

Senate Bill 231

By: Senators Burns of the 23rd and Anderson of the 24th

AS PASSED SENATE

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing for the consolidation of Richmond County and the City of
2 Augusta, approved March 27, 1995 (Ga. L. 1995, p. 3648), as amended, so as to provide that
3 the mayor shall be a full voting member of the commission; to provide for the effective dates
4 of ordinances and resolutions; to provide for a referendum, effective dates, and automatic
5 repeal; to provide for mandatory execution of election and judicial remedies regarding failure
6 to comply; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act providing for the consolidation of Richmond County and the City of Augusta,
10 approved March 27, 1995 (Ga. L. 1995, p. 3648), as amended, is amended by revising
11 subsection (b) of Section 2 as follows:

12 "(b) All members of the commission shall be full voting members of the commission.
13 The mayor shall be a member of the commission and shall have the right to vote on any
14 matter."

15 **SECTION 2.**

16 Said Act is further amended by revising subsection (a) of Section 4 as follows:

17 "(a) The mayor shall be the chief executive officer of Augusta-Richmond County. The
18 mayor shall possess and exercise the following executive and administrative powers and
19 duties:

20 (1) To preside at all meetings of the commission;

21 (2) To vote on all matters before the commission;

22 (3) To serve as the official head of Augusta-Richmond County for the service of process
23 and for ceremonial purposes;

24 (4) To administer oaths and to take affidavits;

25 (5) To sign all written contracts entered into by the commission on behalf of
26 Augusta-Richmond County and all other contracts and instruments executed by the
27 consolidated government which by law are required to be in writing;

28 (6) To ensure that all laws, ordinances, and resolutions of Augusta-Richmond County
29 are faithfully executed; and

30 (7) To exercise such other powers and perform such other duties as may be required by
31 ordinance or resolution of the commission."

32 **SECTION 3.**

33 Said Act is further amended by revising Section 6 as follows:

34 "SECTION 6.

35 Seven members of the commission shall constitute a quorum for the transaction of ordinary
36 business, and an affirmative vote of at least six members shall be required for the
37 commission to take action. Official action of the commission shall be entered upon its

38 minutes. Any member of the commission shall have the right to request a roll-call vote. For
 39 the purpose of this subsection, the mayor shall count as a member of the commission."

40 **SECTION 4.**

41 The election superintendent of Augusta-Richmond County shall call and conduct an election
 42 as provided in this section for the purpose of submitting this Act to the electors of the
 43 Augusta-Richmond County for approval or rejection. The election superintendent shall
 44 conduct that election on the date of the general primary in 2024 and shall issue the call and
 45 conduct such election as provided by general law. The election superintendent shall cause
 46 the date and purpose of the election to be published once a week for two weeks immediately
 47 preceding the date thereof in the official organ of Augusta-Richmond County. The ballot
 48 shall have written or printed thereon the words:

49 "() YES Shall the Act be approved that provides that the mayor of
 50 () NO Augusta-Richmond County shall have the right to vote on all matters before
 51 the Augusta-Richmond County Commission?"

52 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring
 53 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on
 54 such question are for approval of the Act, Sections 1 through 3 of this Act shall become of
 55 full force and effect on July 1, 2024. If the Act is not so approved, or if the election is not
 56 conducted as provided in this section, Sections 1 through 3 of this Act shall not become
 57 effective, and this Act shall be automatically repealed on the first day of January immediately
 58 following that election date. The expense of such election shall be borne by
 59 Augusta-Richmond County. It shall be the election superintendent's duty to certify the result
 60 thereof to the Secretary of State. The provisions of this section shall be mandatory upon the
 61 election superintendent and are not intended as directory. If the election superintendent fails
 62 or refuses to comply with this section, any elector of the Augusta-Richmond County may
 63 apply for a writ of mandamus to compel the election superintendent to perform his or her

64 duties under this section. If the court finds that the election superintendent has not complied
65 with this section, the court shall fashion appropriate relief requiring the election
66 superintendent to call and conduct such election on the date required by this section or on the
67 next date authorized for special elections provided for in Code Section 21-2-540 of the
68 O.C.G.A.

69 **SECTION 5.**

70 Except as otherwise provided in Section 4 of this Act, this Act shall become effective upon
71 its approval by the Governor or upon its becoming law without such approval.

72 **SECTION 6.**

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