

House Bill 735 (AS PASSED HOUSE AND SENATE)

By: Representative Greene of the 151st

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the Stewart County Water and Sewerage Authority, approved
2 March 24, 1988 (Ga. L. 1988, p. 4498), so as to revise method of membership appointments;
3 to provide for related matters; to provide an effective date and applicability; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 An Act creating the Stewart County Water and Sewerage Authority, approved March 24,
8 1988 (Ga. L. 1988, p. 4498), is amended by repealing subsection (b) of Section 2 and
9 enacting a new subsection to read as follows:

10 "(b)(1) The authority shall be composed of five members. One member shall be
11 appointed by the governing authority of the City of Richland, and one member shall be
12 appointed by the governing authority of the City of Lumpkin. The remaining three
13 members shall be appointed by the governing authority of Stewart County.

14 (2) Each member shall serve for a term of three years. The terms of all members shall
15 begin on July 1 and shall run until June 30 of the year of expiration and until their
16 successors are appointed and qualified. Successors shall be appointed in the same
17 manner as provided in paragraph (1) of this subsection. Successors shall be appointed
18 in the month of June during the year the member's term is set to expire. Any member of
19 the authority may be selected and appointment to succeed himself or herself.

20 (3) The members of the authority shall be entitled to reimbursement for their actual
21 expenses necessarily incurred in the performance of their duties.

22 (4) The authority shall have the power to establish bylaws and promulgate and adopt
23 rules and regulations necessary or desirable for management and operation of the
24 authority."

25 **SECTION 2.**

26 Said Act is further amended by repealing subsection (f) of Section 2 and enacting a new
27 subsection to read as follows:

28 "(f)(1) In the event of a vacancy by reason of death, disqualification, resignation, or other
29 reason, the governing body of Stewart County shall select and appoint a qualified person
30 to fill the unexpired term of the member whose position has been vacated with respect
31 to the members appointed by the county. In the event of a vacancy by reason of death,
32 disqualification, resignation, or other reason, the governing body of the City of Richland
33 or the City of Lumpkin shall select and appoint a qualified person to fill the unexpired
34 term of the member whose position has been vacated with respect to the member
35 appointed by the City of Richland or the City of Lumpkin.

36 (2) A vacancy shall exist in the office of any member of the authority who:

37 (A) Is convicted of a felony or enters a plea of nolo contendere thereto;

38 (B) Is convicted of a crime of moral turpitude or enters a plea of nolo contendere
39 thereto;

40 (C) Moves his or her residence from the county;

41 (D) Is convicted of any act of misfeasance, malfeasance, or nonfeasance of his or her
42 duties as a member of the authority; or

43 (E) Fails to attend any regular or special meeting of the authority for a period of three
44 months without an excuse approved by resolution of the authority."

45 **SECTION 3.**

46 This Act shall become effective on June 1, 2016, and shall apply to all appointments made
47 on or after such date.

48 **SECTION 4.**

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