

House Bill 743 (AS PASSED HOUSE AND SENATE)

By: Representative Hatfield of the 177th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the Satilla Regional Water and Sewer Authority, previously known
2 as the Ware County Water and Sewer Authority, approved October 1, 2001 (Ga. L. 2001,
3 Ex. Sess., p. 705), as amended, particularly by an Act approved May 30, 2003 (Ga. L. 2003,
4 p. 3689), and by an Act approved May 5, 2006 (Ga. L. 2006, p. 4216), so as to revise the
5 manner of selection of the members of the authority; to provide that persons voting shall use
6 their account numbers instead of social security numbers; to provide for related matters; to
7 repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act creating the Satilla Regional Water and Sewer Authority, previously known as the
11 Ware County Water and Sewer Authority, approved October 1, 2001 (Ga. L. 2001, Ex. Sess.,
12 p. 705), as amended, particularly by an Act approved May 30, 2003 (Ga. L. 2003, p. 3689),
13 and by an Act approved May 5, 2006 (Ga. L. 2006, p. 4216), is amended by revising
14 subsection (d) of Section 2 as follows:

15 "(d) For purposes of electing members of the authority, each person, firm, corporation, or
16 other entity having an account with, and receiving services from, the authority shall be
17 entitled to cast one vote for each such account maintained with the authority in accordance
18 with the following procedures:

19 (1) Each natural person holding an account individually shall be required, as a
20 precondition to submitting or signing a petition for the nomination of a candidate and to
21 receiving a voting ballot for the applicable account, to provide to the authority in writing
22 his or her full name and account number, as well as his or her accompanying sample
23 handwritten signature;

24 (2) Any account holder, including multiple concurrent holders of a single account, other
25 than a natural person holding an account individually shall be required, as a precondition
26 to submitting or signing a petition for the nomination of a candidate and to receiving a

1 voting ballot for the applicable account, to file with the authority a written designation
2 of the account number and the full name of the natural person authorized to submit or
3 sign petitions for the nomination of candidates and to cast votes on behalf of such
4 account, and to provide an accompanying sample handwritten signature of such natural
5 person; provided that the authority shall be required to immediately notify in writing the
6 account holder, by certified mail, return receipt requested, directed to the account
7 holder's billing address on file with the authority, of the receipt by the authority of
8 conflicting designations of natural persons authorized to submit or sign petitions for the
9 nomination of candidates and to cast votes on behalf of such account; and further
10 provided that the authority shall not provide a voting ballot to any such account holder
11 unless and until the authority receives satisfactory written evidence from such account
12 holder of the resolution of any such conflicting designations;

13 (3) Prior to each election for the position of a member of the authority, the authority shall
14 establish a period of time for the submission of nominations of candidates. Each sitting
15 member of the authority shall be entitled to nominate one candidate. Additionally, any
16 account holder complying with the provisions of paragraph (1) or (2) of this subsection
17 shall be entitled to submit one petition for nomination of a candidate, provided that such
18 petition, to be valid, shall be accompanied by the signatures of at least 50 other account
19 holders complying with the provisions of paragraph (1) or (2) of this subsection.
20 Following the close of the nominations period, the authority shall designate for inclusion
21 on the election ballot the name of each candidate nominated by a sitting authority
22 member, as well as the name of each candidate for which a valid petition for nomination
23 was submitted;

24 (4) In addition to the names of the candidates, the election ballot shall contain spaces for
25 the full name, account number, and handwritten signature of the account holder as
26 designated in paragraphs (1) and (2) of this subsection. The election ballot shall be
27 submitted by the authority to each account holder complying with the provisions of
28 paragraph (1) or (2) of this subsection by mailing such ballot, with the account holder's
29 monthly authority bill, to each account holder at such account holder's billing address on
30 file with the authority. After voting for one candidate and providing the account holder's
31 full name, account number, and handwritten signature, the account holder shall seal the
32 ballot in an envelope addressed to the auditor of the authority and shall mail or hand
33 deliver such ballot to the auditor of the authority at such address as may be designated by
34 said auditor. No ballot shall be counted which is not actually received by or on behalf of
35 the auditor at the address designated by the auditor on or before the due date of the
36 account holder's bill. No account holder shall submit his or her monthly authority bill
37 payment in the envelope containing the completed ballot which is submitted to the

1 auditor. The auditor of the authority shall tabulate the election ballots; provided,
2 however, that the auditor shall not count any ballot which, in the judgment of the auditor,
3 has been fraudulently prepared or fraudulently submitted or which otherwise fails to
4 comply with the procedural requirements set forth in paragraphs (1) through (4) of this
5 subsection; and

6 (5) The candidate receiving the greatest number of votes shall be elected as a member
7 of the authority, provided that such candidate must also receive a majority of the votes
8 cast. In the event that no candidate receives a majority of the votes cast, then the names
9 of the candidates having the two greatest numbers of votes shall be submitted to the
10 consumers of the authority on a runoff ballot in accordance with paragraph (4) of this
11 subsection. Thereafter, the candidate receiving a majority of the votes cast in such runoff
12 shall be elected as a member of the authority."

13

SECTION 2.

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