House Bill 46 (AS PASSED HOUSE AND SENATE)

By: Representative Skipper of the 116th

A BILL TO BE ENTITLED

AN ACT

To amend an Act providing for a new charter for the City of Ellaville, approved April 8, 2002 (Ga. L. 2002, p. 3839), so as to change certain provisions regarding the composition and election of the councilmembers; to change certain qualifications; to change certain provisions regarding the mayor pro tempore; to provide for submission of this Act for preclearance under the federal Voting Rights Act of 1965, as amended; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act providing for a new charter for the City of Ellaville, approved April 8, 2002 (Ga. L. 2002, p. 3839), is amended by striking subsection (b) of Section 2.10 and inserting in its place a new subsection (b) to read as follows:

"(b)(1) For purposes of electing members of the city council, the City of Ellaville is divided into four council districts.

(2) Except for the district specified in paragraph (3) of this subsection, one member of the city council shall be elected from each such district.

(3) Council District 1 shall consist of one election district with two numbered posts. Each person seeking election from such district shall designate the post for which such person seeks election. Such posts shall be designated as Post 1 and Post 2.

(4) The four council districts shall be and correspond to those four numbered districts described in and attached to and made a part of the Act approved April 8, 2002 (Ga. L. 2002, p. 3839), and further identified as Plan Name: ella3 Plan Type: Local User: Gina Administrator: Ellaville."

SECTION 2.

Said Act is further amended by striking subsection (b) of Section 2.11 and inserting in its place a new subsection (b) to read as follows:

″(b) Candidates for Districts 1, 2, 3, and 4 must at the time of qualification and during their term of service reside within the respective district which each seeks to represent.″

SECTION 3.

Said Act is further amended by striking Section 2.32 and inserting in its place a new Section 2.32 to read as follows:

″SECTION 2.32.

Mayor pro tempore.

Beginning in January, 2003, the post of mayor pro tempore shall rotate by council position each year starting with District 1, Post 1. However, as a prerequisite to being mayor pro tempore, the council person must have completed the training required by state law. The mayor pro tempore shall assume the duties and powers of the mayor during the mayor´s disability or absence. Any such disability or absence shall be declared by a majority vote of the city council.″

SECTION 4.

The governing authority of the City of Ellaville shall through its legal counsel cause this Act to be submitted for preclearance under the federal Voting Rights Act of 1965, as amended; and such submission shall be made to the United States Department of Justice or filed with the appropriate court no later than 45 days after the date on which this Act is approved by the Governor or otherwise becomes law without such approval.

SECTION 5.

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