

House Bill 650 (AS PASSED HOUSE AND SENATE)

By: Representative Hanner of the 133<sup>rd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act entitled "An Act providing a new charter for the City of Smithville,"  
2 approved February 11, 1977 (Ga. L. 1977, p. 2510), as amended, particularly by an Act  
3 approved April 15, 1992 (Ga. L. 1992, p. 6289), so as to provide for four-year staggered  
4 terms for the mayor and city councilmembers; to provide for persons currently serving in  
5 such offices; to provide for initial terms; to provide for submission under the federal Voting  
6 Rights Act of 1965, as amended; to provide effective dates; to repeal conflicting laws; and  
7 for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 An Act entitled "An Act providing a new charter for the City of Smithville," approved  
11 February 11, 1977 (Ga. L. 1977, p. 2510), as amended, particularly by an Act approved April  
12 15, 1992 (Ga. L. 1992, p. 6289), is amended by striking in their entirety subsections (c), (d),  
13 (e), and (f) and inserting in lieu thereof the following:

14 "(c) The mayor and councilmembers in office on January 1, 2004, and any person selected  
15 to fill a vacancy in such office shall continue to serve out their terms of office and until  
16 their respective successors are elected and qualified.

17 (d)(1) Two successors to those councilmembers representing Ward 1 and Ward 2, whose  
18 terms of office are to expire in 2004, shall be elected at the general municipal election on  
19 the Tuesday next following the first Monday in November, 2004, for initial terms of  
20 office expiring December 31, 2007, and until their respective successors are elected and  
21 qualified.

22 (2) Two successors to those councilmembers representing Ward 3 and Ward 4, whose  
23 terms of office are to expire in 2004, shall be elected at the general municipal election on  
24 the Tuesday next following the first Monday in November, 2004, for initial terms of  
25 office expiring December 31, 2005, and until their respective successors are elected and  
26 qualified.

1 (3) After the initial terms of office specified in paragraphs (1) and (2) of this subsection,  
2 successors to councilmembers whose terms of office are to expire shall be elected at the  
3 general municipal election on the Tuesday next following the first Monday in November  
4 immediately preceding the expiration of such terms and serve for terms of office of four  
5 years each and until their respective successors are elected and qualified.

6 (e)(1) At the general municipal election on the Tuesday next following the first Monday  
7 in November of 2004, the mayor shall be elected for an initial term of office expiring  
8 December 31, 2007, and until a successor is elected and qualified.

9 (2) After the initial term of office specified in paragraph (1) of this subsection, a  
10 successor to the mayor whose term of office is to expire shall be elected at the general  
11 election on the Tuesday next following the first Monday in November immediately  
12 preceding the expiration of such term and serve for a term of office of four years and until  
13 a successor is elected and qualified.

14 (3) The mayor shall be elected by a majority vote of the voters voting on a city-wide  
15 basis."

## 16 SECTION 2.

17 The governing authority of Smithville shall through its legal counsel cause this Act to be  
18 submitted for preclearance under the federal Voting Rights Act of 1965, as amended; and  
19 such submission shall be made to the United States Department of Justice or filed with the  
20 appropriate court no later than 45 days after the date on which this Act is approved by the  
21 Governor or otherwise becomes law without such approval.

## 22 SECTION 3.

23 (a) Section 1 of this Act shall become effective on January 1, 2004.

24 (b) All other sections of this Act shall become effective upon approval of this Act by the  
25 Governor or upon its becoming law without such approval.

## 26 SECTION 4.

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