

House Bill 1145 (AS PASSED HOUSE AND SENATE)

By: Representative Barton of the 5th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to provide a new charter for the City of Calhoun, Georgia, approved
2 April 8, 1983 (Ga. L. 1983, p. 4710), as amended, so as to provide terms of office and
3 qualifications for the mayor, councilmembers, and members of the board of education; to
4 provide dates for general municipal elections; to provide for removal of the mayor and
5 councilmembers; to provide for removal of municipal court judges; to provide for related
6 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 provide a new charter for the City of Calhoun, Georgia, approved April 8, 1983
10 (Ga. L. 1983, p. 4710), as amended, is amended by revising Section 2-101 as follows:

11 "SECTION 2-101.

12 Creation; number; term of office.

13 There shall be a mayor and council composed of the mayor and four councilmembers
14 elected as provided in Article III of this charter for four-year staggered terms of office."

15 **SECTION 2.**

16 Said Act is further amended in Section 2-102 by revising subsections (a) and (b) as follows:

17 "(a) To be eligible for election or appointment as mayor, a person, at the time of election
18 or appointment, must:

19 (1) Be a citizen of the State of Georgia and must have attained 25 years of age;

20 (2) Have resided in the limits of the city for 12 months immediately preceding the date
21 of election or appointment and he or she must continue to reside within the city during
22 the term of office;

23 (3) Be a qualified elector of the city; and

- 24 (4) Meet any other requirements as may be established by state law.
- 25 (b) To be eligible for election or appointment as a councilmember, a person, at the time
- 26 of election or appointment, must:
- 27 (1) Have attained 21 years of age;
- 28 (2) Have resided in the limits of the city for 12 months immediately preceding the date
- 29 of election or appointment and he or she must continue to reside within the city during
- 30 the term of office;
- 31 (3) Be a qualified elector of the city; and
- 32 (4) Meet any other requirements as may be established by state law."

33 **SECTION 3.**

34 Said Act is further amended in Section 3-102 by revising subsection (a) as follows:

- 35 "(a) The municipal general election for the offices of mayor and councilmember whose
- 36 terms expire shall be held on the Tuesday next following the first Monday in November
- 37 in odd-numbered years and on such day biennially thereafter."

38 **SECTION 4.**

39 Said Act is further amended by revising Section 3-203 as follows:

- 40 "SECTION 3-203.
- 41 Removal from office.

42 The mayor or any councilmember shall be subject to removal from office pursuant to

43 Chapter 4 of Title 21 of the O.C.G.A., the 'Recall Act of 1989.'"

44 **SECTION 5.**

45 Said Act is further amended in subsection (a) of Section 6.02 by revising paragraph (1) as

46 follows:

- 47 "(1) The municipal court shall be presided over by a chief judge and such associate
- 48 judges who shall be appointed by the mayor and council subject to removal as provided
- 49 by general law. The compensation of the chief judge and any associate judge shall be
- 50 fixed by resolution of the mayor and council."

51 **SECTION 6.**

52 Said Act is further amended in Section 7-101 by revising subsections (a) and (c) as follows:

- 53 "(a) The board of education of the schools of the City of Calhoun shall consist of five
- 54 members to be chosen from the citizens of the city for a term of four years from the date

55 of their election on the same staggered term basis in existence on the effective date of this
56 section so that three members are elected at one municipal general election and two
57 members are elected at the next subsequent municipal general election. The election for
58 members of the board of education of the schools of the city shall be held on the Tuesday
59 next following the first Monday in November in odd-numbered years and on such day
60 biennially thereafter."

61 "(c) The members of said board shall have resided in the City of Calhoun for 12 months
62 immediately preceding the date of their election and shall be 25 years of age or older and
63 shall not otherwise be ineligible to hold any civil office under general laws."

64 **SECTION 7.**

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