

The House Committee on Intragovernmental Coordination - Local Legislation offers the following substitute to HB 6:

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing for a Board of Commissioners of Mitchell County, approved
2 February 20, 1873 (Ga. L. 1873, p. 279), as amended, particularly by an Act approved
3 April 1, 2002 (Ga. L. 2002, p. 3676), so as to revise provisions relating to filling vacancies
4 on the board of commissioners; to provide for related matters; to repeal conflicting laws; and
5 for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act providing for a Board of Commissioners of Mitchell County, approved February 20,
9 1873 (Ga. L. 1873, p. 279), as amended, particularly by an Act approved April 1, 2002 (Ga.
10 L. 2002, p. 3676), is amended by revising subsection (d) of Section 6 as follows:

11 "(d) In case of a vacancy upon the board, regardless of the cause of such vacancy other
12 than due to the expiration of a term of office, and:

13 (1) Such vacancy occurs during the first 21 months of the term, it shall be the duty of the
14 board of commissioners to instruct the election superintendent of Mitchell County to call
15 and conduct a special election to elect a qualified individual to serve out the remainder
16 of such unexpired term and until a successor is duly elected and qualified. Such special

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election shall be held on the earliest of the following dates in an even-numbered year occurring immediately following the occurrence of the vacancy; provided, however, that the number of days between the call of the election and holding of the same satisfies applicable law. If the number of days between the earliest practical call of the election and holding of the election on the earliest of the following dates is less than required by law, then the special election shall be held on the second earliest of the following dates:

(A) The date of the presidential preference primary;

(B) The date of the general primary; or

(C) The date of the November general election.

Additionally, upon the occurrence of such a vacancy, the chief judge of the judicial circuit of which Mitchell County is a part shall appoint a qualified person to serve until a successor is elected and qualified at the special election held pursuant to this paragraph; or

(2) Such vacancy occurs during the last 27 months of the term, the chief judge of the judicial circuit of which Mitchell County is a part shall appoint a qualified person to serve the remainder of the unexpired term and until a successor is duly elected and qualified."

SECTION 2.

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