

House Bill 1668

By: Representatives Stephens of the 150th and Pelote of the 149th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating a new charter for the City of Garden City, approved April 17, 1973
2 (Ga. L. 1973, p. 3581), as amended, so as to change the provisions relating to the terms of
3 office of the mayor and councilmembers; to change the provisions relating to municipal
4 elections; to provide for submission of this Act for approval under the federal Voting Rights
5 Act of 1965, as amended; to provide for a referendum, effective dates, and automatic repeal;
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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SECTION 1.

10 An Act creating a new charter for the City of Garden City, approved April 17, 1973 (Ga. L.
11 1973, p. 3581), as amended, is amended by striking Section 2.11 and inserting in its place
12 the following:

13

"SECTION 2.11.

14

Term and qualifications of office.

15 Except as provided in Section 5.12, the members of the council shall serve for terms of four
16 years and until their respective successors are elected and qualified. No person shall be
17 eligible to serve as mayor or councilmember unless he or she shall have been a resident of
18 the city for a period of one year immediately prior to the date of the election of mayor or
19 member of the council; shall continue to reside therein during his or her period of service;
20 and shall be registered and qualified to vote in municipal elections of Garden City; and
21 unless he or she shall meet the qualifications required of members of the Georgia House of
22 Representatives, as are now or may in the future be prescribed by the Georgia Constitution."

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SECTION 2.

24 Said Act is further amended by striking Section 3.11 and inserting in its place the following:

SECTION 4.

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2 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election
3 superintendent of the City of Garden City shall call and conduct an election as provided in
4 this section for the purpose of submitting this Act to the electors of the City of Garden City
5 for approval or rejection. The election superintendent shall conduct that election on the
6 Tuesday following the first Monday in November, 2002, and shall issue the call and conduct
7 that election as provided by general law. The superintendent shall cause the date and purpose
8 of the election to be published once a week for two weeks immediately preceding the date
9 thereof in the official organ of Chatham County. The ballot shall have written or printed
10 thereon the words:

11 "() YES Shall the Act which changes the terms of office of the mayor and
12 councilmembers of the City of Garden City from two years to four years
13 () NO and provides that such terms shall be staggered be approved?"

14 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons
15 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes
16 cast on such question are for approval of the Act, Sections 1 through 3 of this Act shall
17 become of full force and effect on January 1, 2004, and shall be applicable to persons elected
18 at the 2003 municipal election. If the Act is not so approved or if the election is not
19 conducted as provided in this section, the remaining sections of this Act shall not become
20 effective and this Act shall be automatically repealed on the first day of January immediately
21 following that election date. The expense of such election shall be borne by City of Garden
22 City. It shall be the election superintendent's duty to certify the result thereof to the
23 Secretary of State.

SECTION 5.

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25 It shall be the duty of the attorney of the City of Garden City to submit this Act for approval
26 pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended.

SECTION 6.

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28 This section and Sections 4 and 5 of this Act and shall become effective upon the approval
29 of this Act by the Governor or upon its becoming law without such approval. The remaining
30 provisions of this Act shall become effective January 1, 2004.

SECTION 7.

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