

House Bill 6 (AS PASSED HOUSE AND SENATE)

By: Representative Campbell of the 171<sup>st</sup>

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

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

23 (A) The date of the presidential preference primary;

24 (B) The date of the general primary; or

25 (C) The date of the November general election.

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

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

33 **SECTION 2.**

34 All laws and parts of laws in conflict with this Act are repealed.