

# Georgia

The 22nd Amendment to the Constitution, which limits a person to being elected to the presidency two times, and sets additional eligibility conditions for presidents who succeed to the presidency, was voted out of Congress by a supermajority vote in both chambers. Between 1947 and 1951, the 22nd Amendment was ratified by 41 state legislatures and officially came into effect after 36 states ratified the amendment in February 1951. Since the history of the 22nd Amendment's passage and the intent of those who ratified it has become relevant again, this factsheet is part of a series covering each state's ratification process.

## Georgia's consideration of the 22nd Amendment:

- The Georgia legislature voted to ratify the 22nd Amendment on February 16, 1951.
- On January 10, 1951, HR 12-89c, "A Resolution to ratify the Twenty-second amendment to the Constitution of the United States by the Legislature of the State of Georgia", introduced by several representatives, was referred to the House Committee on Amendments to the Constitution #1.
- Following the committee's consideration on January 16, 1951, Chairman William Bradford Freeman (D), conveyed the committee's recommendation that Speaker Fred Hand (D) "Do Pass" the resolution.

### Georgia Ratifies 22nd Amendment

(See editorial 'Only Five To Go,' Page 4.)

**Compiled From Press Dispatches**

Georgia yesterday became the 31st state to ratify the 22nd Amendment to the U. S. Constitution, limiting the Presidency to two full terms.

There was no debate in the Georgia House or Senate in Atlanta as the measure had been delayed until the last day of the session only by the press of other business.

The Tennessee House also approved the amendment yesterday in Nashville.

The amendment will not affect President Truman, but any future President would be limited to 10 years in office.

Should a Vice President succeed a President, he would be prohibited from a second full term if he served more than two years of an unexpired term.

### Georgia Ratifies 22nd Amendment

Atlanta, Feb. 17. (P)—The proposed 22nd amendment to the U. S. constitution limiting the president to two full terms, was ratified by Georgia yesterday.

By its action Georgia became the 31st state to approve the amendment. Before the proposal is incorporated in basic law, it must be approved by 36 states.

Arkansas endorsed the amendment Thursday, while Tennessee's house approved the resolution yesterday and sent it to the senate.

- On January 16, 1951, Spence M. Grayson (D), Chairman of the Georgia Senate Committee on Amendments to the Constitution conveyed his committee's recommendation that President of the Senate Lt. Governor S. Marvin Griffin (D) "Do Pass" Senate Resolution 8 to ratify the 22nd Amendment.
- On January 17, 1951, the Senate resolution was reported out of committee and adopted by a 40 to 0 vote of the full Senate.
- Following the Senate vote, on January 18, 1951, the House voted to table its resolution to ratify the 22nd Amendment, HR 12-89c, ostensibly in favor of the Senate version. Curiously here, the House Journal refers to the resolution HR 12-89c by a slightly different name, "A Resolution to ratify the 22nd amendment to the Constitution of the U.S. by the Legislature of the State of Georgia, **and for other purposes**" but includes no explanation for the change.
- On February 16, 1951, Senate Resolution 8 was adopted in the House by a vote of 110 to 1.
- As one newspaper described the process, Georgia's Democrat-controlled legislature voted to ratify the 22nd Amendment without debate as "the measure had been delayed until the last day of the session only by the press of other business."

### Cases involving the 22nd Amendment in Georgia:

- In the only Georgia case interpreting the 22nd Amendment, the Supreme Court of Georgia opined that the provision "precludes an incumbent President from seeking the office for a third time."
- In *Maddox v. Forston*, the state's high court held that a provision in Georgia's constitution which barred a governor from seeking reelection for four years following the conclusion of their term in office did not violate the 1st or 14th Amendments to the U.S. Constitution.
- The Court surveyed the history of the provision and similar provisions in other state constitutions and the U.S. Constitution. The Court distinguished the 22nd Amendment from Georgia's term limit, writing, "In 1951, the 22nd Amendment to the Federal Constitution was approved. This amendment precludes an incumbent President from seeking the office for a third time and it is more stringent than the Georgia provision which permits an incumbent Governor to seek the office after an interval of four years." 226 Ga. 71, 74 (1970)