

House Bill 1761

By: Representative McCall of the 90th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the Board of Commissioners of Lincoln County, approved
2 February 25, 1949 (Ga. L. 1949, p. 1228), as amended, particularly by an Act approved
3 March 10, 1986 (Ga. L. 1986, p. 3653), and by an Act approved April 4, 1997 (Ga. L. 1997,
4 p. 3681), so as to revise the districts for the election of members of the board of
5 commissioners; to provide for definitions and inclusions; to provide for manner of election;
6 to provide for submission of this Act for preclearance pursuant to Section 5 of the federal
7 Voting Rights Act of 1965, as amended; to provide for related matters; to provide effective
8 dates; to repeal conflicting laws; and for other purposes.

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

10 **SECTION 1.**

11 An Act creating the Board of Commissioners of Lincoln County, approved February 25,
12 1949 (Ga. L. 1949, p. 1228), as amended, particularly by an Act approved March 10, 1986
13 (Ga. L. 1986, p. 3653), and by an Act approved April 4, 1997 (Ga. L. 1997, p. 3681), is
14 amended by striking Section 2 and inserting in lieu thereof a new Section 2 to read as
15 follows:

16 **"SECTION 2.**

17 (a) For the purpose of electing members of the board of commissioners, Lincoln County
18 is divided into five commissioner districts. Districts 1 through 4 shall be and correspond
19 to those four numbered districts described in and attached to and made a part of this Act
20 and further identified as Plan Name: linccsb1 Plan Type: Local User: staff
21 Administrator: Lincoln. District 5 shall consist of Lincoln County in its entirety.

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

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

14 **SECTION 2.**

15 Said Act is further amended by striking Section 10 and inserting in lieu thereof a new
16 Section 10 to read as follows:

17 "SECTION 10.

18 (a) The members of the board of commissioners who were elected at the general election
19 in November 2000 shall continue in office for the terms to which they were elected and
20 until successors are elected and qualified as provided in this Act.

21 (b) The first members of the reconstituted board of commissioners of Lincoln County
22 from Commissioner Districts 1 and 2 shall be elected at the state-wide general election in
23 2002. Such members shall take office on January 1 following their election for terms of
24 four years and until their successors are elected and qualified.

25 (c) The first members of the reconstituted board of commissioners of Lincoln County from
26 Commissioner Districts 3 and 4 shall be elected at the state-wide general election in 2004.
27 Such members shall take office on January 1 following their election for terms of four
28 years and until their successors are elected and qualified.

29 (d) The first member of the reconstituted board of commissioners of Lincoln County from
30 Commissioner District 5, who shall serve as chairperson, shall be elected at the state-wide
31 general election in 2004. Such member shall take office on January 1 following his or her
32 election for a term of four years and until his or her successor is elected and qualified.

33 (e) Successors to members elected under subsections (b), (c), and (d) of this section shall
34 be elected at the state-wide general election next preceding the expiration of such terms of

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

3 (f) Commissioner Districts 1, 2, 3, 4, and 5 as they existed on January 1, 2002, shall
4 continue to be designated as Commissioner Districts 1, 2, 3, 4, and 5, respectively, but as
5 newly described under this Act, and, on and after the effective date of this Act, such
6 members of the board serving from those former commissioner districts shall be deemed
7 to be serving from and representing their respective districts as newly described under this
8 Act."

9 **SECTION 3.**

10 It shall be the duty of the attorney for the governing authority of Lincoln County to submit
11 this Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965, as
12 amended.

13 **SECTION 4.**

14 The provisions of this Act relating to and necessary for the regular election in 2002 of
15 members of the board of commissioners of Lincoln County shall become effective upon its
16 approval by the Governor or upon its becoming effective without such approval; and this Act
17 shall otherwise become effective January 1, 2003.

18 **SECTION 5.**

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