

House Bill 16EX2

By: Representatives Brown of the 130th and Smith of the 102nd

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the Board of Commissioners of Troup County, approved March
2 25, 1958 (Ga. L. 1958, p. 3068), as amended, particularly by an Act approved February 27,
3 1992 (Ga. L. 1992, p. 4796), so as to reconstitute the Board of Commissioners; to change the
4 description of the commissioner districts; to provide for definitions and inclusions; to provide
5 for continuation in office of current members; to provide for election and terms of office of
6 subsequent members; to provide for submission of this Act for approval under the federal
7 Voting Rights Act of 1965, as amended; to provide an effective date; to repeal conflicting
8 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 Troup County, approved March 25, 1958
12 (Ga. L. 1958, p. 3068), as amended, particularly by an Act approved February 27, 1992 (Ga.
13 L. 1992, p. 4796), is amended by striking of Section 2 and inserting in lieu thereof the
14 following:

15 "SECTION 2.

16 (a)(1) The Board of Commissioners of Troup County which existed on December 31,
17 2001, is continued in existence but on and after January 1, 2002, shall be constituted as
18 provided in this Act. The Board of Commissioners of Troup County so continued and
19 constituted, sometimes referred to in this Act as the 'board,' shall continue to have the
20 powers, duties, rights, obligations, and liabilities of that board as existed immediately
21 prior to January 1, 2002.

22 (2) Those members of the Board of Commissioners of Troup County who are serving as
23 such on December 31, 2001, and any person selected to fill a vacancy in any such office
24 shall continue to serve as such members until the regular expiration of their terms of
25 office, and upon the election and qualification of their respective successors. On and

1 after January 1, 2002, the Board of Commissioners of Troup County shall consist of five
2 members all of whom shall be elected from commissioner districts described in
3 subsection (b) of this section.

4 (b) For purposes of electing members of the board of commissioners, Troup County is
5 divided into five commissioner districts. One member of the board shall be elected from
6 each such district. Commissioner District No. 1 shall consist of the entire county of Troup.
7 Commissioner Districts No. 2 through 5 shall be and correspond to those numbered
8 districts described in and attached to and made a part of this Act and further identified as
9 Plan Name: trouppcw3 Plan Type: LOCAL User: Paul C Administrator: TROUP.

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 Troup 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 Troup County which is described in that attachment as
20 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)(1) No person shall be a member of the board if that person is ineligible for such
29 office pursuant to Code Section 45-2-1 of the O.C.G.A. or any other general law
30 applicable to that office.

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

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

3 (3) The commissioner elected from Commissioner District No. 1 shall be the chairperson
4 of the board of commissioners. The chairperson of the board may reside anywhere within
5 Troup County and, if elected, must receive the number of votes cast for that office, as
6 required by general law in the entire county. The chairperson must continue to reside
7 within the county during that person's term of office, or that office shall become vacant."

8 SECTION 2.

9 Said Act is further amended by striking in its entirety Section 3 and inserting in lieu thereof
10 the following:

11 "SECTION 3.

12 (a)(1) The first members of the reconstituted Board of Commissioners of Troup County
13 from Districts 1 and 5 shall be elected at the general election on the Tuesday next
14 following the first Monday in November 2002. Those members of the board elected
15 thereto from Commissioner Districts 1 and 5 in 2002 shall take office the first day of
16 January immediately following that election and shall serve for initial terms of office
17 which expire December 31, 2006, and upon the election and qualification of their
18 respective successors. The first members of such board from Districts 2, 3, and 4 shall
19 be elected at the general election on the Tuesday next following the first Monday in
20 November 2004. Those members of the board elected thereto from Commissioner
21 Districts 2, 3, and 4 in 2004 shall take office the first day of January immediately
22 following that election and shall serve for initial terms of office which expire December
23 31, 2008, and upon the election and qualification of their respective successors. Those
24 and all future successors to members of the board whose terms of office are to expire
25 shall be elected at the time of the state-wide general election immediately preceding the
26 expiration of such terms, shall take office the first day of January immediately following
27 that election, and shall serve for terms of office of four years each. Members of the board
28 shall serve for the terms of office specified therefor in this subsection and until their
29 respective successors are elected and qualified.

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

