

House Bill 1362

By: Representative Smith of the 168th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating a new charter for the City of Alma, approved April 4, 1967
2 (Ga. L. 1967, p. 2643), as amended, particularly by an Act approved March 19, 1993
3 (Ga. L. 1993, p. 4127), an Act approved April 9, 1999 (Ga. L. 1999, p. 4124), and an Act
4 approved May 30, 2003 (Ga. L. 2003, p. 3940), so as to change the description of the council
5 districts; to provide for definitions and inclusions; to provide for continuation in office of
6 current members; to provide for election and terms of office of subsequent members; to
7 provide for eligibility and qualifications; to provide for submission of this Act for
8 preclearance under the federal Voting Rights Act of 1965, as amended; to provide for
9 effective dates; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 An Act creating a new charter for the City of Alma, approved April 4, 1967 (Ga. L. 1967,
13 p. 2643), as amended, particularly by an Act approved March 19, 1993 (Ga. L. 1993,
14 p. 4127), an Act approved April 9, 1999 (Ga. L. 1999, p. 4124), and an Act approved
15 May 30, 2003 (Ga. L. 2003, p. 3940), is amended by striking Section 6.01 and inserting in
16 lieu thereof the following:

17 "SECTION 6.01.

18 Elections.

19 (a) The mayor and those members of the city council who are serving as such on the
20 effective date of this Act, and any person selected to fill a vacancy in any such office, shall
21 continue to serve as such mayor or members until the regular expiration of their respective
22 terms of office and upon the election and qualification of their respective successors. On
23 and after January 1, 2012, the governing authority of the City of Alma shall consist of five

24 councilmembers all of whom shall be elected from council districts described in
25 subsection (b) of this section and the mayor who is elected at large as provided in this Act.

26 (b) For purposes of electing members of the city council, the City of Alma is divided into
27 five council districts. One member of the city council shall be elected from each such
28 district. The five council districts shall be and correspond to those five numbered districts
29 described in and attached to and made a part of this Act and further identified as Plan
30 Name: alma2010p2 Plan Type: Local User: Gina Administrator: Alma.

31 (c) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean
32 and describe the same geographical boundaries as provided in the report of the Bureau of
33 the Census for the United States decennial census of 2000 for the State of Georgia. The
34 separate numeric designations in a Tract description which are underneath a 'BG' heading
35 shall mean and describe individual Blocks within a Block Group as provided in the report
36 of the Bureau of the Census for the United States decennial census of 2000 for the State of
37 Georgia. Any part of the City of Alma which is not included in any such district described
38 in that attachment shall be included within that district contiguous to such part which
39 contains the least population according to the United States decennial census of 2000 for
40 the State of Georgia. Any part of the City of Alma which is described in that attachment
41 as being in a particular district shall nevertheless not be included within such district if such
42 part is not contiguous to such district. Such noncontiguous part shall instead be included
43 within that district contiguous to such part which contains the least population according
44 to the United States decennial census of 2000 for the State of Georgia.

45 (d) The mayor and members of the city council shall be elected at the general election on
46 the Tuesday next following the first Monday in November, 2011. The mayor and members
47 of the city council shall serve for the terms of office of four years and until their respective
48 successors are elected and qualified.

49 (e) Council Districts 1, 2, 3, 4, and 5, as they exist on the effective date of this Act, shall
50 continue to be designated as Council Districts 1, 2, 3, 4, and 5, respectively, for purposes
51 of present representation only. For purposes of qualification and election in the
52 November, 2011, general election, such districts shall be as newly described under this Act.

53 (f) No person shall be a member of the council if that person is ineligible for such office
54 pursuant to Code Section 45-2-1 of the O.C.G.A. or any other general law.

55 (g) In order to be elected as a member of the council from a council district, a person must
56 have resided in that district for at least six months prior to election thereto and must receive
57 a majority of the votes cast for that office in that district only and not at large. Only
58 electors who are residents of that council district may vote for a member of the council for
59 that district. At the time of qualifying for election as a member of the council from a
60 council district, each candidate for such office shall specify the council district for which

61 that person is a candidate. A person elected as a member of the council from a council
62 district must continue to reside in that district during that person's term of office or that
63 office shall thereupon become vacant.

64 (h) The mayor may reside anywhere within the City of Alma and must receive a majority
65 of the votes cast for such office in the entire city. The mayor must continue to reside
66 within the City of Alma during that person's term of office or that office shall thereupon
67 become vacant. A person must have resided in the city at least six months prior to election
68 as mayor."

69 **SECTION 2.**

70 Said Act is further amended by striking in its entirety the attachment to the Act approved
71 May 30, 2003 (Ga. L. 2003, p. 3940), which was identified as Plan Name: almap3 Plan
72 Type: Local User: Blake Administrator: Alma.

73 **SECTION 3.**

74 It shall be the duty of the attorney of the City of Alma to submit this Act for approval
75 pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended.

76 **SECTION 4.**

77 For the purpose of conducting the 2011 general election in the City of Alma, this Act shall
78 become effective upon its approval by the Governor or upon its becoming law without such
79 approval. For all other purposes, this Act shall become effective on January 1, 2012.

80 **SECTION 5.**

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