

House Bill 1733

By: Representative Smith of the 102<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To provide for the filling of vacancies in the office of sheriff of Harris County; to provide  
2 for related matters; to repeal conflicting laws; and for other purposes.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

4 **SECTION 1.**

5 (a) In the event the office of sheriff of Harris County becomes vacant by death, resignation,  
6 or otherwise, the chief deputy sheriff of Harris County shall act as sheriff until the vacancy  
7 can be filled in accordance with the provisions of subsection (b) of this section. If there is no  
8 chief deputy sheriff at the time of such vacancy, the Board of Commissioners of Harris  
9 County, within ten working days after the date such vacancy occurs, shall appoint a law  
10 enforcement officer of the county who is a Georgia Peace Officer Standards and Training  
11 Council certified peace officer to act as sheriff until the vacancy can be filled in accordance  
12 with subsection (b) of this section. If the Board of Commissioners of Harris County fails to  
13 appoint a person to act as sheriff within ten working days after the date the vacancy occurs,  
14 then the judge of the Probate Court of Harris County shall appoint a law enforcement officer  
15 of the county who is a Georgia Peace Officer Standards and Training Council certified peace  
16 officer to act as sheriff until the vacancy can be filled in accordance with subsection (b) of  
17 this section. The sheriff of any adjoining county is authorized to act as sheriff until the Board  
18 of Commissioners of Harris County or the judge of the probate court makes the appointment  
19 provided for in this Act.

20 (b) If at the time the vacancy occurs there are more than six months remaining in the  
21 unexpired term of office, the vacancy shall be filled for the remainder of the unexpired term  
22 at a special election to be called by the county election superintendent; and the person acting  
23 as sheriff under subsection (a) of this section shall act until a successor is so elected for the  
24 remainder of the unexpired term. If at the time the vacancy occurs there are six months or  
25 less remaining in the unexpired term of office, the person acting as sheriff under subsection  
26 (a) of this section shall serve for the remainder of the unexpired term of office.

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**SECTION 2.**

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