

Senate Bill 568

By: Senator Kemp of the 3rd

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the Board of Commissioners of McIntosh County, approved
2 February 26, 1876 (Ga. L. 1876, p. 283), as amended, so as to change the description of the
3 commissioner districts; to provide for definitions and inclusions; to provide for continuation
4 in office of current members; to provide for election and terms of office of subsequent
5 members; to provide for the specific repeal of a local Act; to provide for submission of this
6 Act for approval under the federal Voting Rights Act of 1965, as amended; to repeal
7 conflicting laws; and for other purposes.

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

9 **SECTION 1.**

10 An Act creating the Board of Commissioners of McIntosh County, approved February 26,
11 1876 (Ga. L. 1876, p. 283), as amended, is amended by striking Sections 1, 2, and 3 and
12 inserting in their places new Sections 1, 2, and 3 to read as follows:

13 "SECTION 1.

14 (a) Those members of the Board of Commissioners of McIntosh County who are serving
15 as such immediately prior to the effective date of this Act and any person selected to fill
16 a vacancy in any such office shall continue to serve as such members until the regular
17 expiration of their respective terms of office and upon the election and qualification of their
18 respective successors. On and after the effective date of this Act, the Board of
19 Commissioners of McIntosh County shall consist of five members all of whom shall be
20 elected from commissioner districts described in subsection (b) of this section except for
21 the member who is elected at large as provided in this Act.

22 (b) For purposes of electing members of the board of commissioners, other than the
23 at-large member, McIntosh County is divided into four commissioner districts. One
24 member of the board shall be elected from each such district. The four commissioner
25 districts shall be and correspond to those four numbered districts described in and attached

1 to and made a part of this Act and further identified as Plan Name: mcintp4 Plan Type:
2 Local User: Gina Administrator: McIntosh.

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

21 "SECTION 2.

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

25 (b) In order to be elected as a member of the board from a commissioner district, a person
26 must receive the number of votes cast as required by general law for that office in that
27 district only. Only electors who are residents of that commissioner district may vote for
28 a member of the board for that district. At the time of qualifying for election as a member
29 of the board from a commissioner district, each candidate for such office must reside in
30 such district and shall specify the commissioner district for which that person is a
31 candidate. A person elected or appointed as a member of the board from a commissioner
32 district must continue to reside in that district during that person's term of office or that
33 office shall become vacant.

34 (c) The at-large member of the board may reside anywhere within McIntosh County and,
35 if elected, must receive the number of votes cast for that office as required by general law

1 in the entire county. The at-large member must continue to reside within the county during
 2 that person's term of office or that office shall become vacant."

3 "SECTION 3.

4 (a) The members of the Board of Commissioners of McIntosh County elected under this
 5 Act shall be elected at the general election on the Tuesday next following the first Monday
 6 in November, 2002. The members of the board elected thereto in 2002 shall take office the
 7 first day of January immediately following that election and shall serve for initial terms of
 8 office which expire December 31, 2004, and upon the election and qualification of their
 9 respective successors. Those and all future successors to members of the board whose
 10 terms of office are to expire shall be elected at the time of the general election immediately
 11 preceding the expiration of such terms, shall take office the first day of January
 12 immediately following that election, and shall serve for terms of office of two years each.
 13 Members of the board shall serve for the terms of office specified therefor in this
 14 subsection and until their respective successors are elected and qualified.

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

17 (c) Commissioner Districts 1, 2, 3, and 4, as they exist immediately prior to the effective
 18 date of this Act, shall continue to be designated as Commissioner Districts 1, 2, 3, and 4,
 19 respectively, but as newly described under this Act, and on and after the effective date of
 20 this Act, such members of the board serving from those former commissioner districts shall
 21 be deemed to be serving from and representing their respective districts as newly described
 22 under this Act. Commissioner District 5 as it existed immediately prior to the effective
 23 date of this Act shall be redesignated as the at-large district and shall be composed of all
 24 of McIntosh County and, on and after the effective date of this Act, the member serving
 25 from former Commissioner District 5 shall be deemed to be serving from and representing
 26 the at-large district as described under this Act."

27 **SECTION 2.**

28 An Act approved April 14, 1997 (Ga. L. 1997, p. 4019), which 1997 Act amended an Act
 29 creating the Board of Commissioners of McIntosh County, approved February 26, 1876 (Ga.
 30 L. 1876, p. 283), as amended, particularly by an Act approved February 26, 1947, (Ga. L.
 31 1947, p. 181), and by a court order dated March 31, 1978, in *McIntosh County Branch of the*
 32 *NAACP v. McIntosh County*, Civil Action File No. 277-70 (USDC, SD Ga.), and to amend
 33 an Act creating the Board of Education of McIntosh County, approved March 14, 1980 (Ga.
 34 L. 1980, p. 3112), as amended, so as to provide for new commissioner districts; to provide
 35 for new education districts; to provide for terms, qualifications, and elections of board

1 members; to comply with a court order; to provide for related matters; to repeal conflicting
2 laws; and for other purposes, is repealed in its entirety.

3 **SECTION 3.**

4 It shall be the duty of the attorney of the Board of Commissioners of McIntosh County to
5 submit this Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965,
6 as amended.

7 **SECTION 4.**

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

1 Plan Name: mcintp4 Plan Type: Local User: Gina Administrator: McIntosh

2 Redistricting Plan Components Report

3 District 001

4 McIntosh County

5 Tract: 9901

6 BG: 1

7 1068 1069 1070 1071 1072 1073 1074 1075 1076 1077 1078 1079

8 1080 1081 1082 1083 1084 1085 1088 1089 1105 1106 1107 1108

9 1109 1110 1111 1112 1113 1114 1115 1116 1117 1118 1119 1120

10 1121 1122 1123 1124 1125 1126 1127 1128 1129 1130 1131 1132

11 1133 1134 1135 1136 1137 1138 1139 1140 1141 1995 1996 1997

12 1998

13 Tract: 9903

14 BG: 1

15 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012

16 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024

17 1025 1026 1027 1028 1029 1030 1031 1040 1041 1042 1043 1044

18 1045 1046 1047 1048 1049 1050 1051 1052 1053 1054 1055 1056

19 1057 1058 1059 1060 1061 1062 1063 1064 1065 1066 1067 1068

20 1069 1070 1071 1072 1073 1074 1075 1076 1077 1078 1079 1080

21 1081 1082 1083 1084 1085 1086 1087 1088 1089 1090 1091 1092

22 1093 1094 1987 1988 1989 1990 1991 1992 1993 1994 1995 1996

23 1997 1998 1999

24 BG: 2

25 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032

26 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044

27 2045 2046 2047 2048

28 BG: 3

29 3005 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015 3016

30 3017 3018 3019 3020 3021 3022 3023 3024 3025 3026 3027 3028

31 3029 3030 3031 3032 3033 3034 3035 3036 3037 3038 3039 3040

32 3041 3042 3043 3044 3045 3046 3047 3048 3049 3050 3051 3052

33 3053 3054 3055 3056 3057 3058 3059 3060 3061 3062 3063 3064

34 3065 3066 3067 3068 3069 3070 3071 3072 3073 3074 3075 3076

35 3077

1 District 002
 2 McIntosh County
 3 Tract: 9901
 4 BG: 1
 5 1059 1060 1092 1093 1094 1095 1096 1097 1098 1104 1999
 6 Tract: 9902
 7 BG: 3
 8 3000 3001 3005 3006 3007 3008 3009 3012 3013 3014 3015 3016
 9 3017 3018 3019 3020 3021 3022 3023 3024 3025 3026 3027 3028
 10 3029 3030 3031 3032 3033 3034 3035 3036 3037 3038 3039 3040
 11 3041 3042 3043 3044 3045 3046 3047 3048 3049 3050 3051 3052
 12 3053 3054 3999
 13 Tract: 9903
 14 BG: 1
 15 1000 1032 1033 1034 1035 1036 1037 1038 1039
 16 BG: 2
 17 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
 18 2012 2013 2014 2015 2016 2017 2018 2019 2020
 19 BG: 3
 20 3000 3001 3002 3003 3004 3078 3079 3080 3081 3998

21 District 003
 22 McIntosh County
 23 Tract: 9901
 24 BG: 1
 25 1099 1100 1101 1102 1103
 26 BG: 2
 27 2063 2064 2998
 28 Tract: 9902
 29 BG: 1
 30 BG: 2
 31 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
 32 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023
 33 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035
 34 2036 2037 2038 2039 2040 2041 2042 2046 2047 2048 2999

1 BG: 3
 2 3002 3003 3004 3010 3011 3998
 3 Tract: 9903
 4 BG: 3
 5 3082 3999

 6 District 004
 7 McIntosh County
 8 Tract: 9901
 9 BG: 1
 10 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 11 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023
 12 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035
 13 1036 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1047
 14 1048 1049 1050 1051 1052 1053 1054 1055 1056 1057 1058 1061
 15 1062 1063 1064 1065 1066 1067 1086 1087 1090 1091
 16 BG: 2
 17 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
 18 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023
 19 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035
 20 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047
 21 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059
 22 2060 2061 2062 2065 2066 2999
 23 BG: 3
 24 Tract: 9902
 25 BG: 2
 26 2043 2044 2045