

House Bill 973 (AS PASSED HOUSE AND SENATE)

By: Representatives Smith of the 129th, Post 2 and Mosley of the 129th, Post 1

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating a new charter for the City of Alma, approved April 4, 1967 (Ga.
2 L. 1967, p. 2643), as amended, particularly by an Act approved March 19, 1993 (Ga. L.
3 1993, p. 4127), and an Act approved April 9, 1999 (Ga. L. 1999, p. 4124), so as to change
4 the number and the description of the council districts; to provide for definitions and
5 inclusions; to provide for continuation in office of current members; to provide for election
6 and terms of office of subsequent members; to provide for eligibility and qualifications; to
7 provide for the election of the mayor; to provide for submission of this Act for preclearance
8 under the federal Voting Rights Act of 1965, as amended; to repeal conflicting laws; and for
9 other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 An Act creating a new charter for the City of Alma, approved April 4, 1967 (Ga. L. 1967,
13 p. 2643), as amended, particularly by an Act approved March 19, 1993 (Ga. L. 1993, p.
14 4127), and an Act approved April 9, 1999 (Ga. L. 1999, p. 4124), is amended by striking
15 Section 6.01 and inserting in lieu thereof the following:

16 "SECTION 6.01.

17 Elections.

18 (a) The mayor and those members of the city council who are serving as such on the
19 effective date of this Act, and any person selected to fill a vacancy in any such office, shall
20 continue to serve as such mayor or members until the regular expiration of their respective
21 terms of office and upon the election and qualification of their respective successors. On
22 and after January 1, 2003, the governing authority of the City of Alma shall consist of five
23 councilmembers all of whom shall be elected from council districts described in subsection
24 (b) of this section and the mayor who is elected at large as provided in this Act.

1 (b) For purposes of electing members of the city council, the City of Alma is divided into
2 five council districts. One member of the city council shall be elected from each such
3 district. The five council districts shall be and correspond to those five numbered districts
4 described in and attached to and made a part of this Act and further identified as Plan
5 Name: almap3 Plan Type: Local User: Blake Administrator: Alma.

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
8 the Census for the United States decennial census of 2000 for the State of Georgia. The
9 separate numeric designations in a Tract description which are underneath a 'BG' heading
10 shall mean and describe individual Blocks within a Block Group as provided in the report
11 of the Bureau of the Census for the United States decennial census of 2000 for the State of
12 Georgia. Any part of the City of Alma which is not included in any such district described
13 in that attachment shall be included within that district contiguous to such part which
14 contains the least population according to the United States decennial census of 2000 for
15 the State of Georgia. Any part of the City of Alma which is described in that attachment
16 as being in a particular district shall nevertheless not be included within such district if such
17 part is not contiguous to such district. Such noncontiguous part shall instead be included
18 within that district contiguous to such part which contains the least population according
19 to the United States decennial census of 2000 for the State of Georgia.

20 (d) The mayor and members of the city council shall be elected at the general election on
21 the Tuesday next following the first Monday in November, 2003. The mayor and
22 members of the city council shall serve for the terms of office of four years and until their
23 respective successors are elected and qualified.

24 (e) Council Districts 1, 2, 3, 4, and 5, as they exist on the effective date of this Act, shall
25 continue to be designated as Council Districts 1, 2, 3, 4, and 5, respectively, for purposes
26 of present representation only. For purposes of qualification and election in the November,
27 2003, general election, such districts shall be as newly described under this Act. On and
28 after the effective date of this Act and through December 31, 2005, there shall be a sixth
29 council district which shall be all of the territory within the city limits. The councilmember
30 representing Council District 6 on the effective date of this Act shall continue to represent
31 Council District 6, as newly described until December 31, 2005, without an election. Such
32 Council District 6 shall be abolished on December 31, 2005.

33 (f) No person shall be a member of the council if that person is ineligible for such office
34 pursuant to Code Section 45-2-1 of the O.C.G.A. or any other general law.

35 (g) In order to be elected as a member of the council from a council district, a person must
36 have resided in that district for at least six months prior to election thereto and must receive
37 a majority of the votes cast for that office in that district only and not at large. Only electors

1 who are residents of that council district may vote for a member of the council for that
2 district. At the time of qualifying for election as a member of the council from a council
3 district, each candidate for such office shall specify the council district for which that
4 person is a candidate. A person elected as a member of the council from a council district
5 must continue to reside in that district during that person's term of office or that office shall
6 thereupon become vacant.

7 (h) The mayor may reside anywhere within the City of Alma and must receive a majority
8 of the votes cast for such office in the entire city. The mayor must continue to reside within
9 the City of Alma during that person's term of office or that office shall thereupon become
10 vacant. A person must have resided in the city at least six months prior to election thereto."

11 **SECTION 2.**

12 It shall be the duty of the attorney of the City of Alma to submit this Act for approval
13 pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended.

14 **SECTION 3.**

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