

The House Committee on Governmental Affairs offers the following substitute to HB 413:

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 general provisions relating to eligibility and qualifications for office, so as to
3 provide an exception from the prohibition against residence requirements in a municipality
4 or county as a condition of employment; to provide for related matters; to repeal conflicting
5 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 general provisions relating to eligibility and qualifications for office, is amended by revising
10 Code Section 45-2-5, relating to municipal or county governments not to require residence
11 as condition of employment, as follows:

12 "45-2-5.

13 (a) No municipal or county government in this state shall require as a condition of
14 employment by such government that applicants for employment as officers or employees,
15 or such officers or employees now or hereafter employed, must reside within the
16 boundaries of the municipality or county; provided, however, that this Code section shall
17 not apply to city managers, county managers, or nonemployee officials appointed by the
18 governing authority of a municipality, county, or consolidated government; and provided,
19 further, that this Code section shall not apply to departmental heads of municipalities,
20 counties, or consolidated governments as defined by such municipalities, counties, or
21 consolidated governments by ordinance or resolution.

22 (b) Nothing in this Code section shall be construed to impair or affect any contract in
23 existence on July 1, 2010."

24 **SECTION 2.**

25 All laws and parts of laws in conflict with this Act are repealed.