

House Resolution 229

By: Representative Draper of the 90<sup>th</sup>

## A RESOLUTION

1 Proposing an amendment to the Constitution so as to revise a provision relating to filling of  
2 vacancies in the offices of Secretary of State, Attorney General, State School Superintendent,  
3 Commissioner of Insurance, Commissioner of Agriculture, and Commissioner of Labor; to  
4 provide for related matters; to provide for submission of this amendment for ratification or  
5 rejection; and for other purposes.

6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

### 7 SECTION 1.

8 Article V, Section II of the Constitution is amended by revising Paragraph VIII as follows:

9 "Paragraph VIII. ***Filling vacancies.*** (a) When any public office shall become vacant by  
10 death, resignation, or otherwise, the Governor shall promptly fill such vacancy unless  
11 otherwise provided by this Constitution or by law; and persons so appointed shall serve for  
12 the unexpired term unless otherwise provided by this Constitution or by law.

13 (b) In case of the death or withdrawal of a person ~~who received a majority of votes cast~~  
14 ~~in an election for~~ elected to the office of Secretary of State, Attorney General, State School  
15 Superintendent, Commissioner of Insurance, Commissioner of Agriculture, or  
16 Commissioner of Labor, the Governor elected at the same election, upon becoming  
17 Governor, shall have the power to fill such office by appointing, subject to the confirmation

18 of the Senate, an individual to serve until the next general election and until a successor for  
19 the balance of the unexpired term shall have been elected and qualified."

20

**SECTION 2.**

21 The above proposed amendment to the Constitution shall be published and submitted as  
22 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the  
23 above proposed amendment shall have written or printed thereon the following:

24 "( ) YES Shall the Constitution of Georgia be amended so as to revise a provision for  
25 ( ) NO filling vacancies in the offices of Secretary of State, Attorney General, State  
26 School Superintendent, Commissioner of Insurance, Commissioner of  
27 Agriculture, and Commissioner of Labor so as to remove a reference to  
28 majority of votes received?"

29 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."

30 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If  
31 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall  
32 become a part of the Constitution of this state.