

Senate Bill 31

By: Senators Staton of the 18th and Jones of the 25th

AS PASSED

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act known as the "Macon-Bibb County Water and Sewerage Authority Act,"
 2 approved March 2, 1966 (Ga. L. 1966, p. 2737), as amended, particularly by an Act approved
 3 March 23, 1992 (Ga. L. 1992, p. 4991), and an Act approved May 6, 2009 (Ga. L. 2009,
 4 p. 3681), so as to provide for nonpartisan election for the members of such authority; to
 5 provide for federal preclearance; to provide for related matters; to repeal conflicting laws;
 6 and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 An Act known as the "Macon-Bibb County Water and Sewerage Authority Act," approved
 10 March 2, 1966 (Ga. L. 1966, p. 2737), as amended, particularly by an Act approved March
 11 23, 1992 (Ga. L. 1992, p. 4991), and an Act approved May 6, 2009 (Ga. L. 2009, p. 3681),
 12 is amended by revising subsection (c) of Section 2 as follows:

13 "(c)(1) In the 2012 general election, candidates shall be elected from Districts 2 and 3
 14 and serve for terms of four years thereafter. In the 2014 general election candidates shall
 15 be elected from Districts 1, 4, and 5. Elections shall be nonpartisan elections conducted
 16 as provided for in Code Section 21-2-139 of the O.C.G.A. Candidates elected from such
 17 districts shall take office on the first day of January following their election and serve for
 18 a term of office of four years and until their successors are duly elected and qualified.
 19 Thereafter, successors to the elected members of the authority shall be elected in the
 20 nonpartisan election conducted immediately prior to the expiration of the term of office
 21 for which they offer as candidates, shall take office on the first day of January following
 22 their election, and shall serve for terms of office of four years and until the election and
 23 qualification of their successors. Members of the authority from the City of Macon and
 24 Bibb County shall be appointed by the respective appointing body or official, and such
 25 members shall serve on the authority at the pleasure of each appointing body or official
 26 and only so long as they are members of the respective appointing body.

27 (2) The members of the authority in office on the effective date of this Act shall continue
28 in office until the expiration of the terms for which they are serving on the effective date
29 of this Act."

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SECTION 2.

31 Said Act is further amended by revising subsection (f) of Section 2 as follows:

32 "(f) Should any vacancy occur among the elective members of the authority with respect
33 to a term having more than 120 days to run, the remaining members of the authority shall
34 forthwith notify the judge of the probate court who shall appoint a qualified person to serve
35 until the next nonpartisan election, at which time a successor shall be elected for the
36 unexpired term. The appointee of the judge of the probate court shall serve until a
37 successor shall have been elected and shall qualify. Any person so elected at such special
38 election shall hold office for the unexpired term for which he or she was elected. If a
39 vacancy occurs within 120 days from the expiration of the term of the elected member
40 causing the vacancy, no such election shall be held, but the remaining or surviving
41 members of the authority shall constitute the authority until the next election; provided,
42 however, that appointments shall be made in any event and regardless of the time that the
43 vacancy commences if the vacancy of a member causes more than one vacancy to exist on
44 the authority."

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SECTION 3.

46 The Macon-Bibb County Water and Sewerage Authority shall through its legal counsel cause
47 this Act to be submitted for preclearance under the federal Voting Rights Act of 1965, as
48 amended; and such submission shall be made to the United States Department of Justice or
49 filed with the appropriate court no later than 45 days after the date on which this Act is
50 approved by the Governor or otherwise becomes law without such approval.

51

SECTION 4.

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