

Senate Bill 387

By: Senator Gooch of the 51st

AS PASSED

**A BILL TO BE ENTITLED
AN ACT**

1 To amend an Act entitled "An Act to create a new charter for the City of Dahlonega in the
2 County of Lumpkin," approved April 12, 1982 (Ga. L. 1982, p. 4353), as amended,
3 particularly by an Act approved May 11, 2010 (Ga. L. 2010, p. 3522), so as to provide for
4 the filling of vacancies; to provide for related matters; to repeal conflicting laws; and for
5 other purposes.

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

7 **SECTION 1.**

8 An Act entitled "An Act to create a new charter for the City of Dahlonega in the County of
9 Lumpkin," approved April 12, 1982 (Ga. L. 1982, p. 4353), as amended, particularly by an
10 Act approved May 11, 2010 (Ga. L. 2010, p. 3522), is amended by revising Section 5.12 as
11 follows:

12 **"SECTION 5.12.**
13 **Special elections; vacancies.**

14 In the event that a vacancy occurs in one or more elected offices of the city for any cause
15 whatsoever, the remaining elected officials shall constitute a quorum for the purpose of
16 implementing the terms of this section, and those remaining elected officials shall appoint
17 a qualified person to fill such vacancy or vacancies for the remainder of the unexpired term
18 or terms. No person appointed to fill such a vacancy shall be eligible to run in the next
19 succeeding election for the post held by such appointed person. If a tie vote occurs in
20 regard to filling such vacancy or vacancies, the mayor, or in the event the mayor recuses
21 himself or herself or is otherwise incapable of making the selection, or if the position of
22 mayor is vacant, the mayor pro tempore shall appoint a qualified person to fill the vacancy
23 or vacancies. At no time shall there be more than three members so appointed holding
24 office and, if a vacancy occurs within the three members so appointed on the city council,

25 a special election shall be held by the city at the next available time in compliance with
26 applicable laws, at which election a qualified person shall be elected to serve the remainder
27 of the unexpired term of such vacant office, provided that no such election shall be held if
28 a regular annual election will occur within six months of the date of vacancy."

29 **SECTION 2.**

30 All laws and parts of laws in conflict with this Act are repealed.