

House Bill 1339

By: Representatives Hugley of the 141st, Buckner of the 137th, and Reese of the 140th

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act providing for a new charter for the county-wide government of Columbus,
2 Georgia, approved April 5, 1993 (Ga. L. 1993, p. 4978), as amended, so as to revise
3 provisions for filling vacancies in the office of mayor or councilor; to provide for related
4 matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 An Act providing for a new charter for the county-wide government of Columbus, Georgia,
8 approved April 5, 1993 (Ga. L. 1993, p. 4978), as amended, is amended by revising
9 Section 6-201 as follows:

10 "Section 6-201.

11 Special elections.

12 (a) A vacancy in the office of mayor or councilor occurring for any reason shall be filled
13 as follows:

14 (1) If the vacancy occurs more than 90 days before to the date of a general election
15 preceding the general election at which a successor will be elected to a new full term of
16 office, then such vacancy shall be filled for the unexpired term of office at a special
17 election to be held pursuant to O.C.G.A. Code Section 21-2-540;

18 (2) If the vacancy occurs 90 days or fewer before the date of a general election at which
19 a successor will be elected to a new full term of office, then the remaining members of
20 the council shall, by majority vote, select a qualified person to serve for the remainder of
21 the unexpired term;

22 (3) Any person elected or appointed to fill a vacancy pursuant to this subsection shall
23 possess the same qualifications required for election to a full term of office as provided
24 by law applicable to the office wherein the vacancy occurred; and

25 (4) The election superintendent of Muscogee County shall issue the call for a special
26 election to fill a vacancy as required by this subsection. The call for a special election
27 shall be issued within 30 days after the existence of a vacancy has been established. A
28 special election to fill vacancies shall be held and conducted in accordance with the
29 applicable provisions of Chapter 2 of Title 21 of the O.C.G.A., known as the 'Georgia
30 Election Code.'

31 (b) Notwithstanding any provision of subsection (a) to the contrary, if a vacancy in the
32 office of the mayor occurs, the mayor pro tempore shall be acting mayor with all the
33 powers and duties of that office until a successor is elected and qualified, and if the
34 vacancy in the office of the mayor occurs 90 days or fewer before the date of a general
35 election at which a successor will be elected to a new full term of office, the mayor pro
36 tempore shall succeed to the office of the mayor for the remainder of the term and the
37 commission seat of such person shall be filled in accordance with this section."

38 **SECTION 2.**

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