

House Bill 1089

By: Representative Powell of the 171<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act providing a new charter for the City of Funston, approved April 17, 1975  
2 (Ga. L. 1975, p. 4044), as amended, particularly by an Act approved March 30, 1989 (Ga.  
3 L. 1989, p. 4635), so as to provide for the election and terms of the mayor and  
4 councilmembers; to provide for submission for preclearance under Section 5 of the federal  
5 Voting Rights Act of 1965, as amended; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act providing a new charter for the City of Funston, approved April 17, 1975 (Ga. L.  
9 1975, p. 4044), as amended, particularly by an Act approved March 30, 1989 (Ga. L. 1989,  
10 p. 4635), is amended by revising Section 5.10 as follows:

11 "SECTION 5.10.

12 Regular elections.

13 (a) The city council shall be made up of five council posts. At the time of qualification,  
14 each candidate for councilmember shall designate which post he or she is seeking. The  
15 first election under this section shall take place on the date of the general election in 2010  
16 to elect councilmembers from council Posts 3, 4, and 5. Such councilmembers shall serve  
17 terms of three years and until their successors are duly elected and qualified. The election  
18 for mayor and councilmembers from council Posts 1 and 2 under this section shall be held  
19 on the Tuesday next following the first Monday in November, 2011, to serve terms of four  
20 years and until their successors are duly elected and qualified. Thereafter there shall be  
21 held an election on the Tuesday next following the first Monday in November of  
22 odd-numbered years to elect the successors of such officers whose terms expire in that  
23 year. Such officers shall serve terms of four years and until their successors are duly  
24 elected and qualified, beginning on the first day of January following their election.

25 (b) The mayor and councilmembers serving on the effective date of this Act shall continue  
26 to serve the remainder of their terms and until their successors are duly elected and  
27 qualified."

28 **SECTION 2.**

29 The governing authority of the City of Funston shall cause, through its legal counsel, this Act  
30 to be submitted for preclearance under Section 5 of the federal Voting Rights Act of 1965,  
31 as amended, within 45 days after the date on which this Act is approved by the Governor or  
32 otherwise becomes law without such approval.

33 **SECTION 3.**

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