

House Bill 545 (AS PASSED HOUSE AND SENATE)

By: Representative Rynders of the 152<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act entitled "An Act to incorporate the town of Sumner," approved August  
2 9, 1883 (Ga. L. 1882-83, p. 291), as amended, particularly by an Act approved April 5,  
3 1995 (Ga. L. 1995, p. 4331), so as to provide for four-year terms for the mayor and  
4 councilmembers; to provide for serving officers; to provide for elections; to provide for  
5 the filling of vacancies; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act entitled "An Act to incorporate the town of Sumner," approved August 9, 1883  
9 (Ga. L. 1882-83, p. 291), as amended, particularly by an Act approved April 5, 1995 (Ga.  
10 L. 1995, p. 4331), is amended in Section 2.10 by revising subsection (b) as follows:

11 "(b)(1) The mayor and councilmembers shall serve for terms of four years and until  
12 their respective successors are elected and qualified. No person shall be eligible to  
13 serve as mayor or councilmember unless he or she has been a resident of this town for  
14 12 months immediately preceding the election of mayor or councilmember; each such  
15 person shall continue to reside within the town during said period of service and shall  
16 be registered and qualified to vote in municipal elections of this town. Those seeking  
17 office must be age 21 by election date. No person's name shall be listed as a candidate  
18 on the ballot for election for either mayor or councilmember unless such person files a  
19 written notice with the clerk of the town that he or she desires his or her name to be  
20 placed on said ballot as a candidate either for mayor or councilmember. No person  
21 shall be eligible for the office of mayor or councilmember unless he or she files such  
22 notice within the time provided for in Chapter 2 of Title 21 of the O.C.G.A., the  
23 'Georgia Election Code.'

24 (2) On the Tuesday next following the first Monday in November, 2015, there shall  
25 be elected two councilmembers to succeed the councilmembers whose terms are  
26 expiring in January, 2016. Those persons who are elected in such election shall serve

27 for terms of two years and until their respective successors are elected and qualified.  
 28 On the Tuesday next following the first Monday in November, 2017, and  
 29 quadrennially thereafter, successors to such councilmembers shall be elected for terms  
 30 of four years and until their respective successors are elected and qualified.

31 (3) On the Tuesday next following the first Monday in November, 2016, there shall  
 32 be elected a mayor and two councilmembers to succeed the mayor and remaining two  
 33 councilmembers whose terms are expiring in January, 2017. Those persons who are  
 34 elected in such election shall serve for terms of three years and until their respective  
 35 successors are elected and qualified. On the Tuesday next following the first Monday  
 36 in November, 2019, and quadrennially thereafter, successors to the mayor and such  
 37 councilmembers shall be elected for terms of four years and until their respective  
 38 successors are elected and qualified."

39 **SECTION 2.**

40 Said Act is further amended in Section 2.11 by revising subsection (e) as follows:

41 "(e)(1) In the event the office of mayor becomes vacant for any cause, the  
 42 councilmembers shall appoint a qualified person to fill and hold such office of mayor  
 43 until the next regular yearly election at which time an election shall be held for such  
 44 office for either the remaining years of the term of the person vacating such office of  
 45 mayor or for the next four years should the term of the person vacating such office  
 46 expire at the end of the year in which such election is held. In all other respects, the  
 47 special election shall be held and conducted in accordance with Chapter 2 of Title 21  
 48 of the O.C.G.A., the 'Georgia Election Code.'

49 (2) In the event the office of any councilmember becomes vacant for any cause, the  
 50 mayor and remaining councilmembers shall appoint a qualified person to fill and hold  
 51 such office of councilmember until the next regular yearly election at which time an  
 52 election shall be held for such office for either the remaining years of the term of the  
 53 person vacating such office of councilmember or for the next four years should the  
 54 term of the person vacating such office expire at the end of the year in which such  
 55 election is held. In all other respects, the special election shall be held and conducted  
 56 in accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election  
 57 Code.'"

58 **SECTION 3.**

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