

Senate Bill 32

By: Senator McKoon of the 29th

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 revise the dates for primaries and elections and  
3 runoffs resulting therefrom; to revise times for qualifying for office; to revise the time for  
4 calling certain special elections; to provide definitions; to provide that electors who are  
5 eligible to vote by absentee ballot under the federal Uniformed and Overseas Citizens  
6 Absentee Voting Act, as amended, shall vote by instant run-off ballot; to provide for related  
7 matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

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

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

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

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

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

45 (B) In any case in which no individual has filed a notice of candidacy and paid the  
 46 prescribed qualifying fee to fill a particular office in a nonpartisan municipal election,  
 47 the governing authority of the municipality shall be authorized to reopen qualifying for  
 48 candidates at 9:00 A.M. on the Monday next following the close of the preceding  
 49 qualifying period and cease such qualifying at 5:00 P.M. on the Tuesday immediately  
 50 following such Monday, notwithstanding the fact that such days may be legal holidays;  
 51 and

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

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

- 64 (1) Each candidate for federal or state office, or his or her agent, desiring to have his or  
 65 her name placed on the election ballot shall file a notice of his or her candidacy, giving  
 66 his or her name, residence address, and the office he or she is seeking, in the office of the  
 67 Secretary of State either during the period beginning at 9:00 A.M. on the fourth Monday  
 68 ~~of the thirty-fifth week in April~~ immediately prior to the election and ending at 12:00  
 69 Noon on the Friday ~~immediately~~ following ~~such~~ the fourth Monday in April,  
 70 notwithstanding the fact that any such days may be legal holidays, or during the period  
 71 beginning at 9:00 A.M. on the fourth Monday in June immediately prior to the election  
 72 and ending at 12:00 Noon on the Friday following the fourth Monday in June,  
 73 notwithstanding the fact that any such days may be legal holidays, in the case of a general  
 74 election. ~~In the case of a special election to fill a federal office, each candidate shall file~~  
 75 ~~a notice of his or her candidacy, giving his or her name, residence address, and the office~~  
 76 ~~sought, in the office of the Secretary of State no earlier than the date of the call of the~~  
 77 ~~special election and no later than 60 days prior to the special election. In the case of a~~  
 78 ~~special election to fill a state office, each candidate shall file a notice of his or her~~  
 79 ~~candidacy, giving his or her name, residence address, and the office sought, in the office~~  
 80 ~~of the Secretary of State and~~ no earlier than the date of the call of the special election and  
 81 no later than 25 days prior to the ~~special~~ election in the case of a special election;
- 82 (2) Each candidate for a county office, or his or her agent, desiring to have his or her  
 83 name placed on the election ballot shall file notice of his or her candidacy in the office  
 84 of the superintendent of his or her county either during the period beginning at 9:00 A.M.  
 85 on the fourth Monday ~~of the thirty-fifth week in April~~ immediately prior to the election  
 86 and ending at 12:00 Noon on the Friday ~~immediately~~ following ~~such~~ the fourth Monday  
 87 in April, notwithstanding the fact that any such days may be legal holidays, or during the  
 88 period beginning at 9:00 A.M. on the fourth Monday in June immediately prior to the  
 89 election and ending at 12:00 Noon on the Friday following the fourth Monday in June,  
 90 notwithstanding the fact that any such days may be legal holidays, in the case of a general  
 91 election and no earlier than the date of the call of the election and no later than 25 days  
 92 prior to the election in the case of a special election;
- 93 (3) Each candidate for municipal office or a designee shall file a notice of candidacy in  
 94 the office of the municipal superintendent of such candidate's municipality during the  
 95 municipality's qualifying period. Each municipal superintendent shall designate the days  
 96 of the qualifying period, which shall be no less than three days and no more than five  
 97 days. The days of the qualifying period shall be consecutive days. Qualifying periods  
 98 shall commence no earlier than 8:30 A.M. on the third Monday in August immediately  
 99 preceding the general election and shall end no later than 4:30 P.M. on the following  
 100 Friday; and, in the case of a special election, the municipal qualifying period shall

101 commence no earlier than the date of the call and shall end no later than 25 days prior to  
102 the election; and

103 (4)(A) In extraordinary circumstances as described in Code Section 21-2-543.1, each  
104 candidate, or his or her agent, desiring to have his or her name placed on the election  
105 ballot shall file a notice of his or her candidacy, giving his or her name, residence  
106 address, and the office he or she is seeking, with the office of the Secretary of State no  
107 earlier than the date of the call of the special election and no later than ten days after the  
108 announcement of such extraordinary circumstances.

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

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

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

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

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

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

131 (2) Seeking office in a special election;

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

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

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

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

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

147 (A) Each candidate for the office of judge of the superior court, Judge of the Court of  
148 Appeals, or Justice of the Supreme Court desiring to have his or her name placed on the  
149 nonpartisan election ballot shall file, or have his or her agent file, a notice of candidacy,  
150 giving such candidate's name, residence address, and the office sought, in the office of  
151 the Secretary of State at the same time as candidates for party nomination in the general  
152 primary as provided in paragraph (1) of subsection (c) of Code Section 21-2-153,  
153 notwithstanding the fact that any such days may be legal holidays;

154 (B) Each candidate for a county judicial office, a local school board office, or an office  
155 of a consolidated government desiring to have his or her name placed on the  
156 nonpartisan election ballot shall file, or have his or her agent file, a notice of candidacy  
157 in the office of the superintendent at the same time as candidates for party nomination  
158 in the general primary as provided in paragraph (1) of subsection (c) of Code Section  
159 21-2-153, notwithstanding the fact that any such days may be legal holidays; and

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

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

172 (A) Each candidate for federal or state office desiring to have his or her name placed  
173 on the general election ballot shall file, or have his or her agent file, a notice of his or

174 her candidacy, giving such candidate's name, residence address, and the office he or she  
 175 is seeking, in the office of the Secretary of State 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 (B) Each candidate for a county office desiring to have his or her name placed on the  
 184 general election ballot shall file, or have his or her agent file, a notice of candidacy in  
 185 the office of the superintendent of his or her county either during the period beginning  
 186 at 9:00 A.M. on the Wednesday immediately following the third Monday in May  
 187 immediately prior to such election and ending at 12:00 Noon on the Friday immediately  
 188 following the Wednesday immediately following the third Monday in May,  
 189 notwithstanding the fact that any such days may be legal holidays, or during the period  
 190 beginning at 9:00 A.M. on the last Monday in July immediately prior to the election and  
 191 ending at 12:00 Noon on the Friday following the last Monday in July, notwithstanding  
 192 the fact that any such days may be legal holidays; and  
 193 (3) Candidates required to file nomination petitions under subsection (e) of this Code  
 194 section shall file such petitions not earlier than 9:00 A.M. on the fourth Monday in July  
 195 immediately prior to the general election and not later than 12:00 Noon on the first  
 196 Monday in August immediately prior to the general election."

## 197 SECTION 2.

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

200 "21-2-150.

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

206 (b)(1) Whenever the primary occurs during the same week of the national convention of  
 207 either the political party whose candidates received the highest number of votes or the  
 208 political party whose candidates received the next highest number of votes in the last  
 209 presidential election, the general primary shall be conducted on the second Tuesday in

210 July of such year. This paragraph shall not apply unless the date of the national  
 211 convention of the political party is announced by the political party prior to April 1 of the  
 212 year in which the general primary is conducted.

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

217 **SECTION 3.**

218 Said chapter is further amended by revising subsections (c) and (f) of Code Section 21-2-153,  
 219 relating to qualification of candidates for party nomination in a state or county primary,  
 220 posting of list of all qualified candidates, filing of affidavit with political party by each  
 221 qualifying candidate, and performance of military service does not create vacancy, as  
 222 follows:

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

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

233 (i) The candidates or their agents for political party nomination to county offices shall  
 234 commence qualifying at 9:00 A.M. on the Wednesday immediately following the  
 235 third Monday in May immediately prior to such primary and shall cease qualifying  
 236 at 12:00 Noon on the Friday immediately following the Wednesday immediately  
 237 following the third Monday in May, notwithstanding the fact that any such days may  
 238 be legal holidays; and

239 (ii) Candidates for political party nomination to federal and state offices in a general  
 240 primary shall commence qualifying at 9:00 A.M. on the Wednesday immediately  
 241 following the third Monday in May immediately prior to such primary and shall cease  
 242 qualifying at 12:00 Noon on the Friday immediately following the Wednesday  
 243 immediately following the third Monday in May, notwithstanding the fact that any  
 244 such days may be legal holidays, and shall qualify in person or by their agents with  
 245 their respective political party in the state capitol under such rules and regulations as

246 the Secretary of State may promulgate. All qualifying for federal and state offices on  
 247 the last day of the qualifying period shall be conducted in the chamber of the House  
 248 of Representatives in the state capitol.

249 (C) In the case of a special primary ~~for a federal office~~, the candidate shall qualify no  
 250 earlier than the date of the call for the special primary and no later than ~~60~~ 25 days  
 251 immediately prior to the date of such special primary, and such qualifying period shall  
 252 be open for a minimum of two and one-half days. ~~In the case of a special primary for~~  
 253 ~~any other office, the candidate shall qualify no earlier than the date of the call for the~~  
 254 ~~special primary and no later than 25 days immediately prior to the date of such special~~  
 255 ~~primary, and such qualifying period shall be open for a minimum of two and one-half~~  
 256 ~~days.~~

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

264 (2) If a political party has not designated at least 14 days immediately prior to the  
 265 beginning of qualifying a party official in a county with whom the candidates of such  
 266 party for county elective offices shall qualify, the election superintendent of the county  
 267 shall qualify candidates on behalf of such party. The election superintendent shall give  
 268 notice in the legal organ of the county at least three days before the beginning of  
 269 qualifying giving the dates, times, and location for qualifying candidates on behalf of  
 270 such political party."

271 "(f) Candidates for the office of presidential elector or their agents who have been  
 272 nominated in accordance with the rules of a political party shall qualify beginning at  
 273 9:00 A.M. on the fourth Monday ~~of the thirty-fifth week prior to the November general~~  
 274 ~~election in April~~ in the year in which a presidential election shall be held and shall cease  
 275 qualifying at 12:00 Noon on the Friday immediately following ~~such the fourth~~ Monday in  
 276 April, notwithstanding the fact that any such days may be legal holidays; provided,  
 277 however, that, for presidential elections held in the even-numbered year immediately  
 278 following the official release of the United States decennial census data to the states for the  
 279 purpose of redistricting the legislatures and the United States House of Representatives,  
 280 candidates for the office of presidential elector who have been nominated in accordance  
 281 with the rules of a political party shall commence qualifying beginning at 9:00 A.M. on the  
 282 Wednesday immediately following the third Monday in May immediately prior to such



283 election and shall cease qualifying at 12:00 Noon on the Friday immediately following the  
 284 Wednesday immediately following the third Monday in May, notwithstanding the fact that  
 285 any such days may be legal holidays, and shall qualify in person or by their agents with  
 286 their respective political party in the state capitol under such rules and regulations as the  
 287 Secretary of State may promulgate. All qualifying for the office of presidential elector  
 288 shall be conducted in the state capitol."

289 **SECTION 4.**

290 Said chapter is further amended by revising subsection (e) of Code Section 21-2-172, relating  
 291 to nomination of presidential electors and candidates of political bodies by convention, as  
 292 follows:

293 "(e) A convention for the purpose of nominating candidates shall be held at least 150 days  
 294 prior to the date on which the general election is conducted; provided, however, that, in the  
 295 case of a general election held in the even-numbered year immediately following the  
 296 official release of the United States decennial census data to the states for the purpose of  
 297 redistricting the legislatures and the United States House of Representatives, the  
 298 convention shall be held at least 120 days prior to the date on which the general election  
 299 is conducted."

300 **SECTION 5.**

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

303 "21-2-187.

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

318 provided, further, that the political body must file its qualifying petition no later than 12:00  
 319 Noon on the first Monday in August following the convention as prescribed in Code  
 320 Section 21-2-172 in order to qualify its candidates to be listed on the general election  
 321 ballot."

322 **SECTION 6.**

323 Said chapter is further amended by repealing in its entirety Code Section 21-2-381.1, relating  
 324 to absentee voting procedures for certain qualified electors, and enacting a new Code Section  
 325 21-2-381.1 to read as follows:

326 "21-2-381.1.

327 (a) As used in this Code section, the term:

328 (1) 'Instant run-off ballot' means a ballot in which an elector ranks the candidates in a  
 329 race in the order of the elector's preference.

330 (2) 'Instant run-off voting' means a preferential voting system in which electors rank the  
 331 candidates in order of preference rather than voting for a single candidate and in which,  
 332 in the event that there is a runoff in a race, the elector's highest preferred candidate who  
 333 is in the runoff shall receive the elector's vote in such runoff.

334 (b) A qualified absentee elector, as defined in Code Section 21-2-380, who is entitled to  
 335 vote by absentee ballot under the federal Uniformed and Overseas Citizens Absentee  
 336 Voting Act, 52 U.S.C. Section 20301, et seq., as amended, and who makes a timely  
 337 application for an absentee ballot shall vote in general, special, primary, and run-off  
 338 elections through an instant run-off ballot.

339 (c) The Secretary of State shall develop and promulgate rules and regulations for the use  
 340 of instant run-off voting by such electors."

341 **SECTION 7.**

342 Said chapter is further amended by revising paragraph (1) of subsection (d) of Code  
 343 Section 21-2-385, relating to procedure for voting by absentee ballot and advance voting, as  
 344 follows:

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

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

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

348 (C) ~~On the fourth Monday immediately prior to a runoff from a general election in~~  
 349 which there are candidates for a federal office on the ballot in the runoff; and

350 (D) ~~As as~~ as soon as possible prior to a runoff from any other general election in which  
 351 there are only state or county candidates on the ballot in the runoff

352 and shall end on the Friday immediately prior to each primary, election, or runoff.  
 353 Voting shall be conducted during normal business hours on weekdays during such period  
 354 and shall be conducted on the second Saturday prior to a primary or election during the  
 355 hours of 9:00 A.M. through 4:00 P.M.; provided, however, that in primaries and elections  
 356 in which there are no federal or state candidates on the ballot, no Saturday voting hours  
 357 shall be required; and provided, further, that, if such second Saturday is a public and legal  
 358 holiday pursuant to Code Section 1-4-1, if such second Saturday follows a public and  
 359 legal holiday occurring on the Thursday or Friday immediately preceding such second  
 360 Saturday, or if such second Saturday immediately precedes a public and legal holiday  
 361 occurring on the following Sunday or Monday, such advance voting shall not be held on  
 362 such second Saturday but shall be held on the third Saturday prior to such primary,  
 363 election, or runoff. Except as otherwise provided in this paragraph, counties and  
 364 municipalities may extend the hours for voting beyond regular business hours and may  
 365 provide for additional voting locations pursuant to Code Section 21-2-382 to suit the  
 366 needs of the electors of the jurisdiction at their option."

367 **SECTION 8.**

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

370 "(a)(~~1~~) Except as otherwise provided in this Code section, no candidate shall be  
 371 nominated for public office in any primary or special primary or elected to public office  
 372 in any election or special election unless such candidate shall have received a majority  
 373 of the votes cast to fill such nomination or public office. In instances where no candidate  
 374 receives a majority of the votes cast, a run-off primary, special primary runoff, run-off  
 375 election, or special election runoff between the candidates receiving the two highest  
 376 numbers of votes shall be held. Unless such date is postponed by a court order, such  
 377 run-off primary; or special primary runoff, run-off election, or special election runoff  
 378 shall be held on the twenty-first day after the day of holding the preceding primary or  
 379 special primary, provided that, unless postponed by court order, a runoff in the case of  
 380 an election or special election shall be held on the twenty-eighth day after the day of  
 381 holding the preceding election or special election; provided, however, that, in the event  
 382 that a special election is held at the time of a general primary, any special election runoff  
 383 shall be held at the time of the general primary runoff as provided in this subsection.

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

387 ~~(3) In the case of a runoff from a general election for a federal office or a runoff from a~~  
 388 ~~special primary or special election for a federal office held in conjunction with a general~~  
 389 ~~election, the runoff shall be held on the Tuesday of the ninth week following such general~~  
 390 ~~election.~~

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

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

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

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

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

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

410 ~~(10) The run-off primary, special primary runoff, run-off election, or special election~~  
 411 ~~runoff shall be a continuation of the primary, special primary, election, or special election~~  
 412 ~~for the particular office concerned. Only the electors who were duly registered to vote~~  
 413 ~~and not subsequently deemed disqualified to vote in the primary, special primary,~~  
 414 ~~election, or special election for candidates for that particular office shall be entitled to~~  
 415 ~~vote therein, and only those votes cast for the persons designated as candidates in such~~  
 416 ~~run-off primary, special primary runoff, run-off election, or special election runoff shall~~  
 417 ~~be counted in the tabulation and canvass of the votes cast. No elector shall vote in a~~  
 418 ~~run-off primary or special primary runoff in violation of Code Section 21-2-224."~~

419 **SECTION 9.**

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

422 "(b) At least 29 days shall intervene between the call of a special primary and the holding  
423 of same, and at least 29 days shall intervene between the call of a special election and the  
424 holding of same. The period during which candidates may qualify to run in a special  
425 primary or a special election shall remain open for a minimum of two and one-half days.  
426 Special elections which are to be held in conjunction with the presidential preference  
427 primary, a state-wide general primary, or state-wide general election shall be called at least  
428 90 days prior to the date of such presidential preference primary, state-wide general  
429 primary, or state-wide general election; provided, however, that this requirement shall not  
430 apply to special elections held on the same date as such presidential preference primary,  
431 state-wide general primary, or state-wide general election but conducted completely  
432 separate and apart from such state-wide general primary or state-wide general election  
433 using different ballots or voting equipment, facilities, poll workers, and paperwork.  
434 ~~Notwithstanding any provision of this subsection to the contrary, special elections which~~  
435 ~~are to be held in conjunction with the state-wide general primary or state-wide general~~  
436 ~~election in 2014 shall be called at least 60 days prior to the date of such state-wide general~~  
437 ~~primary or state-wide general election."~~

438 **SECTION 10.**

439 This Act shall become effective on February 1, 2018.

440 **SECTION 11.**

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