

House Bill 1629

By: Representatives Rynders of the 152<sup>nd</sup> and Hanner of the 148<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating the Lee County Utilities Authority, approved April 17, 1992 (Ga.  
2 L. 1992, p. 6419), as amended, particularly by an Act approved May 5, 2005 (Ga. L. 2005,  
3 p. 3697), so as to provide for terms for authority members; to provide for removal from  
4 office of authority members under certain circumstances; to provide for related matters; to  
5 provide for an effective date and for applicability; to repeal conflicting laws; and for other  
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act creating the Lee County Utilities Authority, approved April 17, 1992 (Ga. L. 1992,  
10 p. 6419), as amended, particularly by an Act approved May 5, 2005 (Ga. L. 2005, p. 3697),  
11 is amended by striking Section 2 and inserting in lieu thereof the following:

12 "SECTION 2.

13 Lee County Utilities Authority.

14 (a) There is created a body corporate and politic to be known as the Lee County Utilities  
15 Authority, which shall be deemed to be a political subdivision of the State of Georgia and  
16 a public corporation, and by that name, style, and title said body may contract and be  
17 contracted with, sue and be sued, implead and be impleaded, complain and defend in all  
18 courts of law and equity. The authority shall consist of seven members, each of whom  
19 shall be a citizen of Lee County and two of whom may, but shall not be required to, be  
20 members of the board of commissioners of Lee County. Each member of the authority  
21 shall be appointed by a majority vote of the board of commissioners of Lee County for a  
22 term of one year and until his or her successor shall be appointed and seated; except that  
23 each person serving as an appointed member of the authority on July 1, 2006, shall  
24 continue to serve the remainder of his or her then current term and until a successor shall

1 be appointed by majority vote of the board of commissioners of Lee County. The members  
 2 of the authority shall be eligible for reappointment. The authority shall elect a chairperson  
 3 and a vice chairperson from among its members; and such officers may, but shall not be  
 4 required to, be members of the board of commissioners of Lee County. The authority shall  
 5 also elect a secretary and a treasurer or a secretary-treasurer, who may or may not be  
 6 members of the authority. Four members of the authority shall constitute a quorum. No  
 7 vacancy on the authority shall impair the power of a quorum to exercise all the rights and  
 8 perform all the duties of the authority. Each member of the authority who is not a member  
 9 of the board of commissioners of Lee County shall be entitled to compensation for their  
 10 services at the rate of \$100.00 per month, and all members of the authority shall be  
 11 reimbursed for the actual expenses necessarily incurred in the performance of their duties.  
 12 The authority shall make rules and regulations for its own government. The authority shall  
 13 have perpetual existence.

14 (b) The office of any member of the authority shall be declared vacant upon a  
 15 determination by the members of the board of commissioners of Lee County that such  
 16 authority member has been, while in office, arrested for or convicted of a felony, a  
 17 misdemeanor of a high and aggravated nature, or a crime involving moral turpitude or is  
 18 found by the board of commissioners of Lee County to have moved such member's  
 19 residence from the unincorporated area of Lee County during such member's term of  
 20 office. The board of commissioners of Lee County shall be authorized to remove any  
 21 member of the authority from office by a two-thirds vote of the board of commissioners  
 22 of Lee County in the event that such member of the authority is found by the board of  
 23 commissioners of Lee County to be guilty of misfeasance or malfeasance in office, is found  
 24 by the board of commissioners of Lee County to have failed to attend three or more  
 25 successive regular meetings of the authority without a reasonable excuse approved by a  
 26 resolution of the authority, or who is found by the board of commissioners of Lee County  
 27 to have engaged in actions or activities which are determined by the board of  
 28 commissioners of Lee County to have been detrimental to the carrying out of the duties and  
 29 obligation of the authority."

## 30 SECTION 2.

31 This Act shall become effective upon its approval by the Governor or upon its becoming law  
 32 without such approval and shall be applicable to all members holding office on that date and  
 33 to all future members.

## 34 SECTION 3.

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