

House Bill 980 (COMMITTEE SUBSTITUTE)

By: Representatives Powell of the 32nd, Rynders of the 152nd, Clark of the 147th, Brockway of the 102nd, and Spencer of the 180th

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 qualifying times for municipal elections;
3 to provide for the reopening of qualifications in municipal elections under certain conditions;
4 to provide for related matters; to provide an effective date; to repeal conflicting laws; and for
5 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 21-2-132, relating to filing notice of
10 candidacy, nomination petition, and affidavit; payment of qualifying fee; pauper's affidavit
11 and qualifying petition for exemption from qualifying fee; and military service, by revising
12 paragraph (3) of subsection (c) as follows:

13 "(3)(A) Each candidate for a nonpartisan municipal office or a designee shall file a
14 notice of candidacy in the office of the municipal superintendent of such candidate's
15 municipality during the municipality's nonpartisan qualifying period. Each municipal
16 superintendent shall designate the days of such qualifying period, which shall be no less
17 than three days and no more than five days. The days of the qualifying period shall be
18 consecutive days. Nonpartisan qualifying periods shall commence no earlier than 8:30
19 A.M. on the ~~last~~ third Monday in August immediately preceding the general election
20 and shall end no later than 4:30 P.M. on the following Friday; and, in the case of a
21 special election, the municipal nonpartisan qualifying period shall commence no earlier
22 than the date of the call and shall end no later than 25 days prior to the election; ~~and~~
23 (B) In any case in which no individual has filed a notice of candidacy and paid the
24 prescribed qualifying fee to fill a particular office in a nonpartisan municipal election,
25 the governing authority of the municipality shall be authorized to reopen qualifying for
26 candidates at 9:00 A.M. on the Monday next following the close of the preceding

27 qualifying period and cease such qualifying at 5:00 P.M. on the Tuesday immediately
28 following such Monday notwithstanding the fact that such days may be legal holidays;
29 and"

30

SECTION 2.

31 Said chapter is further amended by revising paragraph (3) of subsection (d) of Code
32 Section 21-2-132, relating to filing notice of candidacy, nomination petition, and affidavit;
33 payment of qualifying fee; pauper's affidavit and qualifying petition for exemption from
34 qualifying fee; and military service, as follows:

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

45

SECTION 3.

46 This Act shall become effective upon its approval by the Governor or upon its becoming law
47 without such approval.

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SECTION 4.

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