

House Bill 959 (AS PASSED HOUSE AND SENATE)

By: Representative Hanner of the 133rd

A BILL TO BE ENTITLED
AN ACT

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

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

- 1 less remaining in the unexpired term of office, the person acting as sheriff under subsection
2 (a) of this section shall serve for the remainder of the unexpired term of office.

3 **SECTION 2.**

- 4 All laws and parts of laws in conflict with this Act are repealed.