

Senate Bill 514

By: Senators Bearden of the 30th, Williams of the 25th, Robertson of the 29th, Dolezal of the 27th, Brass of the 6th 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 primaries and elections generally, so as to eliminate authorization for the use of ballot drop
3 boxes; to revise provisions relating to dates for certain special elections related to sales and
4 use taxes; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and
8 elections generally, is amended by repealing subsection (c) of Code Section 21-2-382,
9 relating to additional buildings as additional registrar's office or place of registration for
10 receiving absentee ballots and for advance voting and drop boxes.

11 **SECTION 2.**

12 Said chapter is further amended in Code Section 21-2-540, relating to conduct of special
13 primaries and special elections generally, by revising subsection (c) as follows:

14 "(c)(1) Notwithstanding any other provision of law to the contrary, a special primary or
15 special election to fill a vacancy in a county or municipal office shall be held only on one

16 of the following dates which is at least 29 days after the date of the call for the special
17 election:

18 (A) In odd-numbered years, any such special primary or special election shall only be
19 held on:

20 (i) The third Tuesday in March;

21 (ii) The third Tuesday in June;

22 (iii) The third Tuesday in September; or

23 (iv) The Tuesday after the first Monday in November; and

24 (B) In even-numbered years, any such special primary or special election shall only be
25 held on:

26 (i) The third Tuesday in March; provided, however, that in the event that a special
27 primary or special election is to be held under this provision in a year in which a
28 presidential preference primary is to be held, then any such special primary or special
29 election shall be held on the date of and in conjunction with the presidential
30 preference primary;

31 (ii) The date of the general primary; or

32 (iii) The Tuesday after the first Monday in November;

33 provided, however, that, in the event that a special primary or special election to fill a
34 federal or state office on a date other than the dates provided in this paragraph has been
35 scheduled and it is possible to hold a special primary or special election to fill a vacancy
36 in a county, municipal, or school board office in conjunction with such special primary
37 or special election to fill a federal or state office, the special primary or special election
38 to fill such county, municipal, or school board office may be held on the date of and in
39 conjunction with such special primary or special election to fill such federal or state
40 office, provided all other provisions of law regarding such primaries and elections are
41 met.

42 (2) Notwithstanding any other provision of law to the contrary, a special election to
 43 present a question to the voters shall be held only on one of the following dates which is
 44 at least 29 days after the date of the call for the special election:

45 (A) In odd-numbered years, any such special election shall only be held on the third
 46 Tuesday in March or on the Tuesday after the first Monday in November; and

47 (B) In even-numbered years, any such special election shall only be held on:

48 (i) The date of and in conjunction with the presidential preference primary if one is
 49 held that year;

50 ~~(ii) The third Tuesday in March, provided, however, that such special election shall~~
 51 ~~occur prior to July 1, 2024, and present a question to the voters on sales and use taxes~~
 52 ~~authorized by Articles 5, 5A, and 5B of Chapter 8 of Title 48;~~

53 ~~(iii)~~(ii) The date of the general primary; or

54 ~~(iv)~~(iii) The Tuesday after the first Monday in November.

55 (3) Notwithstanding any other provision of law to the contrary, no special election shall
 56 present a question to the voters on sales and use taxes authorized by Articles 2, 2A, 3, 4,
 57 5, 5A, and 5B of Chapter 8 of Title 48, except on the Tuesday after the first Monday in
 58 November in even numbered years.

59 ~~(3)~~(4) The provisions of this subsection shall not apply to:

60 (A) Special elections held pursuant to Chapter 4 of this title, the 'Recall Act of 1989,'
 61 to recall a public officer or to fill a vacancy in a public office caused by a recall
 62 election; and

63 (B) Special primaries or special elections to fill vacancies in federal or state public
 64 offices."

65 SECTION 3.

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