

Senate Bill 261

By: Senators Starr of the 44<sup>th</sup> and Hecht of the 34<sup>th</sup>

**AS PASSED**

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act creating the Clayton County Water Authority, approved March 7, 1955  
 2 (Ga. L. 1955, p. 3344), as amended, particularly by an Act approved April 4, 1963 (Ga. L.  
 3 1963, p. 2967), so as to provide guidelines to call special meetings; to expand the method of  
 4 notice for special meetings; to provide an effective date; 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 creating the Clayton County Water Authority, approved March 7, 1955 (Ga. L. 1955,  
 9 p. 3344), as amended, particularly by an Act approved April 4, 1963 (Ga. L. 1963, p. 2967),  
 10 is amended by striking subsection (a) of Section 4 in its entirety and substituting in lieu  
 11 thereof a new subsection (a) to read as follows:

12 "(a) The said water system is to be constructed, maintained, and operated for and on behalf  
 13 of said county by a seven-person board to be known as the Clayton County Water  
 14 Authority. The members of the board shall be appointed by the governing authority of said  
 15 county. The terms of the members shall be five years. The terms of the members shall be  
 16 staggered. The staggering of the terms of future members shall be consistent with the  
 17 staggered terms of those members in office on June 30, 2001. It is not the intent of this  
 18 section to increase nor decrease the term of any member in office on June 30, 2001. It is  
 19 the intention of this section to continue the mechanism existing on June 30, 2001,  
 20 providing staggered terms. All members shall serve until their successors are appointed  
 21 and qualified. The governing authority of the county shall fill any vacancy which occurs  
 22 on the authority for the unexpired term. The members shall elect a chairperson, vice  
 23 chairperson, and secretary who shall serve for such periods as shall be fixed by the  
 24 authority. The authority shall make a report of its actions to the grand jury for the  
 25 November term of the superior court of said county. A majority of the members shall  
 26 constitute a quorum for the transaction of business. A regular meeting shall be held once  
 27 each month on a day to be set by the authority. Either the chairperson or a majority of the

1 other members of the authority shall have the right to call a special meeting. Each member  
2 of the authority shall be given at least 24 hours' notice of each special meeting. Such  
3 notice shall be delivered in person, by telephone, by fax, or by written notice delivered to  
4 such member's regular place of abode. The authority shall employ an attorney and provide  
5 for his or her compensation and shall employ such other employees as the authority shall  
6 deem proper for the transaction of business and provide the compensation therefor. All  
7 such compensation shall be payable out of the earnings of said authority. No member of  
8 the present Clayton County Water Authority shall be eligible to hold an elective public  
9 office of the state, county, or a municipality unless first resigning as a member of the  
10 authority. No person shall be eligible for future appointment to the Clayton County Water  
11 Authority who is serving in an elective public office of the state, county, or a municipality.  
12 The authority shall succeed to and be vested with all the powers, duties, and authority of  
13 the authority presently existing and it shall be a continuation of the presently existing  
14 authority."

15 **SECTION 2.**

16 Said Act is further amended by striking in its entirety Section 4A.

17 **SECTION 3.**

18 This Act shall become effective on July 1, 2001.

19 **SECTION 4.**

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