

House Bill 466 (AS PASSED HOUSE AND SENATE)

By: Representative Shaw of the 176th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to incorporate the City of Hahira, approved August 19, 1912 (Ga. L. 1912,
2 p. 951), as amended, particularly by a home rule amendment filed with the Office of the
3 Secretary of State January 24, 2011, so as to provide that councilmembers shall reside in
4 their respective districts for a period of at least 12 months immediately prior to election and
5 shall continue to reside in such district during his or her period of service; to provide for the
6 filling of vacancies; to provide for related matters; to repeal conflicting laws; and for other
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 SECTION 1.

10 An Act to incorporate the City of Hahira, approved August 19, 1912 (Ga. L. 1912, p. 951),
11 as amended, particularly by a home rule amendment filed with the Office of the Secretary
12 of State January 24, 2011, is amended by revising Section 2.12 as follows:

13 "Sec. 2.12. City Council Terms and Qualifications of Office.

14 The members of the city council shall serve for terms of four years and until their
15 respective successors are elected and qualified. No person shall be eligible to serve as
16 mayor or councilmember unless that person shall have been a resident of the city for at
17 least 12 months prior to the date of election of mayor or members of the council and be a
18 registered and qualified voter of the city at the time of qualifying; each shall continue to
19 reside therein during that member's period of service and to be registered and qualified to
20 vote in municipal elections of this city. In addition to these requirements, no person shall
21 be eligible to serve as a councilmember representing a council district unless that person
22 has been a resident of the district such person seeks to represent for a continuous period of
23 at least 12 months immediately prior to the date of the election for councilmember and
24 continues to reside in such district during that person's period of service. If the mayor or
25 a member of council changes his or her residence to a district other than the district that he
26 or she represents or to a location outside the city, that council seat shall immediately be

27 declared vacant by the city council and the vacancy shall be filled as provided in this
28 charter."

29 **SECTION 2.**

30 Said Act is further amended by revising subsection (b) of Section 2.14 and adding a new
31 subsection to read as follows:

32 "(b) Filling of vacancies - A vacancy in the office of mayor or councilmember shall be
33 filled for the remainder of the unexpired term, if any, by appointment by the city council
34 or those members remaining if less than 12 months remains in the unexpired term. If such
35 vacancy occurs 12 months or more prior to the expiration of the term of that office, it shall
36 be filled for the remainder of the unexpired term by a special election, in accordance with
37 Titles 21 and 45 of the O.C.G.A. or other such laws as are or may hereafter be enacted.

38 (c) This provision shall also apply to a temporary vacancy created by the suspension from
39 office of the mayor or any councilmember."

40 **SECTION 3.**

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