House Bill 13EX1

By: Representatives Williams of the 83rd and Unterman of the 84th

A BILL TO BE ENTITLED

AN ACT

To amend an Act providing a new charter for the City of Snellville, approved April 28, 2001 (Ga. L. 2001, p. 4566), so as to change the provisions relating to quorums and voting by the city council; to change the provisions relating to jurisdiction and powers of the municipal court; to change the provisions relating to elections; to change the provisions relating to tax levies; to correct certain typographical errors; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act providing a new charter for the City of Snellville, approved April 28, 2001 (Ga. L. 2001, p. 4566), is amended by striking Section 2.21 of said Act and inserting in its place the following:

"**SECTION 2.21.**

Quorum; voting.

The mayor and three councilmembers shall constitute a quorum and shall be authorized to transact business of the city council. When the mayor pro tem is presiding in the mayor´s absence, the mayor pro tem and three councilmembers shall constitute a quorum. Voting on the adoption of ordinances shall be by voice vote and the vote shall be recorded in the journal, but any member of the city council shall have the right to request a roll call vote and such vote shall be recorded in the journal. Except as otherwise provided in this charter, the affirmative vote of three members of the city council shall be required for the adoption of any ordinance, resolution, or motion. An abstention shall be counted as an affirmative vote. Once a quorum is established, the quorum cannot be defeated by the subsequent departure of the mayor or a councilmember."

SECTION 2.

Said Act is further amended by striking subsection (e) of Section 4.13 of said Act and inserting in its place the following:

"(e) The municipal court shall have authority to establish bail and recognizances to ensure the presence of those charged with violations before said court and shall have discretionary authority to accept cash or personal or real property as surety for the appearance of persons charged with violations. Whenever any person shall give bail for his or her appearance and shall fail to appear at the time fixed for trial, his or her bond shall be forfeited by the presiding judge at such time and an execution issued thereon by serving the defendant and his or her sureties with a rule nisi at least two days before a hearing on the rule nisi. In the event that cash or property is accepted in lieu of bond for security for the appearance of a defendant at trial, and if such defendant fails to appear at the time and place fixed for trial, the cash so deposited shall be on order of the judge declared forfeited to the city, or the property so deposited shall have a lien against it for the value forfeited which lien shall be enforceable in the same manner and to the same extent as a lien for city property taxes."

SECTION 3.

Said Act is further amended by striking subsection (a) of Section 5.11 of said Act and inserting in its place the following:

"(a) There shall be a municipal general election biennially on the Tuesday next following the first Monday in November in each odd-numbered year."

SECTION 4.

Said Act is further amended by striking Section 6.27 of said Act and inserting in its place the following:

"**SECTION 6.27.**

Tax levies.

The city council shall levy by ordinance such taxes as are necessary. The taxes and tax rates set by such ordinance shall be such that reasonable estimates of revenues from such levy shall at least be sufficient, together with other anticipated revenues, fund balances, and applicable reserves, to equal the total amount appropriated for each of the several funds set forth in the annual operating budget for defraying the expenses of the general government of this city."

SECTION 5.

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