

House Bill 786 (AS PASSED HOUSE AND SENATE)

By: Representative Buckner of the 137th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing a new charter for the City of Manchester, approved August 16,
2 1909 (Ga. L. 1909, p. 1071), as amended, particularly by an Act approved August 20, 1923
3 (Ga. L. 1923, p. 739), an Act approved March 28, 1990 (Ga. L. 1990, p. 4980), and an Act
4 approved April 10, 2014 (Ga. L. 2014, p. 3692), so as to change provisions relating to the
5 filling of vacancies in the offices of members of the governing authority; to provide for
6 related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act providing a new charter for the City of Manchester, approved August 16, 1909 (Ga.
10 L. 1909, p. 1071), as amended, particularly by an Act approved August 20, 1923 (Ga. L.
11 1923, p. 739), an Act approved March 28, 1990 (Ga. L. 1990, p. 4980), and an Act approved
12 April 10, 2014 (Ga. L. 2014, p. 3692), is amended by revising subsection (b) of Section 4 as
13 follows:

14 "(b) In the event that a member moves his or her residence from the district the member
15 represents, that position on the city council shall immediately become vacant. Vacancies
16 on the council created by death, resignation, or otherwise shall be filled in accordance with
17 Section 16 of the City Charter."

18 **SECTION 2.**

19 Said Act is further amended by deleting from Section 16 the following:

20 "In the case of vacancies in the office of any commissioner, or if he can not act, the
21 chairman shall immediately call a special election to fill said vacancy or vacancies after
22 giving ten days' notice either by publication or posting the same. Said special election shall
23 be held under the same rules and regulations as general elections are now held in and for
24 said city."

25 and inserting in lieu thereof the following:

26 "Unless otherwise provided for by O.C.G.A. § 36-30-13, a vacancy in the office of the
27 mayor or any member of the city council shall be filled for the remainder of the unexpired
28 term, if any, as follows: (1) if the vacancy occurs and there are more than 18 months
29 remaining in the term of office of the seat vacated, then such vacancy shall be filled for the
30 unexpired term of office at a special election held in accordance with Georgia law; (2) if
31 the vacancy occurs and there are 18 or fewer months remaining in the term of office of the
32 seat vacated, then the remaining members of the city council shall, by majority vote of
33 those present and voting, select a qualified person to serve the remainder of the unexpired
34 term."

35 **SECTION 3.**

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