

House Bill 108 (AS PASSED HOUSE AND SENATE)

By: Representatives Benton of the 31st and Harden of the 28th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing for a new charter for the City of Maysville, approved June 2,
2 2010 (Ga. L. 2010, p. 3959), so as to change the provisions regarding election of members
3 of the city council and to establish ward boundaries and provide for election of members
4 from such wards; to provide for related matters; to provide for submission of this Act for
5 preclearance under the federal Voting Rights Act of 1965, as amended; to repeal conflicting
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act providing for a new charter for the City of Maysville, approved June 2, 2010
10 (Ga. L. 2010, p. 3959), is amended by revising Section 5.11 to read as follows:

11 "SECTION 5.11.

12 Regular elections; time for holding.

13 (a) There shall be a municipal general election on the Tuesday following the first Monday
14 in November, 2011, and every two years thereafter.

15 (b) The mayor and those members of the city council who are serving as such on
16 December 31, 2009, and any person selected to fill a vacancy in any such office shall
17 continue to serve as such members until the regular expiration of their respective terms of
18 office and until their successors are duly elected and qualified and taken the oath of office.

19 (c) For the purposes of electing members of the city council, the territory of the City of
20 Maysville is divided into four voting districts or wards, to be designated Ward 1, Ward 2,
21 Ward 3, and Ward 4, which shall be and correspond to those four numbered districts
22 described in and attached to and made a part of this Act and further identified as Plan
23 Name: maycc02 Plan Type: Local User: staff Administrator: Maysville.

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

38 (e) No person shall be eligible to serve as a councilmember representing a ward unless that
39 person is a resident of the ward such person seeks to represent at the time of qualifying for
40 the election for councilmember and continues to reside in such district during that person's
41 period of service. Each councilmember shall be elected by a plurality vote of the qualified
42 electors residing within his or her respective ward at the elections of the city.

43 (f) The mayor shall be elected by a plurality vote of the qualified electors of the city at
44 large voting at the elections of the city.

45 (g) The members of the city council shall be elected as provided in this subsection. The
46 mayor and the members from Ward 2 and Ward 4 under the staggered election system shall
47 be elected at the general election on the Tuesday next following the first Monday in
48 November, 2011. The mayor and those members of the city council elected thereto from
49 Ward 2 and Ward 4 in 2011 shall take office the first day of January immediately following
50 that election and shall serve for terms of office which expire December 31, 2015, and upon
51 the election and qualification of their respective successors. The members from Ward 1
52 and Ward 3 under the staggered election system shall be elected at the general election on
53 the Tuesday next following the first Monday in November, 2011. The members of the city
54 council elected thereto from Ward 1 and Ward 3 in 2011 shall take office the first day of
55 January immediately following that election and shall serve one two-year term of office
56 which will expire December 31, 2013, and upon the election and qualification of their
57 respective successors. The members from Ward 1 and Ward 3 shall then be elected for a
58 full four-year term at the municipal general election in November, 2013, held pursuant to
59 subsection (a) of this section. Thereafter all future successors to the mayor and members
60 of the city council whose terms of office are to expire shall be elected at the time of the

61 municipal general election provided for in subsection (a) of this section immediately
62 preceding the expiration of such terms, shall take office the first day of January
63 immediately following the election, and shall serve for terms of office of four years each.
64 The mayor and members of the city council shall serve for the terms of office specified
65 therefor in this subsection and until their respective successors are elected and qualified."

66 **SECTION 2.**

67 The governing authority of the City of Maysville shall through its legal counsel cause this
68 Act to be submitted for preclearance under the federal Voting Rights Act of 1965, as
69 amended, not later than 45 days after the date on which this Act is approved by the Governor
70 or otherwise becomes law without such approval.

71 **SECTION 3.**

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