

House Bill 602

By: Representatives Cheokas of the 138th and Rynders of the 152nd

A BILL TO BE ENTITLED
AN ACT

1 To create the Americus-Sumter County Land Bank Authority; to provide for its membership,
2 terms of office, powers, duties, and authority; to provide for related matters; to repeal
3 conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 **SECTION 1.**

6 Pursuant to Article 6 of Chapter 4 of Title 48 of the O.C.G.A., the "Georgia Land Bank Act,"
7 there is created the Americus-Sumter County Land Bank Authority. Such authority shall
8 have perpetual existence until terminated and dissolved in accordance with Code Section
9 48-4-111 of the O.C.G.A.

10 **SECTION 2.**

11 (a) The authority shall be governed by a seven-member board of directors, the members of
12 which shall be appointed as provided in this section.

13 (b) Three members of the board of directors shall be appointed by the governing authority
14 of the City of Americus, and three members of the board of directors shall be appointed by
15 the governing authority of Sumter County. The seventh member of the board of directors
16 shall be a joint appointment agreed upon by the governing authority of the City of Americus
17 and the governing authority of Sumter County.

18 (c) The terms of members of the board of directors shall be for four years and until their
19 respective successors are appointed and qualified; provided, however, that the initial terms
20 of two of the members appointed by the governing authority of the City of Americus and two
21 of the members appointed by the governing authority of Sumter County shall be for two
22 years and until their respective successors are appointed and qualified. Such members
23 having initial two-year terms of office shall be designated at the time of their appointments.
24 The other members shall serve initial four-year terms of office and until their respective
25 successors are appointed and qualified.

(d) Persons appointed to the board of directors shall be at least 21 years of age at the time of their appointment, shall have resided in the incorporated area of the City of Americus or the unincorporated area of Sumter County for a period of at least two years immediately preceding the date of their appointment, and shall take such oath of office as may be prescribed by law upon such appointment.

(e) Members appointed by the governing authority of the City of Americus shall reside in the incorporated area of the City of Americus during their respective terms of office. Members appointed by the governing authority of Sumter County shall reside in the unincorporated area of Sumter County during their respective terms of office. The member who is jointly appointed by the governing authority of the City of Americus and the governing authority of Sumter County shall reside in either the incorporated area of the City of Americus or the unincorporated area of Sumter County during his or her term of office.

(f) At least one of the members appointed by the governing authority of the City of Americus and one of the members appointed by the governing authority of Sumter County shall be a person who is experienced in real property transactions, the taxation of real property, and the valuation of real property.

(g) The governing authority of the City of Americus and the governing authority of Sumter County shall each be authorized to appoint a tax commissioner or tax collector to serve as an ex officio member of the board of directors.

(h) Nothing in this Act shall prohibit the appointment of an elected member of the governing authority of the City of Americus or the governing authority of Sumter County as a member of the board of directors.

(i) Members of the board of directors shall be subject to removal in accordance with the provisions of Code Section 48-4-104 of the O.C.G.A.

(j) Vacancies on the board of directors shall be filled in the same manner as the original appointment for the unexpired term of office.

(k) Members of the board of directors shall serve without compensation but may be reimbursed for actual expenses incurred in the performance of duties on behalf of the authority.

(l) Meetings, determination of quorums, and voting shall be governed by the provisions of Code Section 48-4-104 of the O.C.G.A.

SECTION 3.

(a) The board of directors shall establish rules and regulations for its operation consistent with the provisions of Article 6 of Chapter 4 of Title 48 of the O.C.G.A., the "Georgia Land Bank Act."

61 (b) The board of directors shall at its first meeting of each year select from among its
62 members a chairperson, vice chairperson, secretary, treasurer, and such other officers as the
63 board may determine by its rules.

64 **SECTION 4.**

65 The authority shall have those powers, duties, abilities, immunities, limitations, and
66 obligations provided in Article 6 of Chapter 4 of Title 48 of the O.C.G.A., the "Georgia Land
67 Bank Act."

68 **SECTION 5.**

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