

House Bill 874 (AS PASSED HOUSE AND SENATE)

By: Representatives Massey of the 24th and Elrod of the 25th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act re-creating and establishing a Board of Commissioners of Barrow County,
2 approved April 2, 1976 (Ga. L. 1976, p. 4033), as amended, particularly by an Act approved
3 April 23, 2002 (Ga. L. 2002, p. 4083), so as to provide for technical corrections with respect
4 to reapportionment of districts for the election of members of the board of commissioners;
5 to define certain terms; to provide for continuation in office of persons serving as members
6 of the board on a certain date; to provide for the election and terms of members of the board;
7 to provide for related matters; to provide for submission of this Act for preclearance under
8 the federal Voting Rights Act of 1965, as amended; to repeal conflicting laws; and for other
9 purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 An Act re-creating and establishing a Board of Commissioners of Barrow County, approved
13 April 2, 1976 (Ga. L. 1976, p. 4033), as amended, particularly by an Act approved April 23,
14 2002 (Ga. L. 2002, p. 4083), is amended by striking Section 4 and inserting in lieu thereof
15 the following:

16 "SECTION 4.

17 (a) For the purposes of electing the members of the board other than the chairperson,
18 Barrow County shall be divided into six commissioner districts. The six commissioner
19 districts shall be and correspond to those six numbered districts described in and attached
20 to and made a part of this Act and further identified as Plan Name: BARROW03 Plan
21 Type: Local User: Linda Administrator: Barrow Co.

22 (b) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean
23 and describe the same geographical boundaries as provided in the report of the Bureau of
24 the Census for the United States decennial census of 2000 for the State of Georgia. The
25 separate numeric designations in a Tract description which are underneath a 'BG' heading

1 shall mean and describe individual Blocks within a Block Group as provided in the report
 2 of the Bureau of the Census for the United States decennial census of 2000 for the State of
 3 Georgia. Any part of Barrow County which is not included in any such district described
 4 in that attachment shall be included within that district contiguous to such part which
 5 contains the least population according to the United States decennial census of 2000 for
 6 the State of Georgia. Any part of Barrow County which is described in that attachment as
 7 being in a particular district shall nevertheless not be included within such district if such
 8 part is not contiguous to such district. Such noncontiguous part shall instead be included
 9 within that district contiguous to such part which contains the least population according
 10 to the United States decennial census of 2000 for the State of Georgia. Except as otherwise
 11 provided in the description of any commissioner district, whenever the description of such
 12 district refers to a named city, it shall mean the geographical boundaries of that city as
 13 shown on the census map for the United States decennial census of 2000 for the State of
 14 Georgia."

15 SECTION 2.

16 Said Act is further amended by striking Section 5 and inserting in lieu thereof the following:

17 "SECTION 5.

18 (a) The members of the board serving in office on January 1, 2003, and any person
 19 selected to fill a vacancy in any such office shall continue to serve until the expiration of
 20 the terms for which they were elected and until their successors are elected and qualified.

21 (b)(1) Paul Withers, the member of the board elected at the November, 2000, general
 22 election, shall be designated to be serving from and representing Commissioner
 23 District 1, but as newly described under this Act.

24 (2) Bill Brown, the member of the board elected at the November, 2000, general
 25 election, shall be designated to be serving from and representing Commissioner
 26 District 2, but as newly described under this Act.

27 (3) Roger Wehunt, the member of the board elected at the November, 2000, general
 28 election, shall be designated to be serving from and representing Commissioner
 29 District 3, but as newly described under this Act.

30 (4) Norma Jean Brown, the member of the board elected at the November, 2002, general
 31 election, shall be designated to be serving from and representing Commissioner
 32 District 4, but as newly described under this Act.

33 (5) David Dyer, the member of the board elected at the November, 2002, general
 34 election, shall be designated to be serving from and representing Commissioner
 35 District 5, but as newly described under this Act.

1 (6) Thad Brasfield, the member of the board elected at the November, 2002, general
2 election, shall be designated to be serving from and representing Commissioner
3 District 6, but as newly described under this Act.

4 (c)(1) All members of the board shall be elected from the commissioner districts
5 described in Section 4.

6 (2) The members of the board representing Commissioner Districts 4, 5, and 6 shall be
7 elected at the general election in 2002 and quadrennially thereafter and shall take office
8 on the first day of January immediately following their election for terms of four years
9 and until their successors are elected and qualified.

10 (3) The chairperson and members of the board representing Commissioner Districts 1, 2,
11 and 3 shall be elected at the general election in 2004 and quadrennially thereafter and
12 shall take office on the first day of January immediately following their election for terms
13 of four years and until their successors are elected and qualified."

14 **SECTION 3.**

15 Said Act is further amended by striking in its entirety the attachment thereto containing the
16 descriptions of commissioner districts which is identified as Plan Name: barrccsb1 Plan
17 Type: Local User: staff Administrator: Barrow Co.

18 **SECTION 4.**

19 The Board of Commissioners of Barrow County shall through its legal counsel cause this Act
20 to be submitted for preclearance under the federal Voting Rights Act of 1965, as amended;
21 and such submission shall be made to the United States Department of Justice or filed with
22 the appropriate court no later than 45 days after the date on which this Act is approved by the
23 Governor or otherwise becomes law without such approval.

24 **SECTION 5.**

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