

House Bill 454

By: Representatives Spencer of the 180th and Corbett of the 174th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to incorporate the City of Kingsland in Camden County, Georgia, approved
2 August 15, 1927 (Ga. L. 1927, p. 1241), as amended, particularly by an Act approved
3 March 5, 1976 (Ga. L. 1976, p. 2833), so as to provide for the holding of elections in
4 even-numbered years; to provide for related matters; to provide for a referendum; to provide
5 for a contingent effective date; to provide for automatic repeal under certain circumstances;
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act to incorporate the City of Kingsland in Camden County, Georgia, approved
10 August 15, 1927 (Ga. L. 1927, p. 1241), as amended, particularly by an Act approved
11 March 5, 1976 (Ga. L. 1976, p. 2833), is amended by revising Section 2 as follows:

12 "SECTION 2.

13 The government of the city shall consist of a mayor and four councilmembers who shall
14 constitute the legislative body for the city and all of whom shall be elected in accordance
15 with this charter and Chapter 2 of Title 21 of the O.C.G.A., the Georgia Election Code. All
16 such officers shall serve for terms of four years and until their respective successors are
17 duly elected and qualified, except as otherwise provided in Section 3 of this charter. The
18 mayor and councilmembers shall each take an appropriate oath provided by ordinance
19 before entering upon the duties of their respective offices, which may be administered by
20 any person authorized by law to administer oaths under the laws of this state. The council
21 may elect or appoint such subordinate officers as may become necessary at any time for
22 the enforcement of the provisions of this charter or any ordinance passed by the council in
23 the pursuance of the rights and powers herein conferred. All such subordinate officers thus
24 appointed or elected shall be deemed and held to be lawful officers of this state and the
25 City of Kingsland. All such subordinate officers shall hold their offices at the will of the

26 council and receive such salary as may be fixed by the council. Each such officer shall
 27 take an appropriate oath before entering upon the discharge of their respective duties and
 28 give such bond as the council may require, payable to the City of Kingsland, conditioned
 29 upon the faithful performance of the duties of their respective offices."

30 **SECTION 2.**

31 Said Act is further amended by revising Section 3 as follows:

32 "SECTION 3.

33 (a) Beginning in 2018, the municipal general election for the City of Kingsland shall be
 34 conducted on the Tuesday next following the first Monday in November in each
 35 even-numbered year. The election shall be held and conducted in accordance with
 36 Chapter 2 of Title 21 of the O.C.G.A., the Georgia Election Code.

37 (b) For the purposes of electing candidates to the office of councilmember, positions of
 38 membership on the council shall be numbered as Posts 1 through 4, respectively.
 39 Candidates offering for election to the council shall designate by number that position on
 40 the council for which they offer as a candidate. In the general election conducted in 2015,
 41 the mayor and the candidates elected to Posts 3 and 4 shall serve for an initial term of three
 42 years and until their respective successors are duly elected and qualified. In the general
 43 election conducted in 2017, the candidates elected to Posts 1 and 2 shall serve for an initial
 44 term of three years and until their respective successors are elected and qualified.
 45 Thereafter, the mayor and councilmembers shall be elected on the Tuesday next following
 46 the first Monday in November immediately prior to the end of their respective terms of
 47 office for terms of office of four years and until their respective successors are duly elected
 48 and qualified.

49 (c) To be elected to an office, a candidate shall receive a plurality of the votes cast for such
 50 office."

51 **SECTION 3.**

52 The election superintendent of the City of Kingsland shall call and conduct an election as
 53 provided in this section for the purpose of submitting this Act to the electors of the City of
 54 Kingsland for approval or rejection. The election superintendent shall conduct such election
 55 on the Tuesday next following the first Monday in November, 2015. The election
 56 superintendent shall issue the call and conduct such election as provided by general law. The
 57 election superintendent shall cause the date and purpose of the election to be published once
 58 a week for two weeks immediately preceding the date thereof in the official organ of the City
 59 of Kingsland. The ballot shall have written or printed thereon the words:

60 "() YES Shall the Act be approved which moves the date of election of the mayor and
61 () NO council to even-numbered years?"

62 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring
63 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on
64 such question are for approval of the Act, Sections 1 and 2 of this Act shall become of full
65 force and effect immediately. If the Act is not so approved or if the election is not
66 conducted as provided in this section, Sections 1 and 2 of this Act shall not become effective
67 and this Act shall be automatically repealed on the first day of January immediately
68 following such election date. The expense of such election shall be borne by the City of
69 Kingsland. It shall be the duty of the election superintendent of the City of Kingsland to
70 certify the results thereof to the Secretary of State.

71 **SECTION 4.**

72 Except as otherwise provided in Section 3 of this Act, this Act shall become effective upon
73 its approval by the Governor or upon its becoming law without such approval.

74 **SECTION 5.**

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