

Senate Bill 544

By: Senator Gillis of the 20th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend an Act creating a Board of Commissioners of Treutlen County, approved March
2 12, 1935 (Ga. L. 1935, p. 807), 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 repeal conflicting
7 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 Treutlen County, approved March 12, 1935
11 (Ga. L. 1935, p. 807), as amended, is amended by striking Sections 1, 2, and 3 and inserting
12 in their place new Sections 1, 2, and 3 to read as follows:

13 **"SECTION 1.**

14 The Board of Commissioners of Treutlen 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 Treutlen
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 **SECTION 2.**

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

1 respective successors. On and after the effective date of this Act, the Board of
2 Commissioners of Treutlen County shall consist of five members all of whom shall be
3 elected from commissioner districts described in subsection (b) of this section.

4 (b) For purposes of electing members of the board of commissioners, Treutlen County is
5 divided into five commissioner districts. One member of the board shall be elected from
6 each such district. The five commissioner districts shall be and correspond to those five
7 numbered districts described in and attached to and made a part of this Act and further
8 identified as Plan Name: treutp2 Plan Type: Local User: Tara Administrator:
9 Treutlen Co.

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

28 (d) No person shall be a member of the board if that person is ineligible for such office
29 pursuant to Code Section 45-2-1 of the O.C.G.A. or any other general law applicable to that
30 office.

31 (e) In order to be elected as a member of the board from a commissioner district, a person
32 must receive the number of votes cast as required by general law for that office in that
33 district only. Only electors who are residents of that commissioner district may vote for
34 a member of the board for that district. At the time of qualifying for election as a member
35 of the board from a commissioner district, each candidate for such office shall specify the
36 commissioner district for which that person is a candidate and must reside in that
37 commissioner district. A person elected or appointed as a member of the board from a

1 commissioner district must continue to reside in that district during that person's term of
2 office or that office shall become vacant.

3 SECTION 3.

4 (a) The members of the reconstituted Board of Commissioners of Treutlen County shall
5 be elected as provided in this subsection. The first members from Commissioner Districts
6 2 and 5 shall be elected at the general election on the Tuesday next following the first
7 Monday in November, 2002. Those members of the board elected thereto from
8 Commissioner Districts 2 and 5 in 2002 shall take office the first day of January
9 immediately following that election and shall serve for initial terms of office which expire
10 December 31, 2006, and upon the election and qualification of their respective successors.
11 The first members from Commissioner Districts 1, 3, and 4 shall be elected at the general
12 election on the Tuesday next following the first Monday in November, 2004. Those
13 members of the board elected thereto from Commissioner Districts 1, 3, and 4 in 2004 shall
14 take office the first day of January immediately following that election and shall serve for
15 initial terms of office which expire December 31, 2008, and upon the election and
16 qualification of their respective successors. Those and all future successors to members
17 of the board whose terms of office are to expire shall be elected at the time of the
18 state-wide general election immediately preceding the expiration of such terms, shall take
19 office the first day of January immediately following that election, and shall serve for terms
20 of office of four years each. Members of the board shall serve for the terms of office
21 specified therefor in this subsection and until their respective successors are elected and
22 qualified.

23 (b) All members of the board who are elected thereto shall be nominated and elected in
24 accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code'.

25 (c) Commissioner Districts 1, 2, 3, 4, and 5, as they exist immediately prior to the effective
26 date of this Act, shall continue to be designated as Commissioner Districts 1, 2, 3, 4, and
27 5, respectively, but as newly described under this Act, and on and after the effective date
28 of this Act, such members of the board serving from those former commissioner districts
29 shall be deemed to be serving from and representing their respective districts as newly
30 described under this Act."

31 SECTION 2.

32 Said Act is further amended by striking Section 6 and inserting in its place a new Section 6
33 to read as follows:

1 "SECTION 6.

2 (a) Any vacancy in office upon the board which occurs for any reason other than
3 expiration of term shall be filled as follows:

4 (1) If the vacancy occurs during the final 27 months of a term of office, within 30 days
5 after such occurrence, the remaining members of the board shall appoint a person to fill
6 such vacancy; or

7 (2) If the vacancy occurs at any time prior to the time specified in paragraph (1) of this
8 subsection, within 30 days after such occurrence, the remaining members of the board
9 shall appoint a person to fill such vacancy until a successor is elected at a special election
10 and qualified, which special election shall be held on the same date as the state-wide
11 general election which is first held following the date of the vacancy.

12 (b) Any person appointed to fill a vacancy in office pursuant to subsection (a) of this
13 section shall meet the same eligibility requirements specified for persons who are elected
14 to such office. Any person appointed to fill a vacancy under paragraph (1) of
15 subsection (a) of this section or elected to fill a vacancy under paragraph (2) of
16 subsection (a) of this section shall serve out the remainder of the unexpired term and until
17 a successor is elected and qualified."

18 **SECTION 3.**

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

22 **SECTION 4.**

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

1 Plan Name: treutp2 Plan Type: Local User: Tara Administrator: Treutlen Co.

2 Redistricting Plan Components Report

3 District 001

4 Treutlen County

5 Tract: 9602

6 BG: 1

7 1027 1028 1033 1034 1035 1055 1056 1057

8 BG: 2

9 2037 2038 2039 2040 2041 2043 2044 2045 2046 2047 2048 2049

10 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061

11 2062 2063

12 BG: 3

13 3000 3001 3002 3003 3004 3005 3054 3055 3056 3057

14 BG: 4

15 4003 4004 4005 4006 4007 4008 4009 4010 4011 4012 4013 4014

16 4015 4016 4017 4018 4019 4020 4021 4022 4023 4024 4025 4026

17 4027 4028 4029 4030 4031 4032 4033 4034 4035 4041 4042 4043

18 4044 4045 4046 4047

19

20 District 002

21 Treutlen County

22 Tract: 9602

23 BG: 1

24 1003 1004 1005 1006 1007 1008 1009 1010 1030 1031 1032 1036

25 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1047 1048

26 1049 1050 1051 1052 1053 1054 1058 1059 1060 1061 1062 1063

27 1064 1065 1066 1067 1068 1069 1070 1071 1072 1073 1074 1999

28 BG: 4

29 4000 4001 4002 4048 4049 4050 4051 4052

30 BG: 5

31 5000 5001 5002 5003 5004 5005 5006 5007 5008 5009 5036 5037

32 5040 5041 5042 5043 5044 5045 5046 5047 5048 5049 5050 5051

33 5052 5053 5054 5055 5056 5057 5058 5059 5060 5061 5062 5063

34 5064 5065 5072 5073 5074 5075 5076 5077 5078 5079 5080 5081

35 5082 5999

1 District 003
 2 Treutlen County
 3 Tract: 9601
 4 BG: 1
 5 BG: 2
 6 2000 2001 2002 2003 2004 2013 2014 2015 2016 2017 2018 2019
 7 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2040
 8 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053
 9 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065
 10 2066 2067 2068 2995 2996 2997 2998 2999
 11 Tract: 9602
 12 BG: 1
 13 1000 1001 1002 1011 1012 1013 1014 1015 1016 1017 1018 1019
 14 1020 1021 1022 1023 1024 1025 1026 1029
 15 BG: 2
 16 2000 2001 2028

17 District 004
 18 Treutlen County
 19 Tract: 9601
 20 BG: 2
 21 2005 2006 2007 2008 2009 2010 2011 2012 2031 2032 2033 2034
 22 2035 2036 2037 2038 2039 2041 2069 2070 2071 2072 2993 2994
 23 Tract: 9602
 24 BG: 2
 25 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013
 26 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025
 27 2026 2027 2029 2030 2031 2032 2033 2034 2035 2036 2042 2997
 28 2998 2999
 29 BG: 3
 30 3016 3017 3018 3019 3020 3021 3022 3023 3024 3028 3029 3030
 31 3031 3032 3033 3034 3035 3036 3037 3038 3040 3041 3042 3043
 32 3044 3045 3046 3047 3048 3049 3051 3052 3053 3066 3067 3068
 33 3069 3070 3071 3072 3073 3074 3075 3076 3077 3078 3079 3080
 34 3081 3082 3083 3084 3085 3086 3087 3995 3996 3998

1 BG: 5
2 5020 5021 5022 5023 5024 5025 5026 5027 5028 5066 5067 5083
3 5084 5085 5086 5087 5088 5089 5090 5091 5092 5093 5996 5997
4 5998
5
6 District 005
7 Treutlen County
8 Tract: 9602
9 BG: 3
10 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015 3025 3026
11 3027 3039 3050 3058 3059 3060 3061 3062 3063 3064 3065 3997
12 3999
13 BG: 4
14 4036 4037 4038 4039 4040 4053 4054 4055 4056 4057 4058
15 BG: 5
16 5010 5011 5012 5013 5014 5015 5016 5017 5018 5019 5029 5030
17 5031 5032 5033 5034 5035 5038 5039 5068 5069 5070 5071