

House Bill 133

By: Representatives Pezold of the 133<sup>rd</sup>, Caldwell of the 20<sup>th</sup>, and Clark of the 147<sup>th</sup>

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 primaries and elections generally, so as to change the provisions relating to nomination of  
3 candidates by petition; to provide a short title; to provide for legislative intent; to provide for  
4 related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 This Act shall be known and may be cited as the "Ballot Access Reform Act of 2015."

8 **SECTION 2.**

9 It is the intent of the General Assembly to increase voter participation and political debate  
10 by making the ballot more accessible for candidates of political bodies and for independent  
11 candidates and to provide for simplified and consistent petition standards for all public  
12 offices.

13 **SECTION 3.**

14 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and  
15 elections generally, is amended by revising subsection (b) of Code Section 21-2-170, relating  
16 to nomination of candidates by petition, form of petition, signatures, limitations as to  
17 circulation and amendment of petitions, listing of such candidates on ballots, and charter or  
18 ordinance authorization, as follows:

19 "(b) A nomination petition of a candidate seeking ~~an~~ a state-wide, congressional, General  
20 Assembly, or other office which is voted upon ~~state-wide~~ in a partisan election shall be  
21 signed by a number of voters equal to ~~†~~ at least 2 percent of the total number of ~~registered~~  
22 ~~voters eligible to vote~~ votes cast in the last election for the filling of the office the candidate  
23 is seeking, and the signers of such petition shall be registered and eligible to vote in the  
24 election at which such candidate seeks to be elected. ~~A nomination petition of a candidate~~

25 ~~for any other office shall be signed by a number of voters equal to 5 percent of the total~~  
26 ~~number of registered voters eligible to vote in the last election for the filling of the office~~  
27 ~~the candidate is seeking and the signers of such petition shall be registered and eligible to~~  
28 ~~vote in the election at which such candidate seeks to be elected.~~ However, in the case of  
29 a candidate seeking an office for which there has never been an election or seeking an  
30 office in a newly constituted constituency, the ~~percentage figure~~ number of votes cast for  
31 the purpose of determining nomination petition requirements only shall be computed on  
32 the total number of active registered voters in the constituency who would have been  
33 qualified to vote for such office had the election been held at the last general election,  
34 prorated by the state-wide percentage of registered voters voting, and the signers of such  
35 petition shall be registered and eligible to vote in the election at which such candidate seeks  
36 to be elected. However, if, in the last election for the filling of an office, the candidate  
37 qualified for the same office by nominating petition or other provision of this subsection  
38 and received at least 5 percent of the votes cast for that office, the number of signatures  
39 required shall be reduced by half, and if the candidate received at least 10 percent of the  
40 votes cast for that office, the requirement for a nominating petition shall be waived."

41

**SECTION 4.**

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