

House Bill 659

By: Representatives Smith of the 131st, Smith of the 113th, Fleming of the 117th, Coan of the 101st, and Smith of the 129th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 68 of Title 36 of the Official Code of Georgia Annotated, relating to
2 merger of municipal government with county, so as to provide for the vote of the mayor
3 under certain circumstances in the case of a tie; to provide for the effect of abstentions under
4 certain circumstances; to provide for an exception; to provide for related matters; to provide
5 an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 68 of Title 36 of the Official Code of Georgia Annotated, relating to merger of
9 municipal government with county, is amended by adding a new Code Section 36-68-4 to
10 read as follows:

11 "36-68-4.

12 In any unified or consolidated government in which the mayor or chairperson has no right
13 of veto or to return a matter to the legislative body for reconsideration, an abstention of a
14 member shall, for this purpose only, be counted as a vote against the matter under
15 consideration; and no abstention shall prevent the mayor or chairperson from voting in the
16 case of a tie; provided, however, that this Code section shall not apply to a member of a
17 unified or consolidated government who abstains from voting on a matter due to a conflict
18 of interest of which such member notifies the mayor or chairperson in writing prior to such
19 vote."

20 **SECTION 2.**

21 This Act shall become effective upon its approval by the Governor or upon its becoming law
22 without such approval.

23 **SECTION 3.**

24 All laws and parts of laws in conflict with this Act are repealed.