

House Bill 1686

By: Representative Broome of the 160<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating the Board of Commissioners of Early County, approved March  
2 24, 1933 (Ga. L. 1933, p. 515), as amended, particularly by an Act approved April 7, 1992  
3 (Ga. L. 1992, p. 5748), and an Act approved March 25, 1996 (Ga. L. 1996, p. 3630), so as  
4 to reapportion the commissioner districts; to provide for members currently serving; to  
5 provide for the submission of this Act to the United States Department of Justice; to provide  
6 for related matters; to provide effective dates; to repeal conflicting laws; and for other  
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act creating the Board of Commissioners of Early County, approved March 24, 1933  
11 (Ga. L. 1933, p. 515), as amended, particularly by an Act approved April 7, 1992 (Ga. L.  
12 1992, p. 5748), and an Act approved March 25, 1996 (Ga. L. 1996, p. 3630), is amended by  
13 striking in its entirety Section 3 and inserting in lieu thereof the following:

14 "SECTION 3.

15 (a) For purposes of electing members of the Board of Commissioners of Early County,  
16 other than the chairperson, Early County is divided into four commissioner districts.  
17 Commissioner Districts 1 through 4 shall consist of the described territory of the Early  
18 County commissioner districts attached to this Act and made a part hereof and further  
19 identified as 'Plan Name: earlyccsb1 Plan Type: LOCAL User: staff Administrator:  
20 EARLY'.

21 (b)(1) For purposes of this section:

22 (A) The terms 'Tract' and 'BG' shall mean and describe the same geographical  
23 boundaries as provided in the report of the Bureau of the Census for the United States  
24 decennial census of 2000 for the State of Georgia; and

1 (B) The separate numeric designations in a Tract description which are underneath a  
2 'BG' heading shall mean and describe individual Blocks within a Block Group as  
3 provided in the report of the Bureau of the Census for the United States decennial  
4 census of 2000 for the State of Georgia.

5 (2) Any part of Early County which is not included in any commissioner district  
6 described in this section shall be included within that commissioner district contiguous  
7 to such part which contains the least population according to the United States decennial  
8 census of 2000 for the State of Georgia.

9 (3) Any part of Early County which is described in this section as being included in a  
10 particular commissioner district shall nevertheless not be included within such  
11 commissioner district if such part is not contiguous to such commissioner district. Such  
12 noncontiguous part shall instead be included within that commissioner district contiguous  
13 to such part which contains the least population according to the United States decennial  
14 census of 2000 for the State of Georgia.

15 (c) In order to be elected as a member of the board from a commissioner district, a person  
16 must receive the number of votes cast as required by general law for that office in that  
17 district only. Only electors who are residents of that commissioner district may vote for  
18 a member of the board for that district. The fifth member of the board of commissioners  
19 shall be the chairperson and may reside anywhere within Early County and, if elected, must  
20 receive the number of votes cast for that office as required by general law in the entire  
21 county.

22 (d) All members of the board of commissioners serving in office on July 1, 2002, shall  
23 continue to serve until the expiration of the terms for which they were elected and until  
24 their respective successors are elected and qualified unless otherwise removed from office  
25 as provided by the Constitution and laws of this state.

26 (e) The members of the Board of Commissioners of Early County from Commissioner  
27 Districts 1 and 3 shall be elected at the general election on the Tuesday next following the  
28 first Monday in November, 2002. Such members shall take office on January 1 following  
29 their election for terms of four years and until their successors are elected and qualified.

30 (f) The chairperson and the members of the Board of Commissioners of Early County from  
31 Commissioner Districts 2 and 4 shall be elected at the general election on the Tuesday next  
32 following the first Monday in November, 2004. Such members shall take office on  
33 January 1 following their election for terms of four years and until their successors are  
34 elected and qualified.

35 (g) Successors to members elected under subsections (e) and (f) of this section shall be  
36 elected at the general election next preceding the expiration of terms of office and shall

1 take office on January 1 following their election for terms of four years and until their  
2 successors are elected and qualified.

3 (h) All members of the board shall be nominated and elected in accordance with Chapter  
4 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'

5 (i) Each member of the board of commissioners serving in office on July 1, 2002, and  
6 elected from former Commissioner District 1, 2, 3, or 4 shall on and after said date be  
7 deemed to represent new Commissioner District 1, 2, 3, or 4 in which he or she resides."

8 **SECTION 2.**

9 It is the purpose of this Act to reapportion the districts from which members of the Board of  
10 Commissioners of Early County are to be elected in the November, 2002, general election  
11 and in subsequent general elections, and this Act results from changes in population based  
12 on the United States decennial census of 2000. It is not the intention of the General Assembly  
13 to affect the membership of current members of the board, their terms of office, or the  
14 manner in which their successors shall be elected, and such matters shall remain as provided  
15 by law on the effective date of this Act until otherwise amended by law, except to the extent  
16 of reapportioning the districts represented by such members.

17 **SECTION 3.**

18 It shall be the duty of the attorney of the Board of Commissioners of Early County to submit  
19 this Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965, as  
20 amended.

21 **SECTION 4.**

22 The provisions of this Act relating to and necessary for the regular election in 2002 of  
23 members of the Board of Commissioners of Early County shall become effective upon its  
24 approval by the Governor or upon its becoming effective without such approval; and this Act  
25 shall otherwise become effective January 1, 2003.

26 **SECTION 5.**

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