

House Bill 1755 (AS PASSED HOUSE AND SENATE)

By: Representatives Yates of the 85th, Post 1, and Lunsford of the 85th, Post 2

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act incorporating the City of Sunny Side and providing a new charter for such
2 city, approved February 17, 1950 (Ga. L. 1950, p. 2626), as amended, particularly by an Act
3 approved March 20, 1975 (Ga. L. 1975, p. 2736), so as to change the terms of office for the
4 members of the council; to provide for staggered terms of office; to provide for completion
5 of terms; to provide for rotation of the duties of chairperson of the council; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act incorporating the City of Sunny Side and providing a new charter for such city,
10 approved February 17, 1950 (Ga. L. 1950, p. 2626), as amended, particularly by an Act
11 approved March 20, 1975 (Ga. L. 1975, p. 2736), is amended by striking Section 3 and
12 inserting in lieu thereof a new section to read as follows:

13 "SECTION 3.

14 (a) The government of said city shall be vested in a council of three members.

15 (b) For the purpose of electing said councilmembers, there shall be three council posts to
16 be designated Posts 1, 2, and 3. Each candidate shall designate the council post for which
17 he or she is offering. In order to be elected councilmember, a candidate must receive a
18 majority of the votes cast. In the event no candidate receives a majority of the votes cast,
19 a runoff election shall be held between the two candidates receiving the highest number of
20 votes cast, as provided by the 'Georgia Election Code,' as now or hereafter amended."

21 **SECTION 2.**

22 Said Act is further amended by striking Sections 5 through 9 and inserting in lieu thereof the
23 following:

1 "SECTION 5.

2 (a) Councilmembers serving on the effective date of this Act shall complete the terms for
3 which they were elected.

4 (b) At the election to be held on the Tuesday next following the first Monday in
5 November, 2004, the councilmember from Post 1 shall be elected for a term of one year.
6 At the election to be held on the Tuesday next following the first Monday in November,
7 2005, the councilmembers from Post 1 and Post 2 shall be elected for terms of four years;
8 thereafter, the councilmembers from Post 1 and Post 2 shall be elected quadrennially for
9 terms of four years. At the election to be held on the Tuesday next following the first
10 Monday in November, 2006, the councilmember from Post 3 shall be elected for a term of
11 one year. At the election to be held on the Tuesday next following the first Monday in
12 November, 2007, the councilmember from Post 3 shall be elected for a term of four years;
13 thereafter, the councilmember from Post 3 shall be elected quadrennially for a term of four
14 years. All councilmembers shall serve until their successors are elected and qualified.

15 (c) Councilmembers shall be sworn in at the first organizational meeting of the year
16 following their election.

17 SECTION 6.

18 The councilmember representing Post 1 shall be the chairperson of the council for one year,
19 beginning with the first organizational meeting of the council in 2005. At the first
20 organizational meeting of the council in 2006, the councilmember representing Post 2 shall
21 become chairperson of the council; at the first organizational meeting of the council in
22 2007, the councilmember representing Post 3 shall become chairperson of the council.
23 Thereafter, the title and duties of chairperson of the council shall rotate annually, beginning
24 with the first organizational meeting of the council.

25 SECTION 7.

26 Should the office of councilmember become vacant by any cause, the councilmembers
27 remaining shall elect a successor who shall fill the unexpired term only.

28 SECTION 8.

29 Before entering upon the discharge of his or her official duties, the councilmember-elect
30 shall take and subscribe to the following oath before some person authorized to administer
31 oaths, to wit: 'I do solemnly swear that I will faithfully discharge all the duties devolving
32 upon me as councilmember of the City of Sunny Side during my term of office to the best
33 of my knowledge, ability, and understanding, so help me God.' Said oath shall be entered
34 on the records of the city.

