

House Bill 924

By: Representatives Lane of the 146th and Lanier of the 145th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to create the Downtown Statesboro Development Authority, approved
2 April 9, 1981 (Ga. L. 1981, p. 4821), so as to provide for the appointment of members of the
3 authority; to provide for the filling of vacancies; to provide for meeting notices; to authorize
4 the adoption of bylaws; to provide for related matters; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act to create the Downtown Statesboro Development Authority, approved April 9, 1981
9 (Ga. L. 1981, p. 4821), is amended by striking Section 2 in its entirety and inserting in lieu
10 thereof a new Section 2 to read as follows:

11 "Section 2.

12 Members.

13 (a) The authority will be composed of nine members who shall be selected as provided
14 herein. The members of the authority serving on the effective date of this Act shall
15 continue to serve out the term for which they were elected. Upon the expiration of the
16 terms of the members serving on the effective date of this Act, successors shall be
17 appointed to the authority as provided herein. Eight members shall be appointed by the
18 members of the authority as their terms expire. Those eight members of the authority shall
19 represent either the owners of real property and shall be known as the real property owner
20 group or the owners of business establishments whose principal place of business is located
21 in the downtown Statesboro district and who shall be a person or persons actually licensed
22 and operating a business in the district and who shall be known as the business operator
23 group. The ninth member shall be appointed by the governing authority of the City of
24 Statesboro. Members of the authority shall serve two year terms of office except for the
25 member appointed by the governing authority of the City of Statesboro who shall serve a

1 one year term of office or until replaced by action of the governing authority. All action
2 by the authority shall be by a majority vote of the members of the authority. In the
3 appointment of members of the authority, including the real property owner group and the
4 business operator group, one vote shall be given to each member of the authority.

5 (b) Terms of office of all members of the authority except the member appointed by the
6 governing authority of the City of Statesboro shall begin and terminate on March 1 of the
7 respective years. Board members are required to attend all monthly board meetings. If a
8 board member is absent from three consecutive monthly meetings, the board member, after
9 official notification by the board and approval by the majority of the remaining board
10 members, shall be asked to resign.

11 (c) In the event that 33 1/3 percent of the total number of the members of either the real
12 property owner group or the business operator group shall petition the authority, the
13 authority shall call a caucus of the group for the purpose of recalling any member of the
14 authority named to represent that group. At such a caucus, if a majority of such group
15 present votes to recall any such member of the authority, such group shall appoint a
16 successor to such recalled member to serve out the remainder of the term formerly
17 occupied by the recalled member. No petition for the recall of any single member of the
18 authority shall be filed within a 12 month period subsequent to the filing of any previous
19 petition for the recall of such member.

20 (d) Naturally occurring vacancies brought about by resignation or death shall be
21 determined by a majority of the members of the authority that will, upon such a
22 determination of a vacancy, appoint a new member. The newly appointed member shall
23 serve out the term of office formerly occupied by the vacating member.

24 (e) All persons required to give notice of meeting shall exercise reasonable care so that as
25 nearly as practicable all persons entitled to notice of such meeting shall be appraised of
26 such times and places."

27 **SECTION 2.**

28 Said Act is further amended by striking subsection (k) of Section 5 and inserting in lieu
29 thereof a new subsection (k) to read as follows:

30 "(k) To adopt such bylaws governing the conduct of the affairs of the authority and to
31 appoint such officers as the authority shall deem necessary;"

32 **SECTION 3.**

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