

Senate Bill 448

By: Senators Mullis of the 53rd, Williams of the 19th, Rogers of the 21st, Staton of the 18th,
Wiles of the 37th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 32-2-20 of the Official Code of Georgia Annotated, relating to the
2 membership on the State Transportation Board, so as to provide for members to serve for the
3 same term as members of the General Assembly; to provide a procedure for removal of a
4 member from office prior to expiration of his or her term; to provide for related matters; to
5 provide for a conditional effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 32-2-20 of the Official Code of Georgia Annotated, relating to the membership
9 on the State Transportation Board, is amended by revising subsections (b) and (c) as follows:
10 "(b) Each member shall serve for the same term as members of the General Assembly,
11 unless a member is recalled by a majority vote of the legislative caucus that elected him or
12 her, the member shall be elected to serve for a term of five years and until his or her
13 successor is duly elected and certified. The member of the board from each congressional
14 district shall be elected by a majority vote of the members of the House of Representatives
15 and Senate whose respective districts are embraced or partly embraced within such
16 congressional district, meeting in caucus at the regular session of the General Assembly
17 immediately preceding the expiration of the term of office of each such board member.
18 Said caucus shall be called at the state capitol by the Speaker of the House of
19 Representatives and the President of the Senate within the first ten days of the convening
20 of the General Assembly in regular session by mailing to the members of the General
21 Assembly ~~who are affected~~ written notice at least four days before the caucus, which notice
22 shall state the time, place, and purpose of said caucus. Within 15 days after each such
23 election, the Speaker of the House and the President of the Senate shall jointly transmit a
24 certificate of such election to the Secretary of State who, upon receipt thereof, shall
25 immediately issue his or her commission thereon, with the great seal of the state affixed
26 thereto.

27 (c) In the event that any vacancy for any cause, including a recall of the member, shall
28 occur in the membership of the board during any regular session of the General Assembly,
29 the remainder of the unexpired term shall be filled by a member elected by a majority vote
30 of those members of the General Assembly whose respective districts are embraced or
31 partly embraced within the congressional district where the vacancy occurred, in the same
32 manner as provided in subsection (b) of this Code section for the election of board
33 members. In the event that any vacancy for any cause shall occur in the membership of the
34 board while the General Assembly is not in session, the remainder of the unexpired term
35 shall be filled by a member elected by a majority vote of those members of the General
36 Assembly whose respective districts are embraced or partly embraced within the
37 congressional district where the vacancy occurred, at a meeting which shall be called by
38 the Speaker of the House of Representatives and the President of the Senate at some
39 convenient location and in the manner provided in subsection (b) of this Code section for
40 the election of board members."

41 **SECTION 2.**

42 This Act shall become effective on January 1, 2011; provided, however, that this Act shall
43 only become effective on January 1, 2011, upon the ratification of a resolution at the
44 November, 2010, state-wide general election, which resolution amends the Constitution so
45 as to authorize election of members of the State Transportation Board to serve a term the
46 same as members of the General Assembly and for the recall of members of the State
47 Transportation Board. If such resolution is not so ratified, this Act shall not become effective
48 and shall stand repealed in its entirety on January 1, 2011.

49 **SECTION 3.**

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