Senate Bill 14

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

Kirkpatrick of the 32nd

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 authorize the General Assembly to provide for the

3   nonpartisan election of district attorneys and solicitors-general of state courts; to provide for

4   the qualifying of such offices; to provide for related matters; to repeal conflicting laws; and

5   for other purposes.

6   BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7   **SECTION 1.**

8   Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and

9   elections generally, is amended by revising paragraphs (1) and (2) of subsection (c) of Code

10 Section 21-2-132, relating to filing notice of candidacy, nomination petition, and affidavit,

11 reopening qualifying period, payment of qualifying fee, and pauper's affidavit and qualifying

12 petition for exemption from qualifying fee, as follows:

13   "(1) Each candidate for the office of district attorney when a local Act has been enacted

14   for the filling of such office in a nonpartisan election and each candidate for the office of

15   judge of the superior court, Judge of the Court of Appeals, or Justice of the Supreme

16   Court, or the candidate's agent, desiring to have his or her name placed on the nonpartisan

17   election ballot shall file a notice of candidacy, giving his or her name, residence address,

18   and the office sought, in the office of the Secretary of State no earlier than 9:00 A.M. on

19   the Monday of the eleventh week immediately prior to the election and no later

20   than 12:00 Noon on the Friday immediately following such Monday, notwithstanding the

21   fact that any such days may be legal holidays;

22   (2) Each candidate for solicitor-general of a state court, a county judicial office, a local

23   board of education office, or an office of a consolidated government, or the candidate's

24   agent, desiring to have his or her name placed on the nonpartisan election ballot shall file

25   notice of candidacy in the office of the superintendent no earlier than 9:00 A.M. on the

26   Monday of the eleventh week immediately prior to the election and no later than 12:00

27   Noon on the Friday immediately following such Monday, notwithstanding the fact that

28   any such days may be legal holidays;"

SECTION 2.

30   Said chapter is further amended by revising subsection (a) of Code Section 21-2-139, relating

31   to nonpartisan elections authorized and conduct, as follows:

32   "(a) Notwithstanding any other provisions of this chapter to the contrary, the General

33   Assembly may provide by local Act for the election in nonpartisan elections of candidates

34   to fill the office of district attorney, the office of solicitor-general of the state court, county

35   judicial offices, offices of local boards of education, and offices of consolidated

36   governments which are filled by the vote of the electors of said such judicial circuit,

37   county, or political subdivision. Except as otherwise provided in this Code section, the

38   procedures to be employed in such nonpartisan elections shall conform as nearly as

39   practicable to the procedures governing nonpartisan elections as provided in this chapter.

40   Except as otherwise provided in this Code section, the election procedures established by

41   any existing local law which provides for the nonpartisan election of candidates to fill

42   county offices shall conform to the general procedures governing nonpartisan elections as

43   provided in this chapter, and such nonpartisan elections shall be conducted in accordance

44   with the applicable provisions of this chapter, notwithstanding the provisions of any

45   existing local law. For those offices for which the General Assembly, pursuant to this

46   Code section, provided by local Act for election in nonpartisan primaries and elections,

47   such offices shall no longer require nonpartisan primaries. Such officers shall be elected

48   in nonpartisan elections held and conducted in conjunction with the general primary in

49   even-numbered years in accordance with this chapter without a prior nonpartisan primary.

50   This Code section shall apply to all nonpartisan elections for members of consolidated

51   governments. All nonpartisan elections for members of consolidated governments shall

52   be governed by the provisions of this Code section and shall be considered county elections

53   and not municipal elections for the purposes of this Code section. Nonpartisan elections

54   for municipal offices shall be conducted on the dates provided in the municipal charter."

SECTION 3.

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