

House Bill 14EX1

By: Representative Murphy of the 18<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To submit to the voters of Haralson County the question of changing the form of government  
2 of Haralson County; to provide for the creation of a multimember board of commissioners  
3 as the governing authority of Haralson County; to provide for elections, terms of office,  
4 powers and duties, governmental operations and functions, and such other matters as may  
5 be pertinent to such a change in the form of government; to repeal a specific Act; to provide  
6 for a special election at which the voters of Haralson County shall determine whether the  
7 foregoing shall become effective; to provide for other related matters; to repeal conflicting  
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 style="text-align:center">Board of commissioners established.

12 The governing authority of Haralson County shall consist of a five-member board of  
13 commissioners which shall be known as the Board of Commissioners of Haralson County.

14 style="text-align:center">**SECTION 2.**

15 style="text-align:center">Election of board members.

16 (a) For the purpose of electing members of the board of commissioners, Haralson County  
17 shall be divided into four commissioner districts. One member of the board of commissioners  
18 shall be elected by a majority of the electors voting in each commissioner district. Each  
19 member elected to represent a district shall be a resident of that district. The chairperson of  
20 the board of commissioners shall be elected by a majority of the electors voting in Haralson  
21 County; and he or she shall be a resident of Haralson County. The office of any member of  
22 the board shall be vacated if the member ceases to be a resident of Haralson County or the  
23 district he or she represents. Each member of the commission shall be nominated and elected

1 pursuant to the provisions of Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election  
2 Code," as now or hereafter amended.

3 (b) The four commissioner districts shall be and correspond to those four numbered districts  
4 described in and attached to and made a part of this Act and further identified as Plan Name:  
5 HARALSON1 Plan Type: LOCAL User: Linda Administrator: Haralson.

6 (c) When used in such attachment, the terms "Tract" and "BG" (Block Group) shall mean  
7 and describe the same geographical boundaries as provided in the report of the Bureau of the  
8 Census for the United States decennial census of 2000 for the State of Georgia. The separate  
9 numeric designations in a Tract description which are underneath a "BG" heading shall mean  
10 and describe individual Blocks within a Block Group as provided in the report of the Bureau  
11 of the Census for the United States decennial census of 2000 for the State of Georgia. Any  
12 part of Haralson County which is not included in any such district described in that  
13 attachment shall be included within that district contiguous to such part which contains the  
14 least population according to the United States decennial census of 2000 for the State of  
15 Georgia. Any part of Haralson County which is described in that attachment as being in a  
16 particular district shall nevertheless not be included within such district if such part is not  
17 contiguous to such district. Such noncontiguous part shall instead be included within that  
18 district contiguous to such part which contains the least population according to the United  
19 States decennial census of 2000 for the State of Georgia. Except as otherwise provided in  
20 the description of any commissioner district, whenever the description of such district refers  
21 to a named city, it shall mean the geographical boundaries of that city as shown on the census  
22 map for the United States decennial census of 2000 for the State of Georgia.

### 23 **SECTION 3.**

#### 24 Terms and vacancies.

25 (a) All members of the board shall be elected at the general election in 2004 and  
26 quadrennially thereafter.

27 (b) The terms of all members of the board shall begin on the first day of January next  
28 following their election and shall continue for four years and until their successors are elected  
29 and qualified.

30 (c) Any vacancy on the board of commissioners shall be filled as provided in Code Section  
31 36-5-21 of the O.C.G.A., as now or hereafter amended.

**SECTION 4.**

Chairperson and vice chairperson.

(a) At its first meeting in January of each odd-numbered year, the board shall elect from among its number a vice chairperson who shall serve until the first meeting of the board in January of the next odd-numbered year.

(b) The chairperson shall call and preside over the meetings of the board, and the vice chairperson shall perform such duties in the case of absence or disability of the chairperson. Both the chairperson and the vice chairperson shall have votes on all matters before the board. The chairperson shall not have any veto power.

(c) In the case of a vacancy in the office of chairperson, the vice chairperson shall act as chairperson pending the filling of the vacancy. In the case of a vacancy in the office of vice chairperson, the board shall elect from among its number a vice chairperson to serve for the remainder of the unexpired term of the vice chairperson as vice chairperson.

**SECTION 5.**

Quorum and voting requirements.

Three members of the board shall constitute a quorum; and the affirmative vote of three members shall be required for any action to be taken by the board.

**SECTION 6.**

Compensation of members.

(a) The chairperson of the board shall receive an annual salary. Effective January 1, 2005, the salary of the chairperson shall be the same as the salary received immediately prior to that date by the sole commissioner of Haralson County, as provided for in an Act providing for the compensation of certain officials of Haralson County, approved April 9, 1993 (Ga. L. 1993, p. 5138). Thereafter, the salary of the chairperson shall be determined as provided in said 1993 compensation Act, with the position of chairperson of the board of commissioners being substituted for the position of county commissioner.

(b) Each other member of the board shall receive an annual salary of \$6,000.00. Such salaries shall be paid in equal monthly installments from funds of Haralson County.

(c) The board of commissioners may authorize the reimbursement of amounts actually and reasonably expended by members of the board in the performance of their duties, subject to such procedures for accounting for and approval of such expenses as may be specified by the board.

**SECTION 7.**

Regular and special meetings.

The board shall hold a regular monthly meeting at a date and time fixed by the board. A special meeting of the board may be called by the chairperson, by the vice chairperson in the case of absence or disability of the chairperson, or by any three members of the board at any time.

**SECTION 8.**

County manager.

There shall be no office of county manager of Haralson County, unless such office is created by ordinance of the board of commissioners and such ordinance is approved at a special election called and conducted for such purpose by a majority of the electors of Haralson County voting at such special election. If the office of county manager is so created, the powers, duties, and compensation of the county manager shall be as specified in such ordinance, provided that such ordinance may thereafter be amended from time to time by subsequent ordinance of the board of commissioners.

**SECTION 9.**

Specific repeal.

An Act relating to the commissioner of Haralson County, approved August 16, 1915 (Ga. L. 1915, p. 252), as amended, is repealed in its entirety.

**SECTION 10.**

Referendum and effectiveness.

Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election superintendent of Haralson County shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of Haralson County for approval or rejection. The election superintendent shall conduct that election on the date of the 2002 general election and shall issue the call therefor not less than 30 nor more than 60 days prior to that date. The superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Haralson County. The ballot shall have written or printed thereon the words:

