

House Bill 1079 (AS PASSED HOUSE AND SENATE)

By: Representatives Turner of the 21st, Caldwell of the 20th, and Moore of the 22nd

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating a new charter for the City of Holly Springs in the County of
2 Cherokee, approved March 18, 1980 (Ga. L. 1980, p. 3281), as amended, particularly by an
3 Act approved April 13, 2001 (Ga. L. 2001, p. 3679), and an Act approved April 24, 2013
4 (Ga. L. 2013, p. 3648), so as to provide for the terms and manner of election of the mayor
5 and councilmembers; to provide for posts; to provide for related matters; to repeal conflicting
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act creating a new charter for the City of Holly Springs in the County of Cherokee,
10 approved March 18, 1980 (Ga. L. 1980, p. 3281), as amended, particularly by an Act
11 approved April 13, 2001 (Ga. L. 2001, p. 3679), and an Act approved April 24, 2013
12 (Ga. L. 2013, p. 3648), is amended by revising Section 2.02 as follows:

13 "SECTION 2.02.

14 Except as otherwise provided in this charter, the members of the city council shall serve
15 for terms of four years and until their respective successors are elected and qualified. No
16 person shall be eligible to serve as mayor or councilmember unless he or she shall have
17 been a resident of the city for one year prior to the date of the election of mayor and
18 councilmembers. Each shall continue to reside therein during such member's period of
19 service and continue to be registered and eligible to vote in municipal elections of the city."

20 **SECTION 2.**

21 Said Act is further amended by revising Section 5.02 as follows:

22 "SECTION 5.02.

23 (a) On the effective date of this section, Kyle Whitaker shall be designated as serving in
24 Council Post 1, Debbie Phillips shall be designated as serving in Council Post 2, Michael
25 Roy Zenchuk II shall be designated as serving in Council Post 3, Karen Barnett shall be
26 designated as serving in Council Post 4, and Jeremy Smith shall be designated as serving
27 in Council Post 5. Each member of the council in office on the effective date of this
28 section shall serve out the term to which he or she was elected.

29 (b) The councilmembers representing Council Posts 1 and 2 shall serve until
30 December 31, 2014, and until their respective successors are elected and qualified. On the
31 Tuesday after the first Monday in November, 2014, successors shall be elected for a term
32 of office beginning January 1, 2015, for a term of four years and until their respective
33 successors are elected and qualified.

34 (c) The councilmembers representing Council Posts 3, 4, and 5 shall serve until
35 December 31, 2016, and until their respective successors are elected and qualified. On the
36 Tuesday after the first Monday in November, 2016, successors to the councilmembers
37 representing Council Posts 3 and 5 shall be elected for a term of office beginning
38 January 1, 2017, for a term of four years and until their respective successors are elected
39 and qualified. On the Tuesday after the first Monday in November, 2016, a successor to
40 the councilmember representing Council Post 4 shall be elected for a term of office
41 beginning January 1, 2017, for a term of two years and until his or her respective successor
42 is elected and qualified.

43 (d) Thereafter, a successor to each councilmember shall be elected on the Tuesday after
44 the first Monday in November immediately preceding the end of such councilmember's
45 term of office and such successor shall take office on January 1 following such election for
46 a term of four years and until his or her respective successor is elected and qualified.

47 (e) The mayor shall serve until December 31, 2016, and until his or her respective
48 successor is elected and qualified. On the Tuesday after the first Monday in
49 November, 2016, a successor to the mayor shall be elected for a term of office beginning
50 January 1, 2017, for a term of four years and until his or her respective successor is elected
51 and qualified. Thereafter, a successor to the mayor shall be elected on the Tuesday after
52 the first Monday in November immediately preceding the end of the mayor's term of office
53 and such successor shall take office on January 1 following such election for a term of four
54 years and until his or her respective successor is elected and qualified.

55 (f) The mayor and councilmembers shall be elected by plurality vote of the electors of the
56 city at large."

57 **SECTION 3.**

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