

House Bill 23EX1

By: Representative Ray of the 128<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating the Board of Commissioners of Crawford County, approved  
2 March 2, 1874 (Ga. L. 1874, p. 339), as amended, particularly by an Act approved October  
3 3, 1879 (Ga. L. 1878-79, p. 366), an Act approved February 22, 1943 (Ga. L. 1943, p. 909),  
4 and an Act approved March 19, 1993 (Ga. L. 1993, p. 4144), so as to reconstitute the board  
5 of commissioners; to change the description of the commissioner districts; to provide for  
6 definitions and inclusions; to provide for continuation in office of current members; to  
7 provide for election and terms of office of subsequent members; to provide for submission  
8 of this Act for approval under the federal Voting Rights Act of 1965, as amended; to provide  
9 for effective dates; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 An Act creating the Board of Commissioners of Crawford County, approved March 2, 1874  
13 (Ga. L. 1874, p. 339), as amended, particularly by an Act approved October 3, 1879 (Ga. L.  
14 1878-79, p. 366), an Act approved February 22, 1943 (Ga. L. 1943, p. 909), and an Act  
15 approved March 19, 1993 (Ga. L. 1993, p. 4144), is amended by striking Sections 2 and 3  
16 and inserting in lieu thereof the following:

17 "SECTION 2.

18 The Board of Commissioners of Crawford County which existed on December 31, 2001,  
19 is continued in existence but on and after January 1, 2002, shall be constituted as provided  
20 in this Act. The Board of Commissioners of Crawford County so continued and  
21 constituted, sometimes referred to in this Act as the 'board,' shall continue to have the  
22 powers, duties, rights, obligations, and liabilities of that board as existed immediately prior  
23 to January 1, 2002.

## SECTION 3.

1  
2 (a) Those members of the Board of Commissioners of Crawford County who are serving  
3 as such on December 31, 2001, and any person selected to fill a vacancy in any such office  
4 shall continue to serve as such members until the regular expiration of their respective  
5 terms of office and upon the election and qualification of their respective successors. On  
6 and after January 1, 2002, the Board of Commissioners of Crawford County shall consist  
7 of five members all of whom shall be elected from commissioner districts described in  
8 subsection (b) of this section.

9 (b) For purposes of electing members of the board of commissioners, Crawford County  
10 is comprised of five commissioner districts. One member of the board shall be elected  
11 from each such district. Commissioner Districts 1, 2, 4, and 5 shall be and correspond to  
12 those numbered districts described in and attached to and made a part of this Act and  
13 further identified as Plan Name: crawfordwk1 Plan Type: LOCAL User: P Chapman  
14 Administrator: CNTY-CRAWFORD. Commissioner District 3 shall embrace all of  
15 Crawford County.

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

## SECTION 3A.

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

(b) In order to be elected as a member of the board from Commissioner District 1, 2, 4, or 5, a person must receive the number of votes cast as required by general law for that office in that district only. Only electors who are residents of that commissioner district may vote for a member of the board for that district. At the time of qualifying for election as a member of the board from a commissioner district, each candidate for such office shall specify the commissioner district for which that person is a candidate. A person elected or appointed as a member of the board from a commissioner district must continue to reside in that district during that person's term of office or that office shall become vacant.

(c) The member of the board from Commissioner District 3 shall be chairperson of the board and may reside anywhere within Crawford County and, if elected, must receive the number of votes cast for that office as required by general law in the entire county. The chairperson must continue to reside within the county during that person's term of office or that office shall become vacant.

## SECTION 3B.

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

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

1 (c) Commissioner Districts 1 through 5, as they exist on December 31, 2001, shall  
2 continue to be designated as Commissioner Districts 1 through 5, respectively, but as newly  
3 described under this Act, and on and after January 1, 2002, such members of the board  
4 serving from those former commissioner districts shall be deemed to be serving from and  
5 representing their respective districts as newly described under this section.

6 (d) Any vacancy in office upon the board which occurs for any reason shall be filled  
7 pursuant to Code Section 36-5-21 of the O.C.G.A."

8 **SECTION 2.**

9 It shall be the duty of the attorney of the Board of Commissioners of Crawford County to  
10 submit this Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965,  
11 as amended.

12 **SECTION 3.**

13 This section and Section 2 of this Act and those provisions of this Act necessary for the  
14 election of members of the Board of Commissioners of Crawford County in 2002 shall  
15 become effective upon the approval of this Act by the Governor or upon its becoming law  
16 without such approval. The remaining provisions of this Act shall become effective January  
17 1, 2002.

18 **SECTION 4.**

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