

House Bill 1225 (AS PASSED HOUSE AND SENATE)

By: Representative Gurtler of the 8th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to provide a new charter for the City of Young Harris, approved
2 May 3, 2018 (Ga. L. 2018, p. 3713), so as to reduce the size of the city council; to modify
3 the term of the mayor; to modify provisions related to a quorum of the city council; to
4 provide for related matters; to repeal 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 to provide a new charter for the City of Young Harris, approved May 3, 2018 (Ga.
8 L. 2018, p. 3713), is amended by revising Section 2.01 and Section 2.02 as follows:

9 style="text-align:center">"SECTION 2.01.

10 style="text-align:center">City council creation; number; election.

11 The legislative authority of the government of the City of Young Harris, except as otherwise
12 specifically provided in this charter, shall be vested in a city council to be composed of a
13 mayor and five councilmembers. The mayor and councilmembers shall be elected in the
14 manner provided by Article V of this charter.

15 style="text-align:center">SECTION 2.02.

16 style="text-align:center">Terms and qualifications for office.

17 (a) The councilmembers shall serve for terms of four years and until their respective
18 successors are elected and qualified. Except as provided in subsection (c) of this section,
19 the mayor shall serve for a term of four years and until his or her respective successor is
20 elected and qualified. The terms of office of mayor and councilmembers shall be staggered
21 such that three members of the city council are elected every two years.

22 (b) No person shall be eligible to serve as mayor or councilmember unless such person:

- 23 (1) Has been a resident of the City of Young Harris for a period of at least one year
 24 immediately prior to the date of the election for mayor or councilmember;
- 25 (2) Continues to reside therein during his or her period of service;
- 26 (3) Is registered and qualified to vote in municipal elections in the City of Young Harris;
 27 and
- 28 (4) Meets the qualification standards required for members of the Georgia House of
 29 Representatives as are now or may in the future be prescribed by the Georgia
 30 Constitution.
- 31 (c) The mayor and those councilmembers in office on the effective date of this Act shall
 32 serve out the terms to which they were elected and until their respective successors are
 33 elected and qualified. Successors to the councilmembers elected in 2017 shall be elected
 34 at the municipal general election of 2021. Successors to the mayor and councilmembers
 35 elected in 2019 shall be elected at the municipal general election in 2023. The mayor
 36 elected at the general municipal election of 2023 shall serve a term of two years.
 37 Thereafter, a successor shall be elected at the municipal general election immediately
 38 preceding the end of each person's term of office."

39 **SECTION 2.**

40 Said Act is further amended by revising subsection (a) of Section 2.15 as follows:

41 "(a) Three city council members shall constitute a quorum and shall be authorized to
 42 transact business of the city council. Voting on the adoption of ordinances shall be taken
 43 by voice vote and the ayes and nays shall be recorded in the journal but any member of the
 44 city council shall have the right to request a roll-call vote. Except as otherwise provided
 45 in this charter, the affirmative vote of a majority of the votes cast shall be required for the
 46 adoption of any ordinance, resolution, or motion. In the event that any vote of the city
 47 council results in a tie, then the mayor, as presiding officer, shall be entitled to cast the
 48 tie-breaking vote."

49 **SECTION 3.**

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

51 "SECTION 5.02.

52 Election of the city council and mayor.

53 (a) There shall be a municipal general election biennially on the Tuesday next following
 54 the first Monday in November in odd-numbered years.

55 (b) Except as provided in subsection (d) of this Section, there shall be elected the mayor
56 and three councilmembers at the municipal general election held in 2019 and quadrennially
57 thereafter. The remaining city council seats shall be filled at the municipal general election
58 held in 2021 and quadrennially thereafter, so that a continuing body is created.

59 (c) The mayor and councilmembers in office on the effective date of this charter shall
60 remain in office until their successors are elected and take office as provided in this charter.

61 (d) The mayor elected at the municipal general election of 2023 shall serve a term of two
62 years; thereafter, mayors shall serve terms of four years."

63 **SECTION 4.**

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