

House Bill 1034 (AS PASSED HOUSE AND SENATE)

By: Representatives Gasaway of the 28<sup>th</sup> and Gurtler of the 8<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act to amend, revise, consolidate, and supersede the several Acts incorporating  
2 the Town of Tallulah Falls in Habersham and Rabun counties, approved February 6, 1984  
3 (Ga. L. 1984, p. 3547), as amended, particularly by an Act approved March 22, 1990 (Ga.  
4 L. 1990, p. 4384), so as to change certain provisions relating to quorum, voting, and special  
5 meetings of the town council; to provide for related matters; to repeal conflicting laws; and  
6 for the other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act amending an Act to amend, revise, consolidate, and supersede the several Acts  
10 incorporating the Town of Tallulah Falls in Habersham and Rabun counties, approved  
11 February 6, 1984 (Ga. L. 1984, p. 3547), as amended, particularly by an Act approved March  
12 22, 1990 (Ga. L. 1990, p. 4384), is amended by revising Section 2.11, subsection (a) of  
13 Section 2.12, and Section 3.12 and by adding a new section to read as follows:

14 **"Section 2.11.** The members of the town council shall serve for terms of four years and until  
15 their respective successors are elected and qualified. No person shall be eligible to serve as  
16 mayor or town council member unless he shall have been a resident of the town six months  
17 immediately prior to the date of the election of mayor or members of the town council; each  
18 shall continue to reside therein during his period of service and shall be registered and  
19 qualified to vote in municipal elections of this town. No person related within the second  
20 degree by affinity, or within the third degree by consanguinity, to any elected officer of the  
21 town shall be elected to any office of the town other than as a volunteer; provided that this  
22 prohibition shall not apply to any such relationships existing on January 1, 2018.

23 **Section 2.12.** (a) The office of mayor or council member shall become vacant upon the  
24 incumbent's death, resignation, removal, or otherwise."

25 **"Section 3.11.** No person related within the second degree by affinity, or within the third  
26 degree by consanguinity, to any elected officer of the town shall be appointed to any office,

27 position, clerkship, employment, or other service of the town other than as a volunteer;  
28 provided that this prohibition shall not apply to any such relationships existing on January  
29 1, 2018."

30 **"Section 5.12.** Special elections; vacancies. In the event that a vacancy occurs in the office  
31 of mayor or council member as set forth in Section 2.12 of this charter and less than half of  
32 the unexpired term of such office remains outstanding, the remaining members of the  
33 governing authority of the town shall appoint an interim member to serve until such time as  
34 a successor is elected and qualified at the next general municipal election authorized by  
35 subsection (c) of Code Section 21-2-9 of the O.C.G.A. In the event that a vacancy occurs  
36 in the office of mayor or council member as set forth in Section 2.12 of this charter and half  
37 or more than half of the unexpired term of such office remains outstanding, the remaining  
38 members of the governing authority of the town shall appoint a member to serve until the  
39 expiration of such term of office and until a successor is elected and qualified after the next  
40 regularly scheduled election."

41 **SECTION 2.**

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