

House Bill 1571 (AS PASSED HOUSE AND SENATE)

By: Representative Elrod of the 25<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating the Nicholson Water Authority, approved April 7, 1972 (Ga. L.  
2 1972, p. 3964), so as to amend certain provisions relating to the appointment and  
3 compensation of members of the authority; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

6 An Act creating the Nicholson Water Authority, approved April 7, 1972 (Ga. L. 1972, p.  
7 3964), is amended by striking Section 2 thereof in its entirety and inserting in its place a new  
8 Section 2 to read as follows:

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

10 style="text-align:center">Nicholson Water Authority.

11 (a) There is hereby created a body corporate and politic, to be known as the Nicholson  
12 Water Authority, which shall include all that area within a four-mile distance from  
13 intersection of Georgia Highway 335 and U. S. Highway 441, both North and South, and  
14 a distance of two miles both East and West of said U. S. Highway 441 beginning four miles  
15 south of the intersection of Georgia Highway 335 and U. S. Highway 441 and running  
16 along said U. S. Highway 441 to a point four miles North of the intersection of Georgia  
17 Highway 335 and U. S. Highway 441, which shall be deemed to be a political subdivision  
18 of the State of Georgia and a public corporation and by that name, style, and title said body  
19 may contract and be contracted with, sue and be sued, implead and be impleaded, and  
20 complain and defend in all courts of law and equity. The authority shall consist of five  
21 members, all of whom shall be residents of the system served, and shall at the time of  
22 appointment be users of the facilities of the authority. Each member shall serve for a term  
23 of five years, and terms shall continue to be staggered so that the term of one member shall  
24 expire each year. The members of the authority in office as of January 1, 2004, shall serve  
25 the remainder of their respective terms. At the expiration of those terms, the City of

1 Nicholson shall appoint a board member in odd-numbered years and the authority shall  
2 appoint a board member in even-numbered years to replace the member whose term has  
3 expired that year. Notwithstanding any other provision herein, all members of the authority  
4 shall serve until their successors are appointed and qualified.

5 (b) Immediately after their appointment, the members of the authority shall enter upon  
6 their duties. They shall elect one of their number as chairperson, another as vice  
7 chairperson, and may also elect a secretary and treasurer, who need not necessarily be  
8 members of the authority. The chairperson, vice chairperson, secretary, and treasurer shall  
9 serve for periods of one year and until their successors are appointed and qualified. Three  
10 members of the authority shall constitute a quorum.

11 (c) In the event of a vacancy by reason of death, disqualification, resignation, or other  
12 reason, the remaining members of the authority, by majority vote, shall appoint a person  
13 meeting the qualifications above set out for membership to serve until the time when such  
14 vacancy shall be filled by appointment by the City of Nicholson in odd-numbered years or  
15 the authority in even-numbered years.

16 (d) No vacancy on the authority shall impair the right of the quorum to exercise all of the  
17 rights and perform all of the duties of the authority.

18 (e) The chairperson of the authority shall not be entitled to vote upon any issue, motion,  
19 or resolution, except in the case of a tie vote of the other members voting on said issue,  
20 motion, or resolution.

21 (f) The members of the authority shall be reimbursed for their actual expenses necessarily  
22 incurred in the performance of their duties. The authority shall make rules and regulations  
23 for its own government. It shall have perpetual existence."

24 **SECTION 2.**

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