

House Bill 22EX2

By: Representative Sims of the 167th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act establishing the office of Commissioner of Roads and Revenues in the
2 County of Coffee, approved March 26, 1937 (Ga. L. 1937, p. 1294), as amended, particularly
3 by an Act approved March 15, 1994 (Ga. L. 1994, p. 3663), so as to reconstitute the board
4 of commissioners; to change the description of the commissioner districts; to provide for
5 definitions and inclusions; to provide for continuation in office of current members; to
6 provide for election and terms of office of subsequent members; to provide for submission
7 of this Act for approval under the federal Voting Rights Act of 1965, as amended; to provide
8 for effective dates; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 An Act establishing the office of Commissioner of Roads and Revenues in the County of
12 Coffee, approved March 26, 1937 (Ga. L. 1937, p. 1294), as amended, particularly by an Act
13 approved March 15, 1994 (Ga. L. 1994, p. 3663), is amended by striking Sections 1 and 2
14 and inserting in lieu thereof the following:

15 "SECTION 1.

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

22 **SECTION 2.**

23 (a) Those members of the Board of Commissioners of Coffee County who are serving as
24 such on December 31, 2001, and any person selected to fill a vacancy in any such office

1 shall continue to serve as such members until the regular expiration of their respective
2 terms of office and upon the election and qualification of their respective successors. On
3 and after January 1, 2002, the Board of Commissioners of Coffee County shall consist of
4 five members all of whom shall be elected from commissioner districts described in
5 subsection (b) of this section.

6 (b) For purposes of electing members of the board of commissioners, Coffee County is
7 divided into five commissioner districts. One member of the board shall be elected from
8 each such district. The five commissioner districts shall be and correspond to those five
9 numbered districts described in and attached to and made a part of this Act and further
10 identified as Plan Name: coffeewk3 Plan Type: LOCAL User: Buck Administrator:
11 CNTY-COFFEE.

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

30 SECTION 3.

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

34 (b) In order to be elected as a member of the board from a commissioner district, a person
35 must receive the number of votes cast as required by general law for that office in that
36 district only. Only electors who are residents of that commissioner district may vote for

1 a member of the board for that district. At the time of qualifying for election as a member
2 of the board from a commissioner district, each candidate for such office shall specify the
3 commissioner district for which that person is a candidate. A person elected or appointed
4 as a member of the board from a commissioner district must continue to reside in that
5 district during that person's term of office or that office shall become vacant.

6 7 SECTION 4.

8 (a) The first members of the reconstituted Board of Commissioners of Coffee County shall
9 be elected at the general election on the Tuesday next following the first Monday in
10 November 2002. Those members of the board elected thereto from Commissioner Districts
11 1 and 3 in November 2002 shall take office the first day of January immediately following
12 that election and shall serve for initial terms of office which expire December 31, 2006, and
13 upon the election and qualification of their respective successors. Those members of the
14 board elected thereto from Commissioner Districts 2, 4, and 5 in November 2004 shall take
15 office the first day of January immediately following that election and shall serve for initial
16 terms of office which expire December 31, 2008, and upon the election and qualification
17 of their respective successors. Those and all future successors to members of the board
18 whose terms of office are to expire shall be elected at the time of the state-wide general
19 election immediately preceding the expiration of such terms, shall take office the first day
20 of January immediately following that election, and shall serve for terms of office of four
21 years each. Members of the board shall serve for the terms of office specified therefor in
22 this subsection and until their respective successors are elected and 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 through 5, as they exist on December 31, 2001, shall
26 continue to be designated as Commissioner Districts 1 through 5, respectively, but as newly
27 described under this Act, and on and after January 1, 2002, such members of the board
28 serving from those former commissioner districts shall be deemed to be serving from and
29 representing their respective districts as newly described under this section."

30 SECTION 2.

31 It shall be the duty of the attorney of the Board of Commissioners of Coffee County to
32 submit this Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965,
33 as amended.

