

Senate Bill 367

By: Senator Hill of the 6th

**AS PASSED**

**A BILL TO BE ENTITLED**

**AN ACT**

1 To amend Code Section 45-5-6 of the Official Code of Georgia Annotated, relating to public  
 2 official investigated by special commission upon indictment, gubernatorial review if  
 3 commission recommends suspension, suspension, reinstatement, and replacement officer, so  
 4 as to provide for the appointment of a temporary replacement officer under certain  
 5 circumstances; to amend Code Section 50-8-84 of the Official Code of Georgia Annotated,  
 6 relating to composition of membership of metropolitan area planning and development  
 7 commissions and redistricting of areas removed from jurisdiction of existing commission,  
 8 so as to change the eligibility to be a member of a commission; to provide for related matters;  
 9 to provide for an effective date and applicability; to repeal conflicting laws; and for other  
 10 purposes.

11 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

12 **SECTION 1.**

13 Code Section 45-5-6 of the Official Code of Georgia Annotated, relating to public official  
 14 investigated by special commission upon indictment, gubernatorial review if commission  
 15 recommends suspension, suspension, reinstatement, and replacement officer, is amended by  
 16 adding a new subsection to read as follows:

17 "(j) Unless otherwise provided by local law, in the event the Governor appoints a member  
 18 of a governing authority as a temporary replacement for a suspended public official under  
 19 paragraph (1) of subsection (d) of this Code section, the governing authority, by majority  
 20 vote, shall select a temporary replacement who is qualified by law to serve as such member  
 21 of the governing authority, to fill such member's seat on the governing authority until such  
 22 time as the suspension of the public official is terminated or the end of such member's  
 23 current term on the governing authority, whichever is earlier. Before selecting such  
 24 temporary replacement, the governing authority shall advertise its intention to select such  
 25 temporary replacement in the applicable legal organ at least once a week for two weeks and  
 26 on the governing authority's website, if it has one, and shall solicit applicants for such  
 27 temporary replacement position."

28

**SECTION 2.**

29 Code Section 50-8-84 of the Official Code of Georgia Annotated, relating to composition  
30 of membership of metropolitan area planning and development commissions and  
31 redistricting of areas removed from jurisdiction of existing commission, is amended by  
32 revising paragraph (5) of subsection (a) as follows:

33 "(5) A member, the president, or the presiding officer of the legislative body of the  
34 most populous municipality lying within the area chosen by majority vote of the  
35 members of that legislative body; and".

36

37

**SECTION 3.**

38 This Act shall become effective upon its approval by the Governor or upon its becoming  
39 law without such approval, and Section 1 shall enable the temporary replacement of all  
40 persons serving as temporary replacements for suspended public officials on the effective  
41 date of this Act as well as the temporary replacement of all persons appointed as temporary  
42 replacements for suspended public officials on and after the effective date of this Act.

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**SECTION 4.**

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