

Senate Bill 8 - Prefile

By: Senator Carter of the 1st

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 provide for the nonpartisan election of tax  
3 commissioners, tax receivers, and tax collectors; to provide for the qualifying for such  
4 offices; 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 elections and  
8 primaries generally, is amended by revising paragraph (2) of subsection (c) and paragraph  
9 (i)(1)(B) of Code Section 21-2-132, relating to filing notices of candidacy, nomination  
10 petitions, and affidavits, as follows:

11 "(2) Each candidate for a county ~~judicial~~ office, a local school board office, or an office  
12 of a consolidated government, or the candidate's agent, desiring to have his or her name  
13 placed on the nonpartisan election ballot shall file notice of candidacy in the office of the  
14 superintendent no earlier than 9:00 A.M. on the fourth Monday in April immediately  
15 prior to the election and no later than 12:00 Noon on the Friday following the fourth  
16 Monday in April, notwithstanding the fact that any such days may be legal holidays;".

17 "(B) Each candidate for a county ~~judicial~~ office, a local school board office, or an  
18 office of a consolidated government, or the candidate's agent, desiring to have his or her  
19 name placed on the nonpartisan election ballot shall file a notice of candidacy in the  
20 office of the superintendent at the same time as candidates for party nomination in the  
21 general primary as provided in paragraph (1) of subsection (c) of Code  
22 Section 21-2-153, notwithstanding the fact that any such days may be legal holidays;  
23 and".

24 **SECTION 2.**

25 Said chapter is further amended by revising subsection (a) of Code Section 21-2-139, relating  
26 to the authorization of nonpartisan elections, as follows:

27 "(a) Notwithstanding any other provisions of this chapter to the contrary, the General  
28 Assembly may provide by local Act for the election in nonpartisan elections of candidates  
29 to fill the offices of tax commissioner, tax receiver, and tax collector; county judicial  
30 offices; offices of local school boards; and offices of consolidated governments which are  
31 filled by the vote of the electors of said county or political subdivision. Except as  
32 otherwise provided in this Code section, the procedures to be employed in such nonpartisan  
33 elections shall conform as nearly as practicable to the procedures governing nonpartisan  
34 elections as provided in this chapter. Except as otherwise provided in this Code section,  
35 the election procedures established by any existing local law which provides for the  
36 nonpartisan election of candidates to fill county offices shall conform to the general  
37 procedures governing nonpartisan elections as provided in this chapter, and such  
38 nonpartisan elections shall be conducted in accordance with the applicable provisions of  
39 this chapter, notwithstanding the provisions of any existing local law. For those offices for  
40 which the General Assembly, pursuant to this Code section, provided by local Act for  
41 election in nonpartisan primaries and elections, such offices shall no longer require  
42 nonpartisan primaries. Such officers shall be elected in nonpartisan elections held and  
43 conducted in conjunction with the general primary in even-numbered years in accordance  
44 with this chapter without a prior nonpartisan primary. This Code section shall apply to all  
45 nonpartisan elections for members of consolidated governments. All nonpartisan elections  
46 for members of consolidated governments shall be governed by the provisions of this Code  
47 section and shall be considered county elections and not municipal elections for the  
48 purposes of this Code section. Nonpartisan elections for municipal offices shall be  
49 conducted on the dates provided in the municipal charter."

50 **SECTION 3.**

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