

## House Resolution 203

By: Representative Ralston of the 7<sup>th</sup>

## A RESOLUTION

1 To provide for the nomination and election of the state auditor; and for other purposes.

2 WHEREAS, in 2012 a vacancy occurred in the office of the state auditor at a time when the  
3 General Assembly was not in session and, as provided by law, the Governor appointed a  
4 person to fill such vacancy; and

5 WHEREAS, the law also provides that the person appointed by the Governor shall serve as  
6 state auditor until the next regular session of the General Assembly, at which time the  
7 nomination and election of a state auditor shall be held by the General Assembly; and

8 WHEREAS, the pertinent provisions of Code Section 50-6-1 of the Official Code of Georgia  
9 Annotated, relating to the state auditor, read as follows:

10 "(b) The state auditor shall be elected by the General Assembly in the following manner:  
11 A joint resolution which shall fix a definite time for the nomination and election of the state  
12 auditor may be introduced in either branch of the General Assembly. Upon passage of the  
13 resolution by a majority vote of the membership of the Senate and House of  
14 Representatives it shall be the duty of the Speaker of the House of Representatives to call  
15 for the nomination and election of the state auditor at the time specified in the resolution,  
16 at which time the name of the qualified person receiving a majority vote of the membership  
17 of the House of Representatives shall be transmitted to the Senate for confirmation. Upon  
18 the qualified person's receiving a majority vote of the membership of the Senate, he shall  
19 be declared the duly elected state auditor; and the Governor shall be notified of his election  
20 by the Secretary of the Senate. The Governor is directed to administer the oath of office  
21 to the state auditor and to furnish the state auditor with a properly executed commission of  
22 office certifying his election.

23 (c) The term of office of the state auditor shall continue until a successor is elected as  
24 provided in subsection (b) of this Code section. In the event of a vacancy in the position  
25 of state auditor at a time when the General Assembly is not in session it shall be the duty

26 of the Governor and he is empowered and directed to appoint a state auditor possessing the  
27 qualifications as provided in subsection (a) of this Code section who shall serve as state  
28 auditor until the next regular session of the General Assembly, at which time the  
29 nomination and election of a state auditor shall be held by the General Assembly as  
30 provided in subsection (b) of this Code section."

31 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF  
32 GEORGIA that the time for the nomination and election of the state auditor shall be one hour  
33 after the convening of the House of Representatives and the Senate on Friday, February 8,  
34 2013, at which time the Speaker shall call for the nomination and election of the state auditor  
35 by the House of Representatives. The name of the person receiving a majority vote of the  
36 membership of the House of Representatives shall be transmitted to the Senate for  
37 confirmation. Upon such person receiving a majority vote of the membership of the Senate,  
38 such person shall be declared the duly elected state auditor and the Secretary of the Senate  
39 shall notify the Governor of the election of such person. Pursuant to law, the Governor shall  
40 administer the oath of office to the state auditor and furnish the state auditor with a properly  
41 executed commission of office certifying the state auditor's election.