

House Bill 1362 (COMMITTEE SUBSTITUTE)

By: Representative Smith of the 168<sup>th</sup>

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 an  
9 effective date; 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 the effective date of this Act, the governing authority of the City of Alma shall  
24 consist of five councilmembers all of whom shall be elected from council districts

described in subsection (b) of this section and the mayor who is elected at large as provided in this Act.

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

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

(d)(1) The mayor and members of the city council from Council Districts 2 and 4 shall be elected at the general election on the Tuesday next following the first Monday in November, 2011.

(2) The members of the city council from Council Districts 1, 3, and 5 shall be elected at the general election on the Tuesday next following the first Monday in November, 2013.

(3) The mayor and members of the city council shall serve for terms of office of four years and until their respective successors are elected and qualified.

(e) On and after the effective date of this Act, those members who represent Council Districts 1, 2, 3, 4, and 5 shall represent Council Districts 1, 2, 3, 4, and 5, respectively, as newly described under this Act.

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

(g) In order to be elected as a member of the council from a council district, a person must have resided in the city for at least six months prior to the election and must receive a majority of the votes cast for that office in that district only and not at large. Only electors

who are residents of that council district may vote for a member of the council for that district. At the time of qualifying for election as a member of the council from a council district, each candidate for such office shall specify the council district for which that person is a candidate. A person elected as a member of the council from a council district must continue to reside in that district during that person's term of office or that office shall thereupon become vacant.

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

### **SECTION 2.**

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

### **SECTION 3.**

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

### **SECTION 4.**

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

### **SECTION 5.**

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