

House Bill 806

By: Representatives Abdul-Salaam of the 74<sup>th</sup>, Heckstall of the 62<sup>nd</sup>, Jordan of the 77<sup>th</sup>, and Sinkfield of the 60<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating the Clayton County Board of Commissioners, approved  
2 February 8, 1955 (Ga. L. 1955, p. 2064), as amended, particularly by an Act approved  
3 February 19, 1992 (Ga. L. 1992, p. 4335), by an Act approved March 30, 1993 (Ga. L. 1993,  
4 p. 4335), and by an Act approved April 18, 2002 (Ga. L. 2002, p. 4018), so as to increase  
5 the membership of the board to seven members; to provide for the election of the two  
6 additional members of the board; to provide for terms of office; to provide for related  
7 matters; to provide for submission for preclearance under Section 5 of the federal Voting  
8 Rights Act of 1965, as amended; to provide an effective date; to repeal conflicting laws; and  
9 for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 An Act creating the Clayton County Board of Commissioners, approved February 8, 1955  
13 (Ga. L. 1955, p. 2064), as amended, particularly by an Act approved February 19, 1992  
14 (Ga. L. 1992, p. 4335), by an Act approved March 30, 1993 (Ga. L. 1993, p. 4335), and by  
15 an Act approved April 18, 2002 (Ga. L. 2002, p. 4018), is amended by striking subsections  
16 (a) and (d) of Section 2 and inserting new subsections (a) and (d) to read as follows:

17 "(a)(1) Board of Commissioners. There is created in and for Clayton County two  
18 additional commissioner districts to be added to the four commissioner districts existing  
19 on January 1, 2005. These shall be known as Commissioner District 5 and Commissioner  
20 District 6, respectively. District 5 shall be a super district comprised of all of District 2  
21 and all of District 3. District 6 shall also be a super district comprised of all of District  
22 1 and District 4. The commissioners for the newly created District 5 and District 6 shall  
23 be elected by qualified voters of the entire county and shall run at large for these seats.  
24 The Board of Commissioners of Clayton County which existed on January 1, 2005, is  
25 continued in existence but on or after October 1, 2005, shall be constituted as provided  
26 in this Act.

1 (2) The board of commissioners of Clayton County shall consist of a chairman and six  
 2 commissioners. The chairman and the District 5 and District 6 commissioners shall be  
 3 elected by the qualified voters of the entire county. With the exception of the chairman  
 4 and District 5 and District 6 commissioners, each commissioner shall be elected by the  
 5 qualified voters of one commissioner district. The terms of office of the chairman and  
 6 commissioners shall be for four years and until their successors are duly elected and  
 7 qualified. Vacancies on the board shall be filled for the unexpired terms."

8 "(d) The first commissioners from Commissioner District 5 and District 6 shall be elected  
 9 in a special election to be held on the third Tuesday in September, 2005, and shall take  
 10 office on November 1, 2005, and shall serve for initial terms of office which will expire on  
 11 December 31, 2008, and until their successors are elected and qualified. Successors to such  
 12 commissioners shall be elected at the November general election immediately preceding  
 13 the end of each such commissioner's term of office and shall take office on January 1  
 14 immediately following such election."

## 15 SECTION 2.

16 Said Act is further amended by striking paragraph (1) of subsection (b) of Section 2 and  
 17 inserting in lieu thereof a new paragraph (1) to read as follows:

18 "(1) For the purpose of electing commissioners, Clayton County is divided into six  
 19 commissioner districts. Commissioner Districts 1, 2, 3, and 4 shall be and correspond to  
 20 those four numbered districts described in and further identified as Plan Name:  
 21 Claytonccwk Plan Type: LOCAL User:staff Administrator: CNTY-CLAYTON, and  
 22 Commissioner Districts 5 and 6 shall be and correspond to those two numbered districts  
 23 described in and attached to and made a part of this Act and further identified as Plan  
 24 Name: claytonccsup1 Plan Type: Local User: shantee Administrator: H074."

## 25 SECTION 3.

26 It shall be the duty of the attorney for the governing authority of Clayton County to submit  
 27 this Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965, as  
 28 amended.

## 29 SECTION 4.

30 This Act shall become effective upon its approval by the Governor or upon its becoming law  
 31 without such approval.

## 32 SECTION 5.

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