

House Bill 1246 (AS PASSED HOUSE AND SENATE)

By: Representatives Howard, E. of the 121st and Murphy of the 120th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 3 of Title 50 of the Official Code of Georgia Annotated,
2 relating to state and other flags, so as to provide for state flags to honor deceased Georgia
3 elected state officials; to provide for definitions and legislative intent; to provide for related
4 matters; to provide for an effective date and applicability; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 3 of Title 50 of the Official Code of Georgia Annotated, relating to state
9 and other flags, is amended by inserting immediately following Code Section 50-3-11 a new
10 Code section to read as follows:

11 "50-3-12.

12 (a) The purpose of this Code section is to recognize and honor those men and women who
13 have dedicated their lives to public service through the representation of the citizens of this
14 state and, in devoted service thereto, safeguarded the health, safety, and welfare of the
15 citizens of the State of Georgia. To carry out this purpose, the Secretary of State shall,
16 from funds made available for such purpose, furnish, without cost, a state flag to honor the
17 service of a deceased qualifying elected state official, which state flag may be displayed
18 in the funeral service of the deceased elected state official and thereafter given to the
19 elected state official's estate.

20 (b) For purposes of this Code section, a 'qualifying elected state official' is an official
21 elected to serve in a state position and shall include members of the Georgia General
22 Assembly and any official elected by state-wide or local election to serve in a
23 constitutionally created executive or judicial position or elected position on any
24 constitutionally established board or commission. A person committing or convicted of
25 a felony or crime of moral turpitude during or subsequent to holding office or who has been

1 impeached or otherwise removed from public office shall not be considered a 'qualifying
2 elected state official.'

3 (c) The Secretary of State is authorized to administer the recognition program set forth in
4 this Code section and to provide rules and regulations and enter into contracts necessary
5 for the administration of the provisions and the purposes set forth in the Code section."

6 **SECTION 2.**

7 This Act shall become effective on July 1, 2006, and shall apply to the death of a qualifying
8 elected state official occurring on or after that date.

9 **SECTION 3.**

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