

House Bill 1018

By: Representative Greene of the 158<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating the Board of Commissioners of Stewart County, approved April  
2 4, 1996 (Ga. L. 1996, p. 4028), as amended, so as to change the description of the  
3 commissioner districts; to provide for definitions and inclusions; to provide for continuation  
4 in office of current members; to provide for election and terms of office of subsequent  
5 members; to provide for submission of this Act for approval under the federal Voting Rights  
6 Act of 1965, as amended; to provide for effective dates; to repeal conflicting laws; and for  
7 other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act creating the Board of Commissioners of Stewart County, approved April 4, 1996  
11 (Ga. L. 1996, p. 4028), as amended, is amended by striking Section 2 of said Act and  
12 inserting in its place the following:

13 **"SECTION 2.**

14 (a) The Board of Commissioners of Stewart County shall consist of five commissioners.  
15 Each commissioner shall be a resident of his or her respective commissioner district  
16 described in subsection (b) of this section and shall be elected by the electors of such  
17 district as provided in Section 3 of this Act.

18 (b) For purposes of electing members of the board of commissioners, Stewart County is  
19 divided into five commissioner districts. One member of the board shall be elected from  
20 each such district. The five commissioner districts shall be and correspond to those five  
21 numbered districts described in and attached to and made a part of this Act and further  
22 identified as Plan Name: stewprop1 Plan Type: Local User: Tara Administrator: Stewart  
23 Co.

24 (c) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean  
25 and describe the same geographical boundaries as provided in the report of the Bureau of

1 the Census for the United States decennial census of 2000 for the State of Georgia. The  
2 separate numeric designations in a Tract description which are underneath a 'BG' heading  
3 shall mean and describe individual Blocks within a Block Group as provided in the report  
4 of the Bureau of the Census for the United States decennial census of 2000 for the State of  
5 Georgia. Any part of Stewart County which is not included in any such district described  
6 in that attachment shall be included within that district contiguous to such part which  
7 contains the least population according to the United States decennial census of 2000 for  
8 the State of Georgia. Any part of Stewart County which is described in that attachment as  
9 being in a particular district shall nevertheless not be included within such district if such  
10 part is not contiguous to such district. Such noncontiguous part shall instead be included  
11 within that district contiguous to such part which contains the least population according  
12 to the United States decennial census of 2000 for the State of Georgia. Except as otherwise  
13 provided in the description of any commissioner district, whenever the description of such  
14 district refers to a named city, it shall mean the geographical boundaries of that city as  
15 shown on the census map for the United States decennial census of 2000 for the State of  
16 Georgia."

## 17 **SECTION 2.**

18 Said Act is further amended by striking Section 4 of said Act and inserting in its place the  
19 following:

## 20 **"SECTION 4.**

21 (a) Those members of the Board of Commissioners of Stewart County who are serving as  
22 such on December 31, 2002, and any person selected to fill a vacancy in any such office  
23 shall continue to serve as such members until the regular expiration of their respective  
24 terms of office and upon the election and qualification of their respective successors.

25 (b) At the general election on the Tuesday next following the first Monday in November  
26 2002, members of the board shall be elected from Commissioner Districts 2 and 4, shall  
27 take office the first day of January immediately following that election, and shall serve for  
28 initial terms of office which expire on December 31, 2006, and upon the election and  
29 qualification of their respective successors. At the general election on the Tuesday next  
30 following the first Monday in November 2004, members of the board shall be elected from  
31 Commissioner Districts 1, 3, and 5, shall take office the first day of January immediately  
32 following that election, and shall serve for initial terms of office which expire on December  
33 31, 2008, and upon the election and qualification of their respective successors. Those and  
34 all future successors to members of the board whose terms of office are to expire shall be  
35 elected at the time of the state-wide general election immediately preceding the expiration

1 of such terms, shall take office the first day of January immediately following that election,  
2 and shall serve for terms of office of four years each. Members of the board shall serve for  
3 the terms of office specified therefor in this subsection and until their respective successors  
4 are elected and qualified. Commissioner Districts 1, 2, 3, 4, and 5, as they exist  
5 immediately prior to January 1, 2003, shall continue to be designated as Commissioner  
6 Districts 1, 2, 3, 4, and 5, respectively, but as newly described under this Act, and on and  
7 after such date, such members of the board serving from those former commissioner  
8 districts shall be deemed to be serving from and representing their respective districts as  
9 newly described under this Act.

10 (c) All members of the board who are elected thereto shall be nominated and elected in  
11 accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'"

### 12 **SECTION 3.**

13 It shall be the duty of the attorney of the Board of Commissioners of Stewart County to  
14 submit this Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965,  
15 as amended.

### 16 **SECTION 4.**

17 This section and Section 3 of this Act and those provisions of this Act necessary for the  
18 election of members of the Board of Commissioners of Stewart County in 2002 shall become  
19 effective upon the approval of this Act by the Governor or upon its becoming law without  
20 such approval. The remaining provisions of this Act shall become effective January 1, 2003.

### 21 **SECTION 5.**

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