

House Bill 1602

By: Representatives Royal of the 164th, Houston of the 166th and Scott of the 165th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act re-creating the Board of Commissioners of Colquitt County, approved
2 March 24, 1974 (Ga. L. 1974, p. 3078), as amended, so as to reconstitute the board of
3 commissioners; to change the description of the commissioner districts; to provide for
4 definitions and inclusions; to provide for continuation in office of current members; to
5 provide for election and terms of office of subsequent members; to provide for submission
6 of this Act for approval under the federal Voting Rights Act of 1965, as amended; to provide
7 for effective dates; to repeal conflicting laws; and for other purposes.

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

9 **SECTION 1.**

10 An Act re-creating the Board of Commissioners of Colquitt County, approved March 24,
11 1974 (Ga. L. 1974, p. 3078), as amended, is amended by striking Section 2 and inserting in
12 its place a new Section 2 to read as follows:

13 **"SECTION 2.**

14 (a) Those members of the Board of Commissioners of Colquitt County who are serving
15 as such immediately prior to the effective date of this Act and any person selected to fill
16 a vacancy in any such office shall continue to serve as such members until the regular
17 expiration of their respective terms of office and upon the election and qualification of their
18 respective successors. On and after the effective date of this Act, the Board of
19 Commissioners of Colquitt County shall consist of seven members all of whom shall be
20 elected from commissioner districts described in subsection (b) of this section except for
21 the member who is elected at large as provided in this Act.

22 (b) For purposes of electing members of the board of commissioners, other than the
23 at-large member, Colquitt County is divided into six commissioner districts. One member
24 of the board shall be elected from each such district. The six commissioner districts shall
25 be and correspond to those six numbered districts described in and attached to and made

1 a part of this Act and further identified as Plan Name: colqwk3r Plan Type: LOCAL
2 User: staff Administrator: CNTY-COLQUITT.

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

21 (d) No person shall be a member of the board if that person is ineligible for such office
22 pursuant to Code Section 45-2-1 of the O.C.G.A. or any other general law applicable to that
23 office.

24 (e) In order to be elected as a member of the board from a commissioner district, a person
25 must receive the number of votes cast as required by general law for that office in that
26 district only. Only electors who are residents of that commissioner district may vote for
27 a member of the board for that district. At the time of qualifying for election as a member
28 of the board from a commissioner district, each candidate for such office shall specify the
29 commissioner district for which that person is a candidate. A person elected or appointed
30 as a member of the board from a commissioner district must continue to reside in that
31 district during that person's term of office or that office shall become vacant.

32 (f) The at-large member of the board may reside anywhere within Colquitt County and,
33 if elected, must receive the number of votes cast for that office as required by general law
34 in the entire county. The at-larger member must continue to reside within the county
35 during that person's term of office or that office shall become vacant.

36 (g) The members of the Board of Commissioners of Colquitt County shall be elected as
37 provided in this subsection. The first at-large member and the first members from

1 Commissioner Districts 1, 3, and 5 shall be elected at the general election on the Tuesday
 2 next following the first Monday in November, 2002. The at-large member and those
 3 members of the board elected thereto from Commissioner Districts 1, 3, and 5 in 2002 shall
 4 take office the first day of January immediately following that election and shall serve for
 5 initial terms of office which expire December 31, 2006, and upon the election and
 6 qualification of their respective successors. The first members from Commissioner
 7 Districts 2, 4, and 6 shall be elected at the general election on the Tuesday next following
 8 the first Monday in November, 2004. Those members of the board elected thereto from
 9 Commissioner Districts 2, 4, and 6 in 2004 shall take office the first day of January
 10 immediately following that election and shall serve for initial terms of office which expire
 11 December 31, 2008, and upon the election and qualification of their respective successors.
 12 Those and all future successors to members of the board whose terms of office are to expire
 13 shall be elected at the time of the state-wide general election immediately preceding the
 14 expiration of such terms, shall take office the first day of January immediately following
 15 that election, and shall serve for terms of office of four years each. Members of the board
 16 shall serve for the terms of office specified therefor in this subsection and until their
 17 respective successors are elected and qualified.

18 (h) Commissioner Districts 1, 2, 3, 4, 5, and 6, as they exist immediately prior to the
 19 effective date of this Act, shall continue to be designated as Commissioner Districts 1, 2,
 20 3, 4, 5, and 6, respectively, but as newly described under this Act and Commissioner
 21 District 7 shall be designated as the at-large member, and on and after the effective date of
 22 this Act, such members of the board serving from those former commissioner districts shall
 23 be deemed to be serving from and representing their respective districts as newly described
 24 under this Act and the member of the board serving from former Commissioner District 7
 25 shall continue to represent the county at large."

26 SECTION 2.

27 Said Act is further amended by striking Section 22 and inserting in its place a new Section
 28 22 to read as follows:

29 "SECTION 22.

30 Reserved."

31 SECTION 3.

32 It shall be the duty of the attorney of the Board of Commissioners of Colquitt County to
 33 submit this Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965,
 34 as amended.

