

House Bill 1362 (AS PASSED HOUSE AND SENATE)

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

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

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

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

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

49 (2) The members of the city council from Council Districts 1, 3, and 5 shall be elected  
50 at the general election on the Tuesday next following the first Monday in November,  
51 2013.

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

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

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

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

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

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

73 **SECTION 2.**

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

77 **SECTION 3.**

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

80 **SECTION 4.**

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

83 **SECTION 5.**

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