

House Bill 558 (AS PASSED HOUSE AND SENATE)

By: Representative McCall of the 33<sup>rd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act to amend, consolidate, and supersede the several Acts incorporating the  
2 City of Colbert, approved February 14, 1950 (Ga. L. 1950, p. 2417), as amended, particularly  
3 by an Act approved May 6, 2005 (Ga. L. 2005, p. 3909), so as to provide for staggered,  
4 four-year terms of office for the mayor and council; to provide for related matters; to repeal  
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act to amend, consolidate, and supersede the several Acts incorporating the City of  
9 Colbert, approved February 14, 1950 (Ga. L. 1950, p. 2417), as amended, particularly by an  
10 Act approved May 6, 2005 (Ga. L. 2005, p. 3909), is amended by revising Section 2.11 as  
11 follows:

12 "SECTION 2.11.

13 City councilmembers;

14 terms and qualifications for office.

15 The members of the city council shall serve for terms of four years and until their  
16 respective successors are elected and qualified. The term of office of each member of the  
17 city council shall begin on the first Monday of January immediately following the election  
18 of such member. No person shall be eligible to serve as mayor or councilmember unless  
19 that person shall have been a resident of the city for 12 months prior to the date of the  
20 election of mayor or members of the city council; each shall continue to reside therein  
21 during that person's period of service and to be registered and qualified to vote in  
22 municipal elections of this city."

23 **SECTION 2.**

24 Said Act is further amended by revising Section 2.26 as follows:

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25 "SECTION 2.26.

26 Election of mayor; forfeiture; compensation.

27 The mayor shall be elected and serve for a term of four years and until the mayor's  
 28 successor is elected and qualified. The mayor shall be a qualified elector of this city and  
 29 shall have been a resident of this city for 12 months immediately preceding the mayor's  
 30 election. The mayor shall continue to reside in this city during the period of the mayor's  
 31 service. The mayor shall forfeit that office on the same grounds and under the same  
 32 procedure as for councilmembers. The compensation of the mayor shall be established in  
 33 the same manner as for councilmembers."

34 **SECTION 3.**

35 Said Act is further amended by revising Section 5.11 as follows:

36 "SECTION 5.11.

37 Regular elections; time for holding.

38 (a) There shall be a municipal general election annually on the Tuesday next following the  
 39 first Monday in November.

40 (b) Notwithstanding the provisions of Sections 2.11 and 2.26 of this charter, at the general  
 41 municipal election in 2013, there shall be elected the mayor and two councilmembers to  
 42 succeed those persons whose terms of office expire in January next following such election  
 43 who shall be elected to two-year terms of office. At the general municipal election in 2015  
 44 and every four years thereafter, there shall be elected the mayor and two councilmembers  
 45 to succeed those persons whose terms of office expire in January next following such  
 46 election who shall be elected to four-year terms of office.

47 (c) Notwithstanding the provisions of Section 2.11 of this charter, at the general municipal  
 48 election in 2014, there shall be elected two councilmembers to succeed those persons  
 49 whose terms expire in January next following such election who shall be elected to  
 50 three-year terms of office. At the general municipal election in 2017 and every four years  
 51 thereafter, there shall be elected two councilmembers to succeed those persons whose terms  
 52 of office expire in January next following such election who shall be elected to four-year  
 53 terms of office."

54 **SECTION 4.**

55 The mayor and councilmembers of the City of Colbert who are serving as such on the  
 56 effective date of this Act and any person selected to fill a vacancy in any such office shall  
 57 continue to serve as such members until the regular expiration of their respective terms of  
 58 office and upon the election and qualification of their respective successors.

59

**SECTION 5.**

60 The governing authority of the City of Colbert shall through its legal counsel cause this Act  
61 to be submitted for preclearance under the federal Voting Rights Act of 1965, as amended,  
62 no later than 45 days after the date on which this Act is approved by the Governor or  
63 otherwise becomes law without such approval.

64

**SECTION 6.**

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