

House Bill 851

By: Representatives Mobley of the 69th, Mangham of the 75th, Turnquest of the 73rd and Drenner of the 66th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 40-5-1 of the Official Code of Georgia Annotated, relating to
2 definitions relative to motor vehicle drivers' licenses, so as to change certain provisions
3 relating to the definition of "resident"; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Code Section 40-5-1 of the Official Code of Georgia Annotated, relating to definitions
7 relative to motor vehicle drivers' licenses, is amended by striking paragraph (15) and
8 inserting in lieu thereof the following:

9 "(15) 'Resident' means a person who has a permanent home or abode in Georgia to
10 which, whenever such person is absent, he or she has the intention of returning. For the
11 purposes of this chapter, there is a rebuttable presumption that the following person is a
12 resident:

13 (A) Any person who accepts employment or engages in any trade, profession, or
14 occupation in Georgia or enters his or her children to be educated in the private or
15 public schools of Georgia within ten days after the commencement of such employment
16 or education; or

17 (B) Any person who, except for infrequent, brief absences, has been present in the state
18 for 30 or more days;

19 provided, however, that ~~no person shall be considered~~ any person's status as a resident
20 for purposes of this chapter ~~unless~~ shall be determined without regard to whether such
21 person is either a United States citizen or an alien with or without legal authorization
22 from the U.S. Immigration and Naturalization Service."

23 style="text-align:center">**SECTION 2.**

24 All laws and parts of laws in conflict with this Act are repealed.