

House Bill 929

By: Representatives Barr of the 103rd, Brockway of the 102nd, Clark of the 98th, Cooke of the 18th, Ramsey of the 72nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 50 of the Official Code of Georgia Annotated, relating to
2 general provisions regarding state government, so as to provide definitions; to provide for
3 the method of selecting delegates and alternate delegates to an Article V convention; to
4 provide for the qualifications of delegates and alternate delegates; to provide for the recall
5 of delegates and alternate delegates; to provide for oaths; to provide for expenses; to provide
6 for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 1 of Title 50 of the Official Code of Georgia Annotated, relating to general
10 provisions regarding state government, is amended by designating all of the existing text as
11 Article 1 and adding a new article to read as follows:

12 "ARTICLE 2

13 50-1-30.

14 This article shall apply whenever an Article V convention is called pursuant to Article V
15 of the United States Constitution.

16 50-1-31.

17 As used in this article, the term:

18 (1) 'Alternate delegate' means an individual appointed as an alternate delegate as
19 provided by law.

20 (2) 'Article V convention' means a convention for proposing amendments to the
21 Constitution of the United States called for by the states under Article V of the
22 Constitution of the United States.

23 (3) 'Chamber' means either the House of Representatives or the Senate.

24 (4) 'Delegate' means an individual appointed as provided by law to represent Georgia at
 25 an Article V convention.

26 (5) 'House of Representatives' means the House of Representatives of the Georgia
 27 General Assembly.

28 (6) 'Paired delegate' means the delegate with whom an alternate delegate is paired as
 29 provided by law.

30 (7) 'Senate' means the Senate of the Georgia General Assembly.

31 50-1-32.

32 (a) An individual shall satisfy the following to be appointed as a delegate to an Article V
 33 convention:

34 (1) The individual shall reside in Georgia;

35 (2) The individual shall be a registered elector of the State of Georgia;

36 (3) The individual shall be at least 18 years of age;

37 (4) The individual shall not be registered or required to be registered as a lobbyist under
 38 Article 4 of Chapter 5 of Title 21 or any rules and regulations adopted thereunder; and

39 (5) The individual shall not hold any federal office.

40 (b) An individual appointed as an alternate delegate shall have the same qualifications as
 41 a delegate as provided under subsection (a) of this Code section.

42 (c) Whenever an Article V convention is called, the General Assembly shall appoint the
 43 number of delegates allocated to represent Georgia and an equal number of alternate
 44 delegates. If the General Assembly is not in session during the time during which
 45 delegates to an Article V convention shall be appointed, the Governor shall call the General
 46 Assembly into special session under Article V, Section II, Paragraph VII of the
 47 Constitution of Georgia for the purpose of appointing delegates and alternate delegates.

48 (d) To be appointed a delegate or an alternate delegate, an individual shall receive, in each
 49 chamber, the vote of a majority of all the members elected to that chamber. At the time of
 50 appointment, each alternate delegate shall be paired with a delegate as provided in a joint
 51 resolution adopted by the General Assembly.

52 50-1-33.

53 The General Assembly may recall any delegate or alternate delegate and replace that
 54 delegate or alternate delegate with an individual appointed under this article at any time.

55 50-1-34.

56 The General Assembly shall appoint or recall delegates or alternate delegates by joint
 57 resolution.

58 50-1-35.

59 A delegate or alternate delegate shall be entitled to receive the same mileage and travel
60 expenses paid to legislative members of interim study committees, but shall not be entitled
61 to a salary or per diem for service as a delegate or alternate delegate. All funds necessary
62 to pay expenses under this Code section shall be paid from funds appropriated to the
63 General Assembly.

64 50-1-36.

65 Each delegate and alternate delegate shall, after appointment and before the delegate or
66 alternate delegate shall exercise any function as a delegate or alternate delegate, execute
67 an oath in writing that the delegate or alternate delegate shall:

68 (1) Support the Constitution of the United States and the Constitution of Georgia;

69 (2) Faithfully abide by and execute any instructions to delegates and alternate delegates
70 adopted by the General Assembly and as may be amended by the General Assembly at
71 any time; and

72 (3) Otherwise faithfully discharge the duties of delegate or alternate delegate.

73 The executed oath shall be filed with the Secretary of State. After the oath is filed with the
74 Secretary of State, the Governor shall issue a commission to the delegate or alternate
75 delegate."

76 **SECTION 2.**

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