

House Bill 1767

By: Representative Crawford of the 129th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating a board of commissioners of roads and revenues of Upson County,
2 approved February 1, 1877 (Ga. L. 1877, p. 267), as amended, particularly by an Act
3 approved March 27, 1995 (Ga. L. 1995, p. 3883), so as to change the description of the
4 commissioner districts; to provide for definitions and inclusions; to provide for continuation
5 in office of current members; to provide for election and terms of office of subsequent
6 members; to provide for submission of this Act for approval under the federal Voting Rights
7 Act of 1965, as amended; to provide for effective dates; to repeal conflicting laws; and for
8 other purposes.

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

10 **SECTION 1.**

11 An Act creating a board of commissioners of roads and revenues of Upson County,
12 approved February 1, 1877 (Ga. L. 1877, p. 267), as amended, particularly by an Act
13 approved March 27, 1995 (Ga. L. 1995, p. 3883), is amended by striking subsection (d) of
14 Section 2 and inserting in lieu thereof the following:

15 "(d)(1) For purposes of electing members of the board of commissioners, other than the
16 chairperson, Upson County is divided into four commissioner districts. One member of
17 the board shall be elected from each such district. The four commissioner districts shall
18 be and correspond to those four numbered districts described in and attached to and made
19 a part of this Act and further identified as Plan Name: upsoncc1 Plan Type: Local
20 User: staff Administrator: Upson.

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

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

13 SECTION 2.

14 Said Act is further amended by striking subsections (a) and (b) of Section 3 and inserting in
 15 lieu thereof the following:

16 "(a) Those members of the Board of Commissioners of Upson County who are serving as
 17 such on December 31, 2001, and any person selected to fill a vacancy in any such office
 18 shall continue to serve as such members until the regular expiration of their respective
 19 terms of office and upon the election and qualification of their respective successors. On
 20 and after January 1, 2003, the Board of Commissioners of Upson County shall consist of
 21 five members all of whom shall be elected from commissioner districts described in
 22 subsection (d) of Section 2, except for the member who is chairperson and who is elected
 23 at large as provided in subsection (a) of Section 1.

24 (b)(1) The members from Commissioner Districts 3 and 4 shall be elected at the general
 25 election on the Tuesday next following the first Monday in November, 2002. Those
 26 members of the board elected thereto from Commissioner Districts 3 and 4 in 2002 shall
 27 take office the first day of January immediately following that election and shall serve for
 28 initial terms of office which expire December 31, 2006, and upon the election and
 29 qualification of their respective successors.

30 (2) Commissioner Districts 1 and 2, as they exist on December 31, 2001, shall continue
 31 to be designated as Commissioner Districts 1 and 2, respectively, but as newly described
 32 under this Act, and on and after January 1, 2003, such members of the board serving from
 33 those former commissioner districts shall be deemed to be serving from and representing
 34 their respective districts as newly described under this Act.

35 (3) The chairperson and members from Commissioner Districts 1 and 2 shall be elected
 36 at the general election on the Tuesday next following the first Monday in November,

1 2004. The chairperson and those members of the board elected thereto from
2 Commissioner Districts 1 and 2 in 2004 shall take office the first day of January
3 immediately following that election and shall serve for initial terms of office which
4 expire December 31, 2008, and upon the election and qualification of their respective
5 successors.

6 (4) Future successors to members of the board whose terms of office are to expire shall
7 be elected at the time of the state-wide general election immediately preceding the
8 expiration of such terms, shall take office the first day of January immediately following
9 that election, and shall serve for terms of office of four years each. Members of the board
10 shall serve for the terms of office specified therefor in this subsection and until their
11 respective successors are elected and qualified."

12 **SECTION 3.**

13 It shall be the duty of the attorney of the Board of Commissioners of Upson County to submit
14 this Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965, as
15 amended.

16 **SECTION 4.**

17 This section and Section 1 of this Act and those provisions of this Act necessary for the
18 election of members of the Board of Commissioners of Upson County in 2002 shall become
19 effective upon the approval of this Act by the Governor or upon its becoming law without
20 such approval. The remaining provisions of this Act shall become effective January 1, 2003.

21 **SECTION 5.**

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