

House Bill 1367 (AS PASSED HOUSE AND SENATE)

By: Representatives Roberts of the 52<sup>nd</sup>, Bazemore of the 69<sup>th</sup>, Silcox of the 53<sup>rd</sup>, Cannon of the 58<sup>th</sup>, Au of the 50<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating one or more community improvement districts in unincorporated  
2 Fulton County, approved April 3, 1987 (Ga. L. 1987, p. 5460), as amended, particularly by  
3 an Act approved April 2, 1998 (Ga. L. 1998, p. 4065), so as to provide for the appointment  
4 of a certain number of board members in the case of vacancies on the board; to provide for  
5 special elections for certain vacancies; to provide for notice; to provide for related matters;  
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act creating one or more community improvement districts in unincorporated Fulton  
10 County, approved April 3, 1987 (Ga. L. 1987, p. 5460), as amended, particularly by an Act  
11 approved April 2, 1998 (Ga. L. 1998, p. 4065), is amended by revising subsection (b) of  
12 Section 5 as follows:

13 "(b) The initial board members to be elected as provided herein shall be elected in a caucus  
14 of electors which shall be held within 60 days after the adoption of the resolutions and  
15 obtaining the written consents herein provided at such time and place within the district as  
16 the Fulton County Board of Commissioners shall designate after notice thereof shall have

17 been given to said electors by publishing the same in the legal organ of Fulton County as  
18 hereinafter provided and contacting each elector by U.S. mail at the address indicated in  
19 the property rolls. Thereafter, there shall be conducted biennially, not later than 60 days  
20 following the last day for filing ad valorem property returns in Fulton County, a caucus of  
21 said electors at such time and place within the district as the board shall designate in such  
22 notice for the purpose of electing board members to those positions which have terms  
23 expiring or are vacant. If a vacancy occurs in an elected position on the board, the  
24 remaining members of the board shall, by majority vote within 60 days, appoint an elector  
25 to fill such vacancy. A board member appointed by the majority vote of the board to fill  
26 a vacancy shall only serve until the next regularly scheduled election, regardless of the  
27 actual duration of the unexpired term of the board member vacating the position. At no  
28 time shall the board include more than two members who were appointed by other board  
29 members. If a vacancy occurs while two board members appointed by the board are  
30 currently serving on the board, then a special election shall be called to fill the unexpired  
31 term as provided for in this subsection. If a vacancy occurs for which a special election is  
32 required, the board shall, within 60 days of the vacancy, call an election to be held within  
33 60 days of such call, unless the vacancy occurs within 180 days of the next regularly  
34 scheduled election, in which case a special election may, but need not, be called. For any  
35 special election held pursuant to this subsection, notice of the special election shall be  
36 given to the electors by publishing notice of the special election in the legal organ of Fulton  
37 County on four dates, at least 45 days, 31 days, 17 days, and 10 days, respectively, prior  
38 to such election and by contacting each elector at least 31 days prior to the election by U.S.  
39 mail at the address indicated in the property rolls."

40 **SECTION 2.**

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