

House Bill 468 (COMMITTEE SUBSTITUTE)

By: Representative Bentley of the 150th

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act to provide a new charter for the City of Butler, approved March 24, 1988
2 (Ga. L. 1988, p. 4202), as amended, particularly by an Act approved April 6, 1992
3 (Ga. L. 1992, p. 5585), so as to change the description of the council districts; to eliminate
4 one post from Council District 2; to provide for one member of the city council to be elected
5 at large citywide; to provide for definitions and inclusions; to provide for manner of election;
6 to provide for the continuation in office of current members; to provide for related matters;
7 to provide for effective dates; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act to provide a new charter for the City of Butler, approved March 24, 1988
11 (Ga. L. 1988, p. 4202), as amended, particularly by an Act approved April 6, 1992 (Ga. L.
12 1992, p. 5585), is amended by revising Sections 2.01 through 2.03 as follows:

H. B. 468 (SUB)

13 "Section 2.01.

14 Establishment of city government.

15 The corporate governmental powers of the City of Butler shall be vested in a mayor and
16 five councilmembers to be known as the 'Mayor and Council of the City of Butler.' The
17 mayor and at-large councilmember shall be elected by the qualified voters of the city at
18 large. The district councilmembers shall be elected by the qualified voters of their
19 respective districts. The mayor and council shall exercise their powers in such manner as
20 prescribed by this charter, the Constitution and applicable general laws of the State of
21 Georgia or, if not so prescribed, in such manner as prescribed by the duly established
22 ordinances of the City of Butler.

23 SECTION 2.02.

24 Qualifications for mayor and council.

25 To be eligible for the office of mayor or councilmember, elected or appointed, a person
26 must be at least 21 years of age; must meet the requirements of a qualified elector for
27 members of the General Assembly as prescribed by state law; must be a registered voter
28 in the City of Butler; and must be a bona fide resident of the City of Butler for one year
29 next preceding the time and holding of the election in which he or she offers as a candidate.
30 If a councilperson is elected from a district, additionally he or she must be a bona fide
31 resident of the election district from which he or she seeks election for one year next
32 preceding the time and holding of the election in which he or she offers as a candidate.

SECTION 2.03

Elections.

(a) The mayor and councilmembers in office on the effective date of this Act shall continue to serve until the end of the terms to which they were elected and until their successors are elected and qualified. Successors to such mayor and councilmembers shall be elected at the general election immediately preceding the expiration of their terms of offices and shall serve for terms of office of four years and until their successors are elected and qualified.

(b)(1) Four councilmembers shall be elected from the districts provided for in subsection (c) of this section. Two councilmembers shall be elected from District 1, and such seats shall be designated as Post 1 and Post 2. Two councilmembers shall be elected from District 2, and such seats shall be designated as Post 3 and Post 4.

(2) The fifth councilmember shall be elected at large by the voters of the entire city.

(c) For the purpose of electing the four district councilmembers, the City of Butler shall be divided into two districts. Those districts shall be and correspond to those two numbered districts described in Appendix A attached to and made a part of this Act and further identified as 'User: Butler Plan Name: ButlerCC-2023 Plan Type: Local'.

(d) For the purposes of such plan:

(1) The term 'VTD' shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2020 for the State of Georgia. The separate numeric designations in a district description which are underneath a VTD heading shall mean and describe individual Blocks within a VTD as provided in the report of the Bureau of the Census for the United States decennial census of 2020 for the State of Georgia; and

(2) Except as otherwise provided in the description of any district, whenever the description of any district refers to a named city, it shall mean the geographical

59 boundaries of that city as shown on the census maps for the United States decennial
60 census of 2020 for the State of Georgia.

61 (e) Any part of the City of Butler which is not included in any district described in
62 subsection (c) of this section shall be included within that district contiguous to such part
63 which contains the least population according to the United States decennial census of 2020
64 for the State of Georgia.

65 (f) Any part of the City of Butler which is described in subsection (c) of this section as
66 being included in a particular district shall nevertheless not be included within such district
67 if such part is not contiguous to such district. Such noncontiguous part shall instead be
68 included within that district contiguous to such part which contains the least population
69 according to the United States decennial census of 2020 for the State of Georgia.

70 (g) Each person seeking election to the council as a district councilmember shall designate
71 the district and post for which such person seeks election. Each district councilmember
72 shall be a resident of the district from which he or she is elected and shall maintain
73 residency in such district for the duration of his or her term of office. The mayor and
74 at-large councilmember shall each be a resident of the city and shall maintain such
75 residency for the duration of his or her term of office.

76 (h) Elections for mayor and councilmember shall be by majority vote, and the person who
77 receives a majority of the votes cast in a particular race shall be elected. In the event no
78 candidate receives a majority of the votes cast for an office, a run-off election shall be held
79 in accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'"

80

SECTION 2.

81 (a) Council Districts 1 and 2, as they exist immediately prior to the effective date of this Act,
82 shall continue to be designated as Council Districts 1 and 2, respectively, but as newly
83 described under this Act, and on and after the effective date of this Act, such members of the

84 city council serving from those former council districts shall be deemed to be serving from
85 and representing their respective districts as newly described under this Act.

86 (b) Council Posts 1, 2, 3, and 4, as they existed immediately prior to the effective date of this
87 Act, shall continue to be designated as Council Posts 1, 2, 3, and 4, respectively, but as newly
88 described under this Act and on and after the effective date of this Act, such members of the
89 city council serving from those former council districts shall be deemed to be serving from
90 and representing their respective districts as newly described under this Act.

91 (c) Council Post 5, as it existed immediately prior to the effective date of this Act, shall be
92 designated as the at-large council seat newly described under this Act, and on and after the
93 effective date of this Act, such member of the city council serving from that former council
94 post shall be deemed to be serving from and representing the city at large as newly described
95 under this Act.

96 **SECTION 3.**

97 The provisions of this Act necessary to conduct elections for councilmembers in 2023 shall
98 become effective upon the approval of this Act by the Governor or upon its becoming law
99 without such approval. The remaining provisions of this Act shall become effective on
100 January 1, 2024.

101 **SECTION 4.**

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

103 APPENDIX A

104 User: Butler

105 Plan Name: ButlerCC-2023

106 Plan Type: Local

107 District 001

108 County Taylor GA

109 VTD PRECINCT 1

110 Block 950301

111 1032 1038 1074 1075 1076 1077 1078 1079 1084 1085 1086 1087

112 1088 1117 1118 1119 1120 1124 1128

113 Block 950302

114 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1025 1026

115 1027 1028 1029 1030 1035 1036

116 VTD PRECINCT 5

117 Block 950301

118 1080 1081 1082 1083

119 District 002

120 County Taylor GA

121 VTD PRECINCT 1

122 Block 950301

123 1111 1112 1113

124 Block 950302

125 1031 1032 1033 1034 1048 2000 2001 2002 2003 2004 2036 2037

126 VTD PRECINCT 5

127 Block 950301
128 1107 1109 1110
129 Block 950302
130 1046 1047 1049 2005 2006 2007 2008 2009 2010 2011 2012 2013
131 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025
132 2026 2027 2028 2031 2032 2033 2034 2035 2038 2039 2094