

NOTICE OF INTENT TO ADOPT A PROPOSED
RULE TO THE RULES OF THE STATE ELECTION BOARD:
183-1-11-.02 APPEARANCE OF CANDIDATE'S NAME ON BALLOT
NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Election Board proposes a new rule to the Rules of the State Election Board, Rule 183-1-11-.02 Appearance of Candidate's Name on Ballot.

This notice, together with an exact copy of the proposed rule and a synopsis of the proposed rule, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list for the approved application. A copy of this notice, an exact copy of the proposed rule, and a synopsis of the proposed rule may be reviewed during normal business hours of 8:30 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of Secretary of State, Elections Division, 2 Martin Luther King, Jr. Drive, SE, Suite 1104, Atlanta, Georgia 30334. Copies may be requested by calling the Division at 404-656-2871 or may be found at the State Election Board website (http://www.gaseb.org/rules_amend_adopt.htm).

Where: A public hearing will be held at 10:00 a.m. on Wednesday, February 24, 2010, 2 Martin Luther King, Jr. Drive, SE, West Tower, Room 512, Atlanta, Georgia 30334 to provide the public an opportunity to comment upon and provide input into the proposed rule.

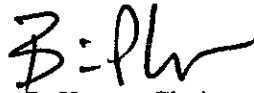
At the public hearing anyone may present data, make a statement, comment, or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for official record. Oral statements should be concise and will be limited to five (5) minutes per person. Written comments are welcome. Such written comments must be legible and signed, should contain contact information from the maker (address, telephone and/or facsimile number, etc.) and be received in the office of the Secretary of State no later than close of business (5:00 p.m.) on Friday, February 19, 2010. Written comments should be addressed to

Wesley Tailor, Division Director, Secretary of State, Elections Division, 2 Martin Luther King Jr. Dr. SE, Suite 1104 Atlanta, GA 30334; telephone: 404-656-2871 or facsimile: 404-651-9531.

The State Election Board will consider the proposed rule for adoption at a meeting scheduled to begin at 10:00 a.m. on Wednesday, February 24, 2010, 2 Martin Luther King, Jr. Drive, SE, West Tower, Room 512, Atlanta, Georgia 30334.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This 8th day of January, 2009.

A handwritten signature in black ink, appearing to read "B:plw".

Brian P. Kemp, Chairperson Georgia State Election Board

Posted: January 13, 2010.

SYNOPSIS OF PROPOSED RULE TO THE RULES OF THE STATE ELECTION BOARD:

RULE 183-1-11-.02 APPEARANCE OF CANDIDATE'S NAME ON BALLOT

PURPOSE: The purpose of the proposed rule is to provide uniformity with respect to how a candidate's name may appear on the ballot so as to be conducive to the fair, legal, and orderly conduct of primaries and elections in this State.

MAIN FEATURES: The main features of the proposed rule are to provide greater specificity as to how first names, nicknames, and additional qualifiers shall appear on a ballot.

PROPOSED RULE TO THE RULES OF THE STATE ELECTION BOARD:

183-1-11-.02 Appearance of Candidate's Name on Ballot.

- (1) A candidate's name shall include a family surname and a given or first name, middle name, or nickname, or an abbreviated version of such given or first name or middle name or appropriate initials such as "Bob" for "Robert", "Jim" for "James", "Wm." for "William", or "S." for "Samuel".
- (2) A candidate's name may include a nickname by which the candidate is commonly known in the community but shall not contain any spurious phrases, title or degree designating the business, fraternal, religious, or professional affiliation of the candidate, or political slogan or message. A title or degree includes, but is not limited to, military or professional title or rank, or references such as "Dr.", "Rev.", "Judge", "Mr.", "Ms.", "Mrs.", or "Miss". A determination as to whether a nickname violates this Rule lies within the sound discretion of the election superintendent.
- (3) An abbreviated name or nickname shall always appear set off within quotation marks and immediately before the last name. Periods shall follow all abbreviations or initials. Additional qualifiers following the last name, such as "Jr" or "III" shall not be separated from the last name by a comma and shall be followed by a period.
- (4) A candidate's name shall always appear in the following form: given or first name or initial, if desired by the candidate; middle name or names or initials, if desired by the candidate; nickname, if desired by the candidate; and last or surname in full. All names shall be in substantially the following form: John Lincoln "Jack" Doe; or J. Lincoln "Jack" Doe; or J. L. "Jack" Doe Jr.; or any of the above combinations without the intervening nickname.
- (5) The total number of spaces, inclusive of letters, spaces, and punctuation, which may be utilized on the ballot for a candidate's name and, if any, nickname, shall be twenty-five (25). Notwithstanding the listing of the candidate's name on the filing papers, spaces, periods, quotation marks, and commas necessary for proper punctuation shall be added by the Secretary of State or the election superintendent, as appropriate. No candidate's name shall exceed twenty-

five (25) spaces. The Secretary of State or the election superintendent, as appropriate, shall determine the correct listing for any candidate whose name exceeds twenty-five (25) spaces to conform to this requirement.

Authority: O.C.G.A. §§ 21-2-31, 21-2-132, 21-2-284, 21-2-284.1, 21-2-285, 21-2-285.1, 21-2-287, 21-2-325.