

Senate Bill 573

By: Senators Setzler of the 37th, Kirkpatrick of the 32nd, Albers of the 56th, Still of the 48th and Dixon of the 45th

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 provide for the nonpartisan election for county
3 officers and district attorneys in certain counties; to provide for the qualifying for such
4 offices; to provide a definition; to provide for related matters; to provide for an effective
5 date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 style="text-align:center">**SECTION 1.**

8 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and
9 primaries generally, is amended in Code Section 21-2-9, relating to date of election for
10 office, by revising subsections (a) and (b) as follows:

11 "(a) The Governor, Lieutenant Governor, Secretary of State, Attorney General, State
12 School Superintendent, Commissioner of Insurance, Commissioner of Agriculture,
13 Commissioner of Labor, members of Congress, district attorneys not elected pursuant to
14 Code Section 21-2-140, members of the General Assembly, and county officers not elected
15 pursuant to Code Section 21-2-139 or 21-2-140 shall be elected in the November election
16 next preceding the expiration of the term of office.

17 (b) Justices of the Supreme Court, Judges of the Court of Appeals, judges of the superior
18 courts, district attorneys elected pursuant to Code Section 21-2-140, and county ~~judicial~~
19 officers, offices of local school boards, and nonpartisan offices elected pursuant to Code
20 Section 21-2-139 or 21-2-140 shall be elected in the nonpartisan general election next
21 preceding the expiration of the term of office."

22 **SECTION 2.**

23 Said chapter is further amended by revising paragraph (2) of subsection (c) of Code
24 Section 21-2-132, relating to filing notice of candidacy, nomination petition, and affidavit,
25 reopening qualifying period, payment of qualifying fee, and pauper's affidavit and qualifying
26 petition for exemption from qualifying fee, as follows:

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

34 **SECTION 3.**

35 Said chapter is further amended by adding a new Code section to read as follows:

36 "21-2-140.

37 (a) As used in this Code section, the term 'medical examiner county' means any county in
38 which the governing authority of the county appoints a medical examiner in lieu of an
39 elected coroner, regardless of whether such appointment is made pursuant to a local
40 constitutional amendment or by general law.

41 (b) Except as provided for in subsection (c) of this Code section, all candidates to fill
42 elected county offices in a medical examiner county shall be elected in nonpartisan
43 elections.

44 (c) The provisions of this Code section shall not apply to:

45 (1) The office of county sheriff;

46 (2) Offices of local boards of education; or

47 (3) Offices of county governing authorities established pursuant to or authorized by a
48 local constitutional amendment.

49 (d) Notwithstanding any other provision of this chapter to the contrary, all candidates to
50 fill the office of district attorney for a judicial circuit comprised solely of a medical
51 examiner county shall be elected in nonpartisan elections. All candidates to fill the office
52 of district attorney for a judicial circuit comprised solely of a medical examiner county
53 shall qualify with the Secretary of State in the same manner as provided for candidates to
54 qualify for the office of judge in Code Section 21-2-138.

55 (e) Such county officers and district attorneys shall be elected in nonpartisan elections held
56 and conducted in conjunction with the general primary in even-numbered years in
57 accordance with this chapter without a prior nonpartisan primary. Except as otherwise
58 provided in this Code section, the procedures employed in such elections shall conform as
59 nearly as practicable to the procedures governing nonpartisan elections as provided in this
60 chapter. Except as otherwise provided in this Code section, the election procedures
61 established by any existing local law which provides for the partisan election of candidates
62 to fill elected county offices shall be repealed and elections for such county offices shall
63 be conducted as nonpartisan elections accordance with the applicable provisions of this
64 chapter, notwithstanding the provisions of any existing local law."

65 **SECTION 4.**

66 This Act shall become effective on January 1, 2027.

67

SECTION 5.

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