

House Bill 1494

By: Representatives Jackson of the 165th, Hitchens of the 161st, Gilliard of the 162nd, Stephens of the 164th, and Westbrook of the 163rd

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating a new charter for the City of Garden City, approved April 17, 1973
2 (Ga. L. 1973, p. 3581), as amended, so as to revise provisions regarding the mayor and the
3 mayor pro tempore and organizational meetings of the city council; to provide for an
4 effective date; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act creating a new charter for the City of Garden City, approved April 17, 1973
9 (Ga. L. 1973, p. 3581), as amended, is amended by revising subsection (b) of Section 2.03,
10 subsection (d) of Section 2.06, and subsection (b) of Section 2.12 as follows:

11 "(b) Commencing with the general election on the Tuesday following the first Monday in
12 November, 2011, the city shall elect a mayor at large for a term of four years. After each
13 regular election, the city council shall meet for organization at its first regular meeting next
14 following the meeting where the oath of office has been administered. If the mayor has
15 been elected at the recent election, he or she shall appoint one of the other councilpersons
16 to serve as mayor pro tempore for a four-year term and until his or her successor is elected

17 and qualified. If the mayor pro tempore leaves office before his or her term has expired,
18 he or she shall be replaced by the mayor. The mayor pro tempore shall act as mayor during
19 any absence or disability of the mayor but shall only vote once on matters before the
20 council and, if a vacancy occurs in the office of mayor, shall become mayor for the
21 remainder of the unexpired term. The city council shall also, by majority vote of all the
22 members, elect one of their number, other than the mayor or mayor pro tempore, to be
23 president of council who shall temporarily assume the mayor's position in the event that
24 the mayor and mayor pro tempore are both unavailable, but who shall not, by virtue of
25 being president of council, become mayor in the event that any vacancy occurs in such
26 office. The president of council shall serve for a term of two years and until his or her
27 successor is elected and qualified. If the president of council leaves office before his or her
28 term has expired, he or she shall be replaced by a majority vote of city council at any
29 regular meeting of city council."

30 "(d) Subject to Section 2.03 of this charter providing that the mayor pro tempore shall fill
31 any vacancy in the mayor's office and further providing that the mayor shall fill any
32 vacancy in the mayor pro tempore's office, in the event that the office of a council member
33 shall become vacant for any cause whatsoever, said vacancy in office shall be filled by
34 appointment by the remaining members of city council."

35 "(b) The city council shall meet for organization at its first regular meeting next following
36 the meeting where the oath of office has been administered. At such meeting, the mayor,
37 if elected in the most recent election, shall appoint one of the other councilpersons to serve
38 as mayor pro tempore for a four-year term and until his or her successor is elected and
39 qualified. In addition, the city council by majority vote of all the members thereof, shall
40 elect one of their number, other than the mayor and mayor pro tem, to be president of
41 council who shall serve for a term of two years and until his or her successor is elected and
42 qualified."

43

SECTION 2.

44 This Act shall become effective upon its approval by the Governor or upon its becoming law
45 without such approval, but no sooner than the date on which the four-year term of the current
46 mayor pro tempore expires or the date he or she leaves office before his or her term expires,
47 whichever date is earlier.

48

SECTION 3.

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