

House Bill 839 (AS PASSED HOUSE AND SENATE)

By: Representatives Gaines of the 120<sup>th</sup>, Persinger of the 119<sup>th</sup>, Erwin of the 32<sup>nd</sup>, and Dunahoo of the 31<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act entitled "An Act to create a board of county commissioners for the county  
2 of Jackson," approved December 18, 1901 (Ga. L. 1901, p. 257), as amended, particularly  
3 by an Act approved March 16, 1999 (Ga. L. 1999, p. 3570), so as to revise provisions related  
4 to filling certain vacancies on the board of commissioners; to provide for related matters; to  
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act entitled "An Act to create a board of county commissioners for the county of  
9 Jackson," approved December 18, 1901 (Ga. L. 1901, p. 257), as amended, particularly by  
10 an Act approved March 16, 1999 (Ga. L. 1999, p. 3570), is amended by revising subsection  
11 (b) of Section 5 as follows:

12 "(b)(1) In the event a vacancy occurs on the board of commissioners when at least 180  
13 days remain in the unexpired term of office, the election superintendent of Jackson  
14 County, within 15 days after the vacancy occurs, shall issue the call for a special election  
15 to fill the vacancy for the remainder of the unexpired term. Such special election shall be  
16 called and conducted as provided in Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia

17 Election Code,' as now or hereafter amended. Any person elected in a special election to  
18 fill such a vacancy shall take office immediately upon certification of the results of such  
19 special election and qualification. If such vacancy is in the office of chairperson of the  
20 board of commissioners, the vice chairperson of the board shall exercise the powers and  
21 duties of the chairperson for the period beginning on the date the vacancy occurs and  
22 ending on the date the successor chairperson takes office for the remainder of the  
23 unexpired term following the special election provided for in this subsection.

24 (2) Until such time as a permanent successor can be elected as provided for in  
25 paragraph (1) of this subsection, the remaining members of the board of commissioners,  
26 at their discretion, may appoint a qualified individual to temporarily fill any such  
27 vacancy. Any such person appointed to temporarily fill a vacancy shall be appointed  
28 using the same procedures as provided for in subsection (c) of this section."

29

## **SECTION 2.**

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