

House Bill 1351

By: Representative James of the 114th

A BILL TO BE ENTITLED
AN ACT

To amend an Act creating a board of commissioners for Macon County, approved August 26, 1872 (Ga. L. 1872, p. 434), as amended, particularly by an Act approved April 2, 1998 (Ga. L. 1998, p. 4137), so as to revise the districts for the election of members of the board of commissioners; to provide for definitions and inclusions; to provide for method of election; to provide for submission of this Act for preclearance pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating a board of commissioners for Macon County, approved August 26, 1872 (Ga. L. 1872, p. 434), as amended, particularly by an Act approved April 2, 1998 (Ga. L. 1998, p. 4137), is amended by striking Section 1 and inserting in lieu thereof a new Section 1 to read as follows:

"SECTION 1.

(a) There is established a board of commissioners for Macon County consisting of five members.

(b) For the purpose of electing members of the board of commissioners, Macon County shall be divided into five commissioner districts. The commissioner districts shall be and correspond to those five numbered districts described in and attached to and made a part of this Act and further identified as Plan Name: MACON04-1 Plan Type: Local User: staff Administrator: Macon Co.

(c) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2000 for the State of Georgia. The 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 Macon 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 Macon 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 district, whenever the description of such district refers
12 to a named city, it shall mean the geographical boundaries of that city as shown on the
13 census map for the United States decennial census of 2000 for the State of Georgia.

14 (d) The members of the board of commissioners who were elected at the general election
15 in November 2002 shall continue in office for the terms to which they were elected and
16 until successors are elected and qualified as provided in this Act. The members of the
17 board of commissioners who were elected at the general election in November 2000 shall
18 continue in office for the terms to which they were elected and until successors are elected
19 and qualified as provided in this Act.

20 (e) Successors to the members of the board of commissioners of Macon County from
21 Commissioner Districts 1, 3, and 5 shall be elected at the state-wide general election in
22 2006. Such members shall take office on January 1 following their election for terms of
23 four years and until their successors are elected and qualified.

24 (f) Successors to the members of the board of commissioners of Macon County from
25 Commissioner Districts 2 and 4 shall be elected at the state-wide general election in 2004.
26 Such members shall take office on January 1 following their election for terms of four
27 years and until their successors are elected and qualified.

28 (g) Successors to members elected under subsections (e) and (f) of this section shall be
29 elected at the state-wide general election next preceding the expiration of such terms of
30 office and shall take office on January 1 following their election for terms of four years and
31 until their successors are elected and qualified.

32 (h) Commissioner Districts 1, 2, 3, 4, and 5 as they existed on January 1, 2004, shall
33 continue to be designated as Commissioner Districts 1, 2, 3, 4, and 5, respectively, but as
34 newly described under this Act, and, on and after the effective date of this Act, such
35 members of the board serving from those former commissioner districts shall be deemed
36 to be serving from and representing their respective districts as newly described under this
37 section."

SECTION 2.

The Board of Commissioners of Macon County shall through its legal counsel cause this Act to be submitted for preclearance under Section 5 of the federal Voting Rights Act of 1965, as amended, and such submission shall be made to the United States Department of Justice or filed with the appropriate court no later than 45 days after the date on which this Act is approved by the Governor or otherwise becomes law without such approval.

SECTION 3.

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