

House Bill 600 (AS PASSED HOUSE AND SENATE)

By: Representatives Dickey of the 140<sup>th</sup>, Washburn of the 141<sup>st</sup>, and Holmes of the 129<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act to create a board of commissioners of roads and revenue for the county of  
2 Monroe, approved August 19, 1907 (Ga. L. 1907, p. 318), as amended, particularly by an Act  
3 approved May 11, 2011 (Ga. L. 2011, p. 3912), so as to repeal a section relating to the road  
4 superintendent; to provide for oaths, bonds, removal, and compensation for each  
5 commissioner; to provide for the removal of the duties of disbursements; to provide for  
6 related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act to create a board of commissioners of roads and revenue for the county of Monroe,  
10 approved August 19, 1907 (Ga. L. 1907, p. 318), as amended, particularly by an Act  
11 approved May 11, 2011 (Ga. L. 2011, p. 3912), is amended by striking in its entirety  
12 Section 5 and designating said section as reserved.

13 **SECTION 2.**

14 Said Act is further amended in Section 6 as follows:

15 "SECTION 6.

16 Oaths; bond; removal; compensation.

17 Before any of said commissioners shall assume the duties of this office, they shall take and  
18 subscribe the following oath: 'I, \_\_\_\_\_, duly elected commissioner for Monroe  
19 County, do solemnly swear that I will discharge the duties of said office to the best of my  
20 ability; so help me God'; which shall be administered by the probate judge of said county  
21 and filed in his or her office and recorded on his or her minutes. Said commissioners shall  
22 also execute a surety bond in the sum of \$2,000.00 each, payable to said county,  
23 conditioned on the faithful discharge of their duties as said commissioners, which bond

24 shall be filed with the probate judge of said county and recorded in his or her minutes. Said  
25 commissioners shall be subject to removal by the judge of the superior court of said county  
26 for malfeasance, misfeasance, or nonfeasance in office, as well as for incompetence or  
27 neglect of duty. All proceedings instituted for the purpose of removal shall be signed by  
28 not less than 25 freeholders of said county, and the same filed and personally served, if  
29 possible, 15 days before the time of hearing, which shall be evidenced by rule nisi duly  
30 granted by the court. Said petition shall fully and distinctly set forth the grounds upon  
31 which said removal is asked, showing wherein the conduct of said commissioner is in  
32 violation of this Act. In the event that any commissioner should be ordered removed by  
33 the court, his or her office shall become at once vacant unless an appeal is filed, and his or  
34 her successor shall be appointed by said judge of the superior court, who shall hold until  
35 the next meeting of the grand jury of said county, at which time they shall appoint said  
36 successor until the first regular election, at which time said vacancy shall be regularly filled  
37 for the full time. If any such election should occur within 30 days from the date of said  
38 judgment declaring said vacancy, then the same shall be only supplied by the election of  
39 a successor for the full term."

40

**SECTION 3.**

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