

House Bill 781

By: Representatives Raffensperger of the 50th, Rynders of the 152nd, Jones of the 167th, Taylor of the 173rd, Broadrick of the 4th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 80 of Title 36, Article 1 of Chapter 2 of Title 45, and Chapter 1 of Title 50
2 of the Official Code of Georgia Annotated, relating to general provisions applicable to
3 counties, municipal corporations, and other governmental entities; general provisions
4 regarding eligibility and qualifications for public office; and general provisions relating to
5 state government, respectively, so as to require that individuals appointed to authorities,
6 boards, councils, and commissions be United States citizens; to provide for other residency
7 requirements; to provide for a definition; to provide for enforcement; to provide an effective
8 date and applicability; to provide for related matters; to repeal conflicting laws; and for other
9 purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to general
13 provisions applicable to counties, municipal corporations, and other governmental entities,
14 is amended by revising Code Section 36-80-1, which is designated as reserved, as follows:
15 "36-80-1.

16 (a) As used in this Code section, the term 'local governing body' means any political
17 subdivision of this state, including any county, consolidated government, municipality, or
18 other local public body corporate, governmental unit, or political subdivision.

19 (b) No individual shall be appointed to serve on an authority, school district, commission,
20 council, or board for a local governing body unless he or she is a citizen of the United
21 States and has been a legal resident of the jurisdiction being served for one year
22 immediately preceding such appointment.

23 (c) It shall be the duty of the appointing body to ensure compliance with this Code section.
24 Reserved."

25 **SECTION 2.**

26 Article 1 of Chapter 2 of Title 45 of the Official Code of Georgia Annotated, relating to
27 general provisions regarding eligibility and qualifications for public office, is amended by
28 adding a new Code section to read as follows:

29 "45-2-10.

30 (a) In addition to all other qualifications to be appointed to serve on any municipal or
31 county board, commission, or authority, an individual shall be a citizen of the United States
32 and a legal resident of the jurisdiction being served for one year immediately preceding
33 such appointment.

34 (b) In addition to all other qualifications to be appointed to serve on any state authority,
35 board, council, or commission, an individual shall be a citizen of the United States and a
36 legal resident of this state for four years immediately preceding such appointment."

37 **SECTION 3.**

38 Chapter 1 of Title 50 of the Official Code of Georgia Annotated, relating to general
39 provisions relating to state government, is amended by adding a new Code section to read
40 as follows:

41 "50-1-10.

42 No individual shall be appointed to serve on a state authority, board, council, or
43 commission unless he or she is a citizen of the United States and has been a legal resident
44 of this state for four years immediately preceding such appointment. It shall be the duty
45 of the appointing body to ensure compliance with this Code section."

46 **SECTION 4.**

47 This Act shall become effective on July 1, 2016, and shall apply to appointments made on
48 or after such date.

49 **SECTION 5.**

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