

House Resolution 89

By: Representatives Epps of the 90th, Howard of the 98th, Murphy of the 97th, Skipper of the 116th, Smyre of the 111th, and others

A RESOLUTION

1 Proposing an amendment to the Constitution so as to provide that persons elected to office
2 who were the nominees of political parties and bodies may not change their party affiliation
3 except under certain circumstances; to provide for the vacation of the person's office under
4 certain circumstances; to provide for the submission of this amendment for ratification or
5 rejection; and for other purposes.

6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article II, Section II of the Constitution is amended by adding a new Paragraph VI to read
9 as follows:

10 "Paragraph VI. ***Change of Political Party or Body by Elected Officials During Term of***
11 ***Office.*** (a) A person who is nominated to a state, county, or municipal office in this state
12 by a political party or body and who subsequently is elected to such office shall not change
13 his or her political party or body membership or affiliation after such election and prior to
14 the expiration of such term of office without first resigning from such office; provided,
15 however, that such person may qualify for nomination by a different political party for the
16 office he or she then holds or for a different office or may be the nominee of a different
17 political party or body for reelection to the office he or she then holds or for a different
18 office without being required first to resign from the office such person then holds.

19 (b) The state, county, or municipal office of a person who changes his or her political
20 party membership without first resigning as required by this Paragraph shall be declared
21 vacant by operation of law upon such person changing his or her political party
22 membership or affiliation and such office shall be filled as provided by law."

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SECTION 2.

2 The above proposed amendment to the Constitution shall be published and submitted as
3 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the
4 above proposed amendment shall have written or printed thereon the following:

5 " YES Shall the Constitution be amended so as to provide that state, county, and
6 municipal elected officials may not change their political party or body
7 NO membership or affiliation without first resigning from office except under
certain circumstances?"

8 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."
9 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If
10 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
11 become a part of the Constitution of this state.