

House Bill 589

By: Representative Sims of the 169th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to reincorporate the City of Pearson in the County of Atkinson, approved
2 March 29, 1971 (Ga. L. 1971, p. 2266), as amended, so as to revise the method of filling
3 vacancies; to provide for submission under Section 5 of the federal Voting Rights Act of
4 1965, as amended; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act to reincorporate the City of Pearson in the County of Atkinson, approved March 29,
9 1971 (Ga. L. 1971, p. 2266), as amended, is amended by revising Section 2.08 as follows:

10 "SECTION 2.08.

11 Vacancy in office of mayor or councilmembers.

12 (a) A vacancy shall exist in the office of mayor or councilmember if the mayor or a
13 councilmember resigns, dies, or moves his or her residence from the city; is absent from
14 four consecutive regular meetings of the governing authority, except if granted a leave of
15 absence by the mayor and council, which leave shall be entered upon the minute books;
16 is adjudged incompetent; or is convicted of malfeasance in office, a felony, or any violation
17 of election laws.

18 (b) If there is one year or less remaining in such person's term of office, the city council
19 or those remaining shall appoint a qualified individual to fill the balance of the unexpired
20 term of such person. In the event that there is more than one year remaining in such
21 person's term of office, the vacancy shall be filled by special election called and held in
22 accordance with Code Section 21-2-540 of the O.C.G.A. In the event that all seats on the
23 commission are vacant, such vacancies shall be filled in accordance with the provisions of
24 Code Section 36-30-13."

25 **SECTION 2.**

26 The governing authority of the City of Pearson shall through its legal counsel cause this Act
27 to be submitted for preclearance under the federal Voting Rights Act of 1965, as amended,
28 no later than 45 days after the date on which this Act is approved by the Governor or
29 otherwise becomes law without such approval.

30 **SECTION 3.**

31 All laws and parts of laws in conflict with this Act are repealed.