

House Bill 602 (AS PASSED HOUSE AND SENATE)

By: Representatives Cheokas of the 138<sup>th</sup> and Rynders of the 152<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To create the Americus-Sumter County Land Bank Authority; to provide for its membership,  
2 terms of office, powers, duties, and authority; to provide for related matters; to repeal  
3 conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 **SECTION 1.**

6 Pursuant to Article 6 of Chapter 4 of Title 48 of the O.C.G.A., the "Georgia Land Bank Act,"  
7 there is created the Americus-Sumter County Land Bank Authority. Such authority shall  
8 have perpetual existence until terminated and dissolved in accordance with Code Section  
9 48-4-111 of the O.C.G.A.

10 **SECTION 2.**

11 (a) The authority shall be governed by a seven-member board of directors, the members of  
12 which shall be appointed as provided in this section.

13 (b) Three members of the board of directors shall be appointed by the governing authority  
14 of the City of Americus, and three members of the board of directors shall be appointed by  
15 the governing authority of Sumter County. The seventh member of the board of directors  
16 shall be a joint appointment agreed upon by the governing authority of the City of Americus  
17 and the governing authority of Sumter County.

18 (c) The terms of members of the board of directors shall be for four years and until their  
19 respective successors are appointed and qualified; provided, however, that the initial terms  
20 of two of the members appointed by the governing authority of the City of Americus and two  
21 of the members appointed by the governing authority of Sumter County shall be for two  
22 years and until their respective successors are appointed and qualified. Such members  
23 having initial two-year terms of office shall be designated at the time of their appointments.  
24 The other members shall serve initial four-year terms of office and until their respective  
25 successors are appointed and qualified.

26 (d) Persons appointed to the board of directors shall be at least 21 years of age at the time  
27 of their appointment, shall have resided in the incorporated area of the City of Americus or  
28 the unincorporated area of Sumter County for a period of at least two years immediately  
29 preceding the date of their appointment, and shall take such oath of office as may be  
30 prescribed by law upon such appointment.

31 (e) Members appointed by the governing authority of the City of Americus shall reside in  
32 the incorporated area of the City of Americus during their respective terms of office.  
33 Members appointed by the governing authority of Sumter County shall reside in the  
34 unincorporated area of Sumter County during their respective terms of office. The member  
35 who is jointly appointed by the governing authority of the City of Americus and the  
36 governing authority of Sumter County shall reside in either the incorporated area of the City  
37 of Americus or the unincorporated area of Sumter County during his or her term of office.

38 (f) At least one of the members appointed by the governing authority of the City of  
39 Americus and one of the members appointed by the governing authority of Sumter County  
40 shall be a person who is experienced in real property transactions, the taxation of real  
41 property, and the valuation of real property.

42 (g) The governing authority of the City of Americus and the governing authority of Sumter  
43 County shall each be authorized to appoint a tax commissioner or tax collector to serve as  
44 an ex officio member of the board of directors.

45 (h) Nothing in this Act shall prohibit the appointment of an elected member of the governing  
46 authority of the City of Americus or the governing authority of Sumter County as a member  
47 of the board of directors.

48 (i) Members of the board of directors shall be subject to removal in accordance with the  
49 provisions of Code Section 48-4-104 of the O.C.G.A.

50 (j) Vacancies on the board of directors shall be filled in the same manner as the original  
51 appointment for the unexpired term of office.

52 (k) Members of the board of directors shall serve without compensation but may be  
53 reimbursed for actual expenses incurred in the performance of duties on behalf of the  
54 authority.

55 (l) Meetings, determination of quorums, and voting shall be governed by the provisions of  
56 Code Section 48-4-104 of the O.C.G.A.

57 **SECTION 3.**

58 (a) The board of directors shall establish rules and regulations for its operation consistent  
59 with the provisions of Article 6 of Chapter 4 of Title 48 of the O.C.G.A., the "Georgia Land  
60 Bank Act."

61 (b) The board of directors shall at its first meeting of each year select from among its  
62 members a chairperson, vice chairperson, secretary, treasurer, and such other officers as the  
63 board may determine by its rules.

64 **SECTION 4.**

65 The authority shall have those powers, duties, abilities, immunities, limitations, and  
66 obligations provided in Article 6 of Chapter 4 of Title 48 of the O.C.G.A., the "Georgia Land  
67 Bank Act."

68 **SECTION 5.**

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