

House Bill 1214

By: Representative Roberts of the 154th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act reincorporating the City of Scotland, approved March 24, 1988 (Ga. L.
2 1988, p. 4314), so as to provide for the election of the mayor and councilmembers; to provide
3 for terms of office; to provide for the holding of elections; to provide for submission of this
4 Act for preclearance under the federal Voting Rights Act of 1965; to provide for related
5 matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act reincorporating the City of Scotland, approved March 24, 1988 (Ga. L. 1988, p.
9 4314), is amended by revising Section 2.02 as follows:

10 "Section 2.02.

11 Terms of office and limitations thereon.

12 Except as otherwise provided in this charter, the mayor and members of the city council shall
13 serve for terms of four years and until their respective successors are elected and qualified.
14 No person shall be eligible to serve as mayor or councilmember unless that person shall have
15 been a resident of the city for 12 months prior to the date of election as mayor or
16 councilmember; each shall continue to reside therein during that member's period of service
17 and to be registered and qualified to vote in municipal elections of this city."

18 **SECTION 2.**

19 Said Act is further amended by revising Article V as follows:

20 "ARTICLE V

21 ELECTIONS

22 Section 5.01.

23 Applicability of general law.

24 All primaries and elections shall be held and conducted in accordance with Chapter 2 of Title
25 21 of the O.C.G.A., the 'Georgia Election Code,' as now or hereafter amended.

26 Section 5.02.

27 Election of the city council and mayor.

28 (a) Except as provided for in subsection (c) of this section, there shall be a municipal
29 general election biennially in the odd-numbered years on the Tuesday next following the
30 first Monday in November.

31 (b) Beginning in 2013, there shall be elected the mayor and two councilmembers at one
32 election and at every other regular election thereafter. The remaining city council seats
33 shall be filled at the election alternating with the first election so that a continuing body is
34 created. Except as provided for in subsection (c) of this section, terms shall be for four
35 years.

36 (c) A general election shall be held in 2012 on the first Tuesday following the first
37 Monday in November for the two councilmember seats whose terms expire December 31,
38 2012. The terms for those councilmembers elected in 2012 shall be one year.

39 Section 5.03.

40 Election by plurality

41 The person receiving a plurality of the votes cast for any city office shall be elected.

42 Section 5.04.

43 Other provisions

44 Except as otherwise provided by this charter, the city council shall, by ordinance, prescribe
45 such rules and regulations it deems appropriate to fulfill any options and duties under
46 Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'"

47 **SECTION 3.**

48 The city council of the City of Scotland shall through its legal counsel cause this Act to be
49 submitted for preclearance under the federal Voting Rights Act of 1965, as amended, no later
50 than 45 days after the date on which this Act is approved by the Governor or otherwise
51 becomes law without such approval.

52

SECTION 4.

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