

Bond Case Briefs

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ELECTION DISTRICTS - GEORGIA

Nelson v. Strickland

Supreme Court of Georgia - January 28, 2025 - S.E.2d - 2025 WL 309403

Unsuccessful candidate for city commissioner filed pro se petition contesting election, alleging that the use of an outdated voting district map resulted in voters casting ballots in wrong districts, which potentially affected election outcome.

The Superior Court entered orders granting petition, vacating election, and directing that a new election be held using updated map. Election winner appealed, and appellate court granted motion to stay trial court's orders pending appeal.

The Supreme Court held that due to city's failure to meet filing requirements under the Municipal Home Rule Act, city charter amendment updating election districts for city commissioners never became effective.

City charter amendment updating election districts for city commissioners never became effective, and thus failure of election officials to use that map did not warrant vacating election for city commissioner; filings that the Municipal Home Rule Act required to be made with the Secretary of State and clerk of superior court were not actually made, and despite argument that city substantially complied with the requirements for amending its charter, making no filings of any kind could hardly be considered substantial compliance with a statutory requirement that consisted entirely of making filings.