

House Bill 776 (AS PASSED HOUSE AND SENATE)

By: Representatives Dempsey of the 13th, Reece of the 11th, Loudermilk of the 14th, and Crawford of the 16th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing for the filling of vacancies in the membership of the Hospital
2 Authority of Floyd County, approved March 1, 1973 (Ga. L. 1973, p. 2057), as amended, so
3 as to change certain provisions relating to the manner of filling such vacancies; to provide
4 for related matters; to provide for an effective date; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act providing for the filling of vacancies in the membership of the Hospital Authority
9 of Floyd County, approved March 1, 1973 (Ga. L. 1973, p. 2057), as amended, is amended
10 by inserting a new Section 1 as follows:

11 "SECTION 1.

12 Except as provided in Section 2 of this Act, each vacancy occurring in the membership of
13 the Hospital Authority of Floyd County shall be filled by a person selected by the Floyd
14 County Grand Jury meeting next following the occurrence of such vacancy. The hospital
15 authority shall nominate one candidate for each such vacancy and submit the name of the
16 candidate to the Board of Commissioners of Floyd County for its approval. Following the
17 approval of the candidate by the county commissioners, the hospital authority shall submit
18 to the foreman of the grand jury the name of the candidate and a certified statement of the
19 chairman of the hospital authority indicating the board of commissioners has approved the
20 nomination. The grand jury shall then either accept or reject the candidate by a majority
21 vote. The foreman of the grand jury shall notify the chairman of the hospital authority of
22 its decision. Should the grand jury reject the initial or subsequent candidates, then the
23 hospital authority shall continue to submit another candidate for the grand jury's
24 consideration in the same manner provided for the initial candidate until a candidate has

1 been accepted. In the event a grand jury fails to fill a vacancy, the next succeeding grand
2 jury shall fill such vacancy in the manner provided in this section."

3 **SECTION 2.**

4 Said Act is further amended by revising Section 2 as follows:

5 "SECTION 2.

6 One member of the hospital authority shall be a member of the Board of Commissioners
7 of Floyd County. Such member shall be selected by the board of commissioners from its
8 own membership. The member so selected shall remain a member of the hospital authority
9 during his or her term of office as a commissioner. Successors to such member shall
10 likewise be selected by the board of commissioners from its own membership, and any
11 vacancy occurring in the office of such member shall be filled by the board of
12 commissioners in the same manner. In the event any such member ceases to be a member
13 of the board of commissioners for any reason, he or she shall also cease to be a member of
14 the hospital authority, and the vacancy thus created shall be filled as herein provided."

15 **SECTION 3.**

16 Said Act is further amended by inserting a new Section 3 as follows:

17 "SECTION 3.

18 Any member of the hospital authority who is in office on the effective date of this Act or
19 any person selected to fill a vacancy in such office whose term of office would normally
20 expire on December 31, 2008, shall continue to serve until such time as he or she is
21 replaced by a member of the Board of Commissioners of Floyd County selected in the
22 manner provided in Section 2 of this Act, and all future vacancies in such office shall be
23 filled in the manner provided in Section 2 of this Act."

24 **SECTION 4.**

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

27 **SECTION 5.**

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