

House Bill 1193

By: Representatives Yates of the 106th and Sanders of the 107th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the Board of Commissioners of Spalding County, approved
2 February 5, 1873 (Ga. L. 1873, p. 289), as amended, particularly by an Act approved
3 February 7, 1994 (Ga. L. 1994, p. 3527), so as to to revise the districts for the election of
4 members of the board of commissioners; to provide for definitions and inclusions; to provide
5 for the manner of election; to provide for submission of this Act for preclearance pursuant
6 to Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for related
7 matters; to repeal conflicting laws; and for other purposes.

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

9 **SECTION 1.**

10 An Act creating the Board of Commissioners of Spalding County, approved February 5,
11 1873 (Ga. L. 1873, p. 289), as amended, particularly by an Act approved February 7, 1994
12 (Ga. L. 1994, p. 3527), is amended by striking subsection (c) of Section I and inserting in lieu
13 thereof a new subsection (c) to read as follows:

14 "(c)(1) The board of commissioners of Spalding County shall be composed of five
15 members. The members of the board shall be residents of the commissioner districts they
16 represent and shall be elected by the qualified electors voting within their respective
17 commissioner districts.

18 (2) For the purpose of electing the members of the board, Spalding County shall be
19 divided into five commissioner districts. One member of the board shall be elected from
20 each such district. Those districts shall be and correspond to those five numbered
21 districts described in and attached to and made a part of this Act and further identified as
22 Plan Name: spaldcc5 Plan Type: Local User: Linda Administrator: Spalding.

23 (3) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean
24 and describe the same geographical boundaries as provided in the report of the Bureau
25 of the Census for the United States decennial census of 2000 for the State of Georgia.
26 The separate numeric designations in a Tract description which are underneath a 'BG'

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

15 (4) The members of the board who were elected at the general election in November
16 1998 shall continue in office for the terms to which they were elected and until successors
17 are elected and qualified as provided in this section. The members of the board who were
18 elected at the general election in November 2000 shall continue in office for the terms to
19 which they were elected and until successors are elected and qualified as provided in this
20 section.

21 (5) The first members of the reconstituted board of commissioners of Spalding County
22 from Commissioner Districts 2 and 5 shall be elected in the general election in November
23 2002. Such members shall take office on January 1 following their election for terms of
24 four years and until their successors are elected and qualified.

25 (6) The first members of the reconstituted board of commissioners of Spalding County
26 from Commissioner Districts 1, 3, and 4 shall be elected in the general election in
27 November 2004. Such members shall take office on January 1 following their election
28 for a term of four years and until their successors are elected and qualified.

29 (7) Successors to members elected under paragraphs (5) and (6) of this subsection shall
30 be elected at the November general election next preceding the expiration of such terms
31 of office and shall take office on January 1 following their election for terms of four years
32 and until their successors are elected and qualified.

33 (8) Commissioner Districts 1, 2, 3, 4, and 5 as they exist immediately prior to the
34 effective date of this subsection shall continue to be designated as Commissioner Districts
35 1, 2, 3, 4, and 5, respectively, but as newly described under this Act, and, on and after the
36 effective date of this Act, such members of the board serving from those former

1 commissioner districts shall be deemed to be serving from and representing their
2 respective districts as newly described under this section."

3 **SECTION 2.**

4 It shall be the duty of the attorney of the governing authority of Spalding County to submit
5 this Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965, as
6 amended.

7 **SECTION 3.**

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