

House Bill 172 (AS PASSED HOUSE AND SENATE)

By: Representatives Dickey of the 140<sup>th</sup> and Washburn of the 141<sup>st</sup>

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act incorporating the City of Culloden in the County of Monroe, approved  
2 October 24, 1887 (Ga. L. 1886-87, Vol. II, p. 655), as amended, particularly by an Act  
3 approved December 24, 1888 (Ga. L. 1888, p. 229), an Act approved April 4, 1990 (Ga. L.  
4 1990, p. 5207), and an Act approved April 24, 2013 (Ga. L. 2013, p. 3685), so as to reduce  
5 the city council to five members; to define the term "councilmember"; to provide for  
6 four-year terms of office for the mayor and councilmembers; to provide for quorum and  
7 voting requirements of the city council; to provide for related matters; to repeal conflicting  
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 An Act incorporating the City of Culloden in the County of Monroe, approved October 24,  
12 1887 (Ga. L. 1886-87, Vol. II, p. 655), as amended, particularly by an Act approved  
13 December 24, 1888 (Ga. L. 1888, p. 229), an Act approved April 4, 1990 (Ga. L. 1990, p.  
14 5207), and an Act approved April 24, 2013 (Ga. L. 2013, p. 3685), is amended by revising  
15 Section 1 as follows:

H. B. 172

16 "SECTION 1.

17 (a) Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted  
18 by the authority of the same, that from and after the passage of this Act the City of  
19 Culloden is hereby incorporated. Its municipal government shall consist of a Mayor and  
20 five Aldermen, who shall be known by the corporate name of the Mayor and City Council  
21 of the City of Culloden, and by such name may sue and be sued, may have and use a  
22 common seal, purchase, take and hold real and personal property, exchange, sell and  
23 convey the same when and in such manner as they deem best for the interest of said city,  
24 and to make all contracts in their corporate capacity which they deem best for the welfare  
25 of said city.

26 (b) Aldermen shall also be known as councilmembers.

27 (c) Any sale, purchase or exchange of real estate having a value in excess of \$10,000.00  
28 is not to be made until the same is ratified by a majority of the legally qualified voters of  
29 said city at an election to be held under such regulations as provided by law; and further  
30 provided, that any sale, purchase, or exchange of real property having a value of  
31 \$10,000.00 or less must be approved by at least two-thirds of the city council, or in the  
32 event the city council is evenly divided and a tie vote exists, the mayor's approval of the  
33 proposed transactions shall constitute full and legal approval by the city governing  
34 authority.

35 (d) The boundaries of the city shall be those existing on the effective date of the adoption  
36 of this act with such alterations as may be made from time to time in the manner provided  
37 by law."

38 **SECTION 2.**

39 Said Act is further amended by revising Section 2 as follows:

## 40 "SECTION 2.

41 (a) There shall be five councilmembers elected from the City of Culloden at large from  
42 five posts. The five posts shall be designated as Posts 1 through 5. Each candidate seeking  
43 the office of city council shall at the time of qualifying designate which of the five posts  
44 to which he or she is seeking election. The mayor and councilmembers may reside  
45 anywhere within the city limits of the City of Culloden.

46 (b) Those persons serving as mayor or councilmembers on the effective date of this act  
47 shall continue to serve the terms to which they were elected and until their successors are  
48 duly elected and qualified.

49 (c) There shall be elected at the municipal general election held in November 2021  
50 councilmembers representing Posts 1, 2, and 3. Such persons shall take office on  
51 January 1, 2022, and shall serve terms of four years and until their successors are duly  
52 elected and qualified. Elections for councilmembers representing Posts 1, 2, and 3 shall  
53 occur quadrennially thereafter.

54 (d) There shall be elected at the general election held on the Tuesday after the first  
55 Monday in November 2022 a mayor and councilmembers representing Posts 4 and 5. Such  
56 persons shall take office on January 1, 2023, and shall serve until December 31, 2023.  
57 Their successors shall be elected at the municipal general election held in November 2023.  
58 Such persons shall take office on January 1, 2024, and shall serve terms of four years and  
59 until their successors are duly elected and qualified. Elections for the mayor and  
60 councilmembers representing Posts 4 and 5 shall occur quadrennially thereafter."

61 **SECTION 3.**

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

63 "SECTION 6.

64 The mayor and two councilmembers or three councilmembers without the mayor shall  
65 constitute a quorum and shall be authorized to transact business of the city council. Except  
66 as otherwise provided in this charter, or by law, the affirmative vote of three  
67 councilmembers or two councilmembers and the mayor shall be required for the adoption  
68 of any ordinance, resolution, or motion."

69 **SECTION 4.**

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