

House Bill 1793

By: Representatives Scheid of the 17th, Grasse of the 16th and Pinholster of the 15th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating a board of commissioners for Cherokee County, approved
2 March 30, 1989 (Ga. L. 1989, p. 4295), as amended, particularly by an Act approved
3 March 24, 1992 (Ga. L. 1992, p. 5036), so as to revise the districts for the election of
4 members of the board of commissioners; to provide for definitions and inclusions; to provide
5 for manner of election; to provide for submission of this Act for preclearance pursuant to
6 Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for related
7 matters; to provide effective 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 for Cherokee County, approved March 30, 1989
11 (Ga. L. 1989, p. 4295), as amended, particularly by an Act approved March 24, 1992
12 (Ga. L. 1992, p. 5036), is amended by striking subsections (b) through (e) of Section 2 and
13 inserting in lieu thereof new subsections (b) through (e) to read as follows:

14 "(b) The Eastern District shall be composed of the territory included in Commissioner
15 Districts 1 and 2. The Western District shall be composed of the territory included in
16 Commissioner Districts 3 and 4.

17 (c) Commissioner Districts 1 through 4 shall be and correspond to those four numbered
18 districts described in and attached to and made a part of this Act and further identified as
19 Plan Name: chercc3 Plan Type: Local User: Shantee Administrator: Cherokee.

20 (d) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean
21 and describe the same geographical boundaries as provided in the report of the Bureau of
22 the Census for the United States decennial census of 2000 for the State of Georgia. The
23 separate numeric designations in a Tract description which are underneath a 'BG' heading
24 shall mean and describe individual Blocks within a Block Group as provided in the report
25 of the Bureau of the Census for the United States decennial census of 2000 for the State of
26 Georgia. Any part of Cherokee County which is not included in any such district described

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

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

16 SECTION 2.

17 Said Act is further amended by striking Section 3 and inserting in lieu thereof a new
18 Section 3 to read as follows:

19 SECTION 3.

20 (a) The members of the board of commissioners in office on January 1, 2002, representing
21 former Commissioner Districts 1 and 4 shall serve out the remainder of the terms to which
22 they were elected, such terms expiring on December 31, 2002. At the general election in
23 2002 and every four years thereafter, members of the board shall be elected from
24 Commissioner Districts 1 and 4 pursuant to this Act and shall serve for terms of four years
25 and until their successors are elected and qualified and shall take office on January 1
26 immediately following their election.

27 (b) The members of the board of commissioners in office on January 1, 2002, representing
28 former Commissioner Districts 2 and 3 shall serve out the remainder of the terms to which
29 they were elected, such terms expiring on December 31, 2004. At the general election in
30 2004 and every four years thereafter, members of the board shall be elected from
31 Commissioner Districts 2 and 3 pursuant to this Act and shall serve for terms of four years
32 and until their successors are elected and qualified and shall take office on January 1
33 immediately following their election."

1 **SECTION 3.**

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

5 **SECTION 4.**

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