

House Bill 524

By: Representatives Bell of the 75<sup>th</sup>, Mitchell of the 88<sup>th</sup>, McQueen of the 61<sup>st</sup>, Berry of the 56<sup>th</sup>, and Romman of the 97<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 1 of Title 45 of the Official Code of Georgia Annotated, relating to  
2 general provisions regarding public officers and employees, so as to provide that elected  
3 officers or officials shall not have their employment terminated solely as a result of being  
4 elected to or holding an elected office; to provide for termination of such employment if  
5 holding such office impairs more than half of the elected officer's or official's employment  
6 duties; to provide for mandatory leave without pay for certain public employees holding  
7 certain elected offices; to provide for related matters; to repeal conflicting laws; and for other  
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Chapter 1 of Title 45 of the Official Code of Georgia Annotated, relating to general  
12 provisions regarding public officers and employees, is amended by adding a new Code  
13 section to read as follows:

14 "45-1-9.

15 (a) Except as otherwise provided or required by the Constitution of this state, an elected  
16 officer or official of this state shall not have his or her public or private employment

17 terminated by his or her employer solely on the grounds that such officer or official holds  
18 or has been elected to an elected office. No public or private employer shall terminate the  
19 employment of an elected officer or official on grounds related to his or her holding of or  
20 election to an elected office unless the employer can establish that the official duties of  
21 such elected officer or official prevent him or her from performing more than 51 percent  
22 of the duties assigned to his or her position of employment.

23 (b) Any appointed officer or employee of this state or a county, municipality, consolidated  
24 government, school district, or other political subdivision of this state, who serves as an  
25 elected official of this state or county, municipality, consolidated government, school  
26 district, or other political subdivision of this state, is entitled to a leave of absence, without  
27 pay, from such appointed office or position of employment while such elected official is  
28 fulfilling the duties of his or her elected office."

29 **SECTION 2.**

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