

House Bill 436

By: Representatives Turner of the 21st, Hill of the 22nd, Sheldon of the 104th, Carson of the 46th, Caldwell of the 20th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 45-2-1 of the Official Code of Georgia Annotated, relating to
2 persons ineligible to hold office, vacation of office, and validity of acts performed while in
3 office, so as to authorize counties and municipalities to provide by local law for district
4 durational residency requirements; to provide for related matters; to provide an effective
5 date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 45-2-1 of the Official Code of Georgia Annotated, relating to persons ineligible
9 to hold office, vacation of office, and validity of acts performed while in office, is amended
10 by revising paragraph (1) as follows:

11 "(1) Persons who are not citizens of this state and persons under the age of 21 years;
12 provided, however, that upon passage of appropriate local ordinances, citizens of this
13 state who are otherwise qualified and who have attained 18 years of age shall be eligible
14 to hold any county or municipal office, except such offices of a judicial nature. The
15 residency requirement for a candidate for any county office, except offices of a judicial
16 nature, shall be 12 months residency within the county. The residency requirement for
17 a candidate for any municipal office, except offices of a judicial nature, shall be 12
18 months residency within the municipality; provided, however, that municipalities may
19 by charter provide for lesser residency requirements for candidates for municipal office,
20 except offices of a judicial nature. Notwithstanding anything in this paragraph to the
21 contrary, the General Assembly may provide by local law for a period of district
22 residency for candidates for county or municipal office who are elected from districts not
23 to exceed 12 months residency within the district from which such candidate seeks
24 election;"

25 **SECTION 2.**

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

28 **SECTION 3.**

29 All laws and parts of laws in conflict with this Act are repealed.