancy~~ the Governor shall
20 issue, within ten days after the occurrence of such vacancy, a writ of election to the
21 Secretary of State for a special election to fill such vacancy, which election shall be held
22 on the date named in the writ, which shall not be less than 30 days after its issuance. Upon
23 receiving the writ of election from the Governor, the Secretary of State shall then transmit
24 the writ of election to the superintendent of each county and shall publish the call of the
25 election."

26 **SECTION 2.**

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

29 **SECTION 3.**

30 All laws and parts of laws in conflict with this Act are repealed.