

Senate Bill 552

By: Senators Stokes of the 43rd, Brown of the 26th and Henson of the 41st

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to
2 elections and primaries generally, so as to provide that persons elected to office who were
3 the nominees of political parties and bodies may not change their party affiliation except
4 under certain circumstances; to provide for the vacation of the person's office under certain
5 circumstances; to provide for related matters; to provide for applicability; to provide for an
6 effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and
10 primaries generally, is amended by adding a new Code Section 21-2-18 to read as follows:

11 "21-2-18.

12 (a) A person who is nominated to a state, county, or municipal office in this state by a
13 political party or body and who subsequently is elected to such office shall not change his
14 or her political party or body membership or affiliation during the term of such office
15 without first resigning from such office; provided, however, that such person may qualify
16 for nomination by a different political party or body for the office he or she then holds or
17 for a different office or may be the nominee of a different political party or body for
18 reelection to the office he or she then holds or for a different office without being required
19 first to resign from the office such person then holds.

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

1 **SECTION 2.**

2 This Act shall become effective upon its approval by the Governor or upon its becoming law
3 without such approval and shall apply to all persons nominated as candidates of political
4 parties or bodies who are elected to state, county, or municipal office on or after the effective
5 date of this Act.

6 **SECTION 3.**

7 All laws and parts of laws in conflict with this Act are repealed.