

Senate Bill 533

By: Senators Summers of the 13th, Hickman of the 4th, Anavitarte of the 31st, Tillery of the 19th, Robertson of the 29th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated,
2 relating to general provisions regarding elections and primaries, so as to provide for certain
3 nonresident electors to vote in municipal elections of such municipality; to provide for a
4 definition; to provide for the eligibility and manner of voting in municipal elections by
5 nonresident electors; to provide for procedures for registration and voting by such
6 nonresident electors; to provide for certain rules and regulations; to provide for related
7 matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 1 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to
11 general provisions regarding elections and primaries, is amended by adding a new Code
12 section to read as follows:

13 "21-2-20.

14 (a) As used in this Code section, the term 'nonresident elector' means a person who:

15 (1) Is a legal resident of the county in which a municipality is located;

16 (2) Owns a fee simple interest in real property located in whole or in part in such
17 municipality, but does not reside in such municipality;

18 (3) Registers to vote in accordance with this Code section with such municipality; and

19 (4) Is a citizen of the United States.

20 (b) Notwithstanding any provision of law to the contrary, upon the passage by the General
21 Assembly of a local law applicable to a municipality authorizing such voting, such
22 municipality shall allow nonresident electors to vote in municipal elections of such
23 municipality in accordance with the provisions of this Code section.

24 (c) Real property owned by an artificial entity such as a company, firm, partnership,
25 corporation, limited liability corporation, or other business entity shall not be used to allow
26 any person to vote in a municipal election.

27 (d) Not more than two nonresident electors may register to vote in municipal elections
28 under this Code section per parcel of real property in such municipality. In the event more
29 than two persons who meet the conditions of eligibility to vote in a municipal election
30 under this Code section own real property in such municipality, the owners of such real
31 property shall designate not more than two persons from among their number as the
32 persons eligible to be nonresident electors in such municipality under the provisions of this
33 Code section for such parcel of real property. Such designation, when made, shall be
34 irrevocable so long as the person or persons designated continue to own all or a portion of
35 such parcel of real property and remain eligible to vote under this Code section. When
36 registering to vote as a nonresident elector, each such person shall designate the parcel of
37 real property on which such person is basing such person's eligibility to vote and such
38 designation shall not be changed so long as such person owns all or a portion of such
39 property. A person registering to vote under this Code section in a municipality as a
40 nonresident elector shall provide his or her legal residence address in the county in which
41 the municipality is located as well as the address or description of the real property within

42 such municipality owned by the person and on which such person bases his or her
43 eligibility to vote under this Code section as a nonresident elector.

44 (e) The municipality shall designate on the electors list of the municipality each person
45 registering to vote in elections of such municipality under the provisions of this Code
46 section as a 'NONRESIDENT ELECTOR.'

47 (f) When a nonresident elector designates the parcel of real property from which such
48 elector is registering, the municipal registration officials shall use the location of such
49 property in the municipality for the assignment of the elector to a municipal election
50 precinct and municipal election district, if any.

51 (g) A nonresident elector shall be eligible to vote in municipal elections in the municipality
52 only so long as the nonresident elector continues to meet the conditions of eligibility under
53 this Code section.

54 (h) Ballots of nonresident electors shall be processed and tabulated in accordance with
55 normal procedures for municipal elections as near as practicable.

56 (i) The State Election Board may provide by rule and regulation for additional procedures
57 with regard to nonresident electors voting in municipal elections under this Code section."

58 **SECTION 2.**

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