

House Bill 1471

By: Representative Amerson of the 7th

A BILL TO BE ENTITLED
AN ACT

1 To provide for the nonpartisan nomination and election of the judge of the Probate Court of
2 Lumpkin County; to provide for the requirements and procedures of the nonpartisan
3 nomination and election; to provide for other matters relative to the foregoing; to provide for
4 the authority for this Act; to provide for submission of this Act for approval under the
5 federal Voting Rights Act of 1965, as amended; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 The judge of the Probate Court of Lumpkin County shall be elected by the qualified voters
10 of Lumpkin County in a nonpartisan primary and election. Except as otherwise provided in
11 this Act, the judge of the probate court shall be elected pursuant to the general elections laws
12 of Georgia.

13 **SECTION 2.**

14 The judge of the probate court shall be elected at the nonpartisan primary and general
15 election immediately preceding the expiration of the term of office of the judge of the
16 probate court and shall take office on January 1 immediately following such election for a
17 term of four years and until such judge's successor is elected and qualified.

18 **SECTION 3.**

19 Candidates for the office of judge of the probate court shall be nominated in a nonpartisan
20 primary to be held at the same time as and in conjunction with the general primary every four
21 years. A nominating petition shall not be required to place the name of any such candidate
22 on the primary ballot. A candidate may have his or her name placed on the primary ballot
23 by filing a notice of candidacy with the county election superintendent and by paying the
24 qualifying fee.

SECTION 4.

The candidate receiving a majority of votes in the nonpartisan primary shall be the nominee for the office of judge of the probate court and shall be the only candidate for such office to have his or her name appear on the general election ballot. In the event no candidate receives a majority of the votes cast, the two candidates receiving the highest number of votes for the office shall be in a runoff to be held on the same day as a runoff from the general primary, as provided by state law, to determine which candidate will be on the general election ballot.

SECTION 5.

The names of all candidates for the office of judge of the probate court shall appear in a separate section of each primary and general election ballot of each elector. No party designation or affiliation shall appear beside the name of any such candidate on any primary or general election ballot, and no candidate for the office of judge of the probate court shall be nominated by any political party.

SECTION 6.

This Act is enacted pursuant to the authority of Code Section 21-2-139 of the O.C.G.A.

SECTION 7.

It shall be the duty of the attorney of the governing authority of Lumpkin County to submit this Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended.

SECTION 8.

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