

House Bill 605

By: Representative Morris of the 155th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 2 of Title 45 of the Official Code of Georgia Annotated,
2 relating to eligibility and qualifications for public office and public employment, so as to
3 repeal certain provisions relating to prohibited employment of aliens which have been
4 judicially found to be overbroad and unconstitutional; to provide an effective date; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 2 of Title 45 of the Official Code of Georgia Annotated, relating to
9 eligibility and qualifications for public office and public employment, is amended by
10 repealing and reserving Code Section 45-2-7, relating to prohibited and permitted
11 employment of aliens, and Code Section 45-2-8, relating to sanctions, as follows:

12 "45-2-7.

13 Reserved. ~~(a) Except as provided in subsections (b) through (d) of this Code section, no~~
14 ~~department of the state government or any political subdivision thereof shall employ any~~
15 ~~alien for any purpose until a thorough investigation has been made and it is ascertained that~~
16 ~~there is no qualified American citizen available to perform the duty desired.~~

17 ~~(b) An institution of the University System of Georgia may employ an alien who is~~
18 ~~attending such institution as a student. Such an institution may employ any other alien for~~
19 ~~a period of time not to exceed one year or may enter into exchange professorship~~
20 ~~agreements with institutions, foreign or otherwise, where aliens are involved for a period~~
21 ~~of time not to exceed one year.~~

22 ~~(c) The prohibition of subsection (a) of this Code section shall not apply to the~~
23 ~~employment of an alien who is not a Communist and who is in this country as a student~~
24 ~~enrolled in a college or university in this state or in a program of student exchange~~
25 ~~sponsored or participated in by a college or university in this state, as certified by the dean~~
26 ~~or registrar thereof.~~

1 ~~(d) The prohibitions of subsection (a) of this Code section shall not apply to the~~
2 ~~employment of aliens licensed under Code Section 43-34-33, relating to the licensing of~~
3 ~~aliens to practice medicine or pharmacy.~~

4 45-2-8.

5 Reserved. ~~Any department head or any official of any political subdivision in this state~~
6 ~~who violates Code Section 45-2-7 shall be subject to removal from office by the Governor~~
7 ~~of the state."~~

8 **SECTION 2.**

9 This Act shall become effective upon its approval by the Governor or upon its becoming law
10 without such approval.

11 **SECTION 3.**

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