

House Bill 1703

By: Representatives Smith of the 91<sup>st</sup> and Stokes of the 92<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating a board of commissioners of Newton County, approved April 6,  
2 1967 (Ga. L. 1967, p. 2784), as amended, so as to reconstitute the board of commissioners;  
3 to change the description of the commissioner districts; to provide for definitions and  
4 inclusions; to provide for continuation in office of current members; to provide for election  
5 and terms of office of subsequent members; to provide for submission of this Act for  
6 approval under the federal Voting Rights Act of 1965, as amended; to provide for effective  
7 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 creating a board of commissioners of Newton County, approved April 6, 1967 (Ga.  
11 L. 1967, p. 2784), as amended, is amended by striking Section 1-101 and inserting in lieu  
12 thereof the following:

13 **"SECTION 1-101.**

14 (a) The Board of Commissioners of Newton County which existed immediately prior to the  
15 effective date of this Act is continued in existence but on and after the effective date of this  
16 Act shall be constituted as provided in this Act. The Board of Commissioners of Newton  
17 County so continued and constituted, sometimes referred to in this Act as the 'board,' shall  
18 continue to have the powers, duties, rights, obligations, and liabilities of that board as  
19 existed immediately prior to the effective date of this Act.

20 (b) Those members of the Board of Commissioners of Newton County who are serving  
21 as such immediately prior to the effective date of this Act and any person selected to fill  
22 a vacancy in any such office shall continue to serve as such members until the regular  
23 expiration of their respective terms of office and upon the election and qualification of their  
24 respective successors. On and after the effective date of this Act, the Board of

1 Commissioners of Newton County shall consist of five members all of whom shall be  
2 elected from commissioner districts described in subsection (c) of this section.

3 (c) For purposes of electing members of the board of commissioners, Newton County is  
4 divided into five commissioner districts. One member of the board shall be elected from  
5 each such district. The five commissioner districts shall be and correspond to those five  
6 numbered districts described in and attached to and made a part of this Act and further  
7 identified as Plan Name: newtwk1 Plan Type: Local User: staff Administrator: Newton  
8 Co.

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

27 (e) The members of the reconstituted Board of Commissioners of Newton County shall be  
28 elected as provided in this subsection. The first members from Commissioner Districts 2  
29 and 4 shall be elected at the general election on the Tuesday next following the first  
30 Monday in November, 2002. Those members of the board elected thereto from  
31 Commissioner Districts 2 and 4 in 2002 shall take office the first day of January  
32 immediately following that election and shall serve for initial terms of office which expire  
33 December 31, 2006, and upon the election and qualification of their respective successors.  
34 The first members from Commissioner Districts 1, 3, and 5 shall be elected at the general  
35 election on the Tuesday next following the first Monday in November, 2004. Those  
36 members of the board elected thereto from Commissioner Districts 1, 3, and 5 in 2004 shall  
37 take office the first day of January immediately following that election and shall serve for

1 initial terms of office which expire December 31, 2008, and upon the election and  
2 qualification of their respective successors. Those and all future successors to members  
3 of the board whose terms of office are to expire shall be elected at the time of the  
4 state-wide general election immediately preceding the expiration of such terms, shall take  
5 office the first day of January immediately following that election, and shall serve for terms  
6 of office of four years each. Members of the board shall serve for the terms of office  
7 specified therefor in this subsection and until their respective successors are elected and  
8 qualified.

9 (f) Commissioner Districts 1 through 5, as they exist immediately prior to the effective  
10 date of this Act, shall continue to be designated as Commissioner Districts 1 through 5,  
11 respectively, but as newly described under this Act; and, on and after the effective date of  
12 this Act, such members of the board serving from those former commissioner districts shall  
13 be deemed to be serving from and representing their respective districts as newly described  
14 under this Act."

## 15 **SECTION 2.**

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

## 19 **SECTION 3.**

20 Sections 2 through 4 of this Act and those provisions of this Act necessary for the election  
21 of members of the Board of Commissioners of Newton County in 2002 shall become  
22 effective upon the approval of this Act by the Governor or upon its becoming law without  
23 such approval. The remaining provisions of this Act shall become effective January 1, 2003.

## 24 **SECTION 4.**

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