

PRESS RELEASE
February 4, 2017

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Appeals Court Upholds Easier Presidential Ballot Access

ATLANTA GA – On February 1, the 11th Circuit U.S. Court of Appeals upheld a U.S. District Court opinion that struck **down** a highly restrictive Georgia ballot access law. The original court opinion to ease ballot access restrictions in Georgia was appealed by Secretary of State Brian Kemp. Sec. Kemp sought to maintain current Georgia law that requires extensive petition signature collection for third parties to place the name of their Presidential candidate on a ballot. The U.S. District Court agreed with a [complaint](#) filed in 2012 against Sec. Kemp by the [Green Party of Georgia](#) and the [Constitution Party of Georgia](#) (CPGA). The 11th Circuit confirmed that the District Court produced a "well-reasoned opinion".

The new interim [decision](#) will stand until the legislature implements less restrictive petitioning laws for third parties. Democrats and Republicans are not required to petition because they **are grandfathered** into the current system. The decision enjoins Secretary Kemp from enforcing [current law](#) that would have normally required over 52,000 verified signatures for either party to place a candidate on the Georgia ballot. That law requires a third party to gather verified signatures from 1% of the registered voters. The new ruling reduced the requirement to 7,500 signatures, or about .15% of registered voters, a dramatic 85% reduction.

Georgia has been ranked by [Ballot Access News](#) as the **most restrictive state** in the country for ballot access. The new threshold is still restrictive compared to neighboring states. In contrast, Florida requires **no signatures** and Tennessee requires 275 signatures to place a third party Presidential candidate on the ballot.

The need for a legal complaint escalated after the former chairman of the House Governmental Affairs Committee denied a hearing for Sen. Rusty Kidd's [HB494](#) bill that would have **eliminated petitioning** requirements altogether as Florida did decades ago. Sec. Kemp refused to support that bill and has achieved no reductions in the petitioning requirements since taking office in early 2010.

The 11th Circuit decision may trigger a new round of lawsuits if the legislature continues its refusal to open the ballot for voter choice. Restrictions for local races are **five times worse** than the Presidential race and could be challenged to comply with the new federal standard. Thus, Georgia taxpayers are forced to risk more unnecessary legal expenses until the legislature and Secretary of State are willing to provide **equal protection** for all Georgia citizens and political bodies seeking access to the ballot.