

House Bill 1658

By: Representatives Cummings of the 27th and Murphy of the 18th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating a board of commissioners of roads and revenue in and for the
2 County of Polk, approved August 19, 1919 (Ga. L. 1919, p. 719), as amended, particularly
3 by an Act approved February 16, 1962 (Ga. L. 1962, p. 2128), so as to revise the districts for
4 the election of members of the board of commissioners; to provide for definitions and
5 inclusions; to provide for the manner of election; to provide for qualifications; to provide for
6 submission of this Act for preclearance pursuant to Section 5 of the federal Voting Rights
7 Act of 1965, as amended; to provide for related matters; to repeal conflicting laws; and for
8 other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 An Act creating a board of commissioners of roads and revenue in and for the County of
12 Polk, approved August 19, 1919 (Ga. L. 1919, p. 719), as amended, particularly by an Act
13 approved February 16, 1962 (Ga. L. 1962, p. 2128), is amended by striking Section 4 in its
14 entirety and inserting in lieu thereof the following:

15 style="text-align:center">"SECTION 4.

16 (a) The Board of Commissioners of Polk County shall be composed of six members. The
17 members of the board shall be residents of the commissioner districts they represent, but
18 shall be elected by the qualified electors of the entire county.

19 (b) For the purpose of electing the members of the board from commissioner districts, Polk
20 County shall be divided into three commissioner districts. Two members of the board shall
21 be elected from each such district. Those districts shall be and correspond to those three
22 numbered districts described in and attached to and made a part of this Act and further
23 identified as Plan Name: polkcc3 Plan Type: Local User: Angela Administrator: Polk.

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 Polk County which is not included in any such district described in
6 that attachment shall be included within that district contiguous to such part which contains
7 the least population according to the United States decennial census of 2000 for the State
8 of Georgia. Any part of Polk County which is described in that attachment as being in a
9 particular district shall nevertheless not be included within such district if such part is not
10 contiguous to such district. Such noncontiguous part shall instead be included within that
11 district contiguous to such part which contains the least population according to the United
12 States decennial census of 2000 for the State of Georgia. Except as otherwise provided in
13 the description of any district, whenever the description of such district refers to a named
14 city, it shall mean the geographical boundaries of that city as shown on the census map for
15 the United States decennial census of 2000 for the State of Georgia.

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

22 (e) Successors to members elected under subsection (d) of this section shall be elected at
23 the state-wide general election next preceding the expiration of such terms of office and
24 shall take office on January 1 following their election for terms of four years and until their
25 successors are elected and qualified.

26 (f) Commissioner Districts 1, 2, and 3 as they exist immediately prior to the effective date
27 of this Act shall continue to be designated as Commissioner Districts 1, 2, and 3,
28 respectively, but as newly described under this Act, and, on and after the effective date of
29 this Act, such members of the board serving from those former commissioner districts shall
30 be deemed to be serving from and representing their respective districts as newly described
31 under this section.

32 (g) The commissioners shall be elected by those persons who are qualified to vote for
33 members of the General Assembly. No person shall be elected from any commissioner
34 district unless such person shall have been a resident of that commissioner district for a
35 period of at least one year immediately preceding the date of election. Each commissioner
36 shall be elected by the electors of the entire county and not by the electors of such person's
37 district alone."

1 **SECTION 2.**

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

4 **SECTION 3.**

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