

House Bill 105 (AS PASSED HOUSE AND SENATE)

By: Representative Spencer of the 180<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act providing for a new charter for the City of St. Marys, Georgia, approved  
2 April 9, 1981 (Ga. L. 1981, p. 4763), as amended, particularly by an Act approved April 4,  
3 1996 (Ga. L. 1996, p. 4100), and a home rule amendment filed in the Office of the Secretary  
4 of State on February 28, 2005 (Ga. L. 2005, p. 4277), so as to provide for elections of the  
5 mayor and councilmembers in even-numbered years; to provide for related matters; to  
6 provide for a referendum; to provide for effective dates; to repeal conflicting laws; and for  
7 other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act providing for a new charter for the City of St. Marys, Georgia, approved April 9,  
11 1981 (Ga. L. 1981, p. 4763), as amended, particularly by an Act approved April 4, 1996  
12 (Ga. L. 1996, p. 4100), and a home rule amendment filed in the Office of the Secretary of on  
13 State on February 28, 2005 (Ga. L. 2005, p. 4277), is amended by revising subsections (d)  
14 and (e) of Section 3-102 as follows:

15 "(d) The term of all councilmembers elected to city council posts by election in 2011 shall  
16 be for a term of three years. The next succeeding election to fill those posts shall be held  
17 in 2014, and the terms for councilmembers elected to those posts in that election and  
18 subsequent elections shall be four years. The term of all councilmembers elected to city  
19 council posts by election in 2013 shall be for a term of three years. The next succeeding  
20 election to fill those posts shall be held in 2016, and the terms for councilmembers elected  
21 to those posts in that election and subsequent elections shall be four years.

22 (e) The term of the mayor who shall be elected in 2013 shall be for a term of three years.  
23 The next succeeding election for mayor shall be held in 2016, and the term for the person  
24 elected mayor in that election and subsequent elections shall be four years."

**SECTION 2.**

Unless prohibited by the federal Voting Rights Act of 1965, as amended, the municipal election superintendent of the City of St. Marys shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the City of St. Marys for approval or rejection. The election superintendent of the City of St. Marys shall call and conduct that election on the earliest date permitted for a special election following approval of this Act by the Governor or it becoming law without such approval and preclearance pursuant to Section 5 of the Voting Rights Act of 1965, as amended, as certified by the city attorney. The election superintendent shall issue the call and conduct that election as provided by general law. The election superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Camden County. The ballot shall have written or printed thereon the words:

"( ) YES Shall the charter of the City of St. Marys, Georgia, be amended so as to require that the date of election of city councilmembers and mayor be held ( ) NO in even-numbered years so as to coincide with state and national elections?"

All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on such question are for approval of the Act, Section 1 of this Act shall become of full force and effect upon certification of such election results by the municipal election superintendent unless prohibited by the federal Voting Rights Act of 1965, as amended. The expense of such election shall be borne by the City of St. Marys. It shall be the municipal election superintendent's duty to certify the result thereof to the Secretary of State. This amendment shall not be effective until approved by a majority of the electors of the City of St. Marys voting in the referendum and any necessary approval or preclearance pursuant to the federal Voting Rights Act of 1965, as amended, has been obtained by the city attorney of the City of St. Marys.

**SECTION 3.**

Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

**SECTION 4.**

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