

House Bill 835 (AS PASSED HOUSE AND SENATE)

By: Representatives Brown of the 69th and Smith of the 70th

**A BILL TO BE ENTITLED
AN ACT**

1 To amend an Act creating the Board of Commissioners of Heard County, approved April 4,
2 1991 (Ga. L. 1991, p. 3976), as amended, particularly by an Act approved September 18,
3 1991 (Ga. L. 1991, Ex. Sess., p. 479), so as to provide for the election of members of the
4 board of commissioners and the county chairman to staggered, four-year terms of office; to
5 provide for related matters; to require the submission of this Act for preclearance; to repeal
6 conflicting laws; and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 An Act creating the Board of Commissioners of Heard County, approved April 4, 1991
10 (Ga. L. 1991, p. 3976), as amended, particularly by an Act approved September 18, 1991
11 (Ga. L. 1991, Ex. Sess., p. 479), is amended by striking Sections 3 and 4 and inserting in lieu
12 thereof new Sections 3 and 4 to read as follows:

13 "Section 3. (a) The members of the board of commissioners who are in office on the
14 effective date of this section shall serve out the terms of office to which they were elected
15 and until their successors are elected and qualified.

16 (b) At the November general election in 2008, members of the board of commissioners
17 from Districts 1 and 3 shall be elected to take office on January 1, 2009, and serve a term
18 of office of four years and until their successors are elected and qualified. Thereafter,
19 successors to such members shall be elected at the November general election immediately
20 preceding the expiration of their terms of office who shall take office on the first day of
21 January immediately following such election and shall serve terms of four years and until
22 their successors are elected and qualified.

23 (c) At the November general election in 2008, members of the board of commissioners
24 from Districts 2, 4, and 5 shall be elected to take office on January 1, 2009, and serve a
25 term of office of two years and until their successors are elected and qualified. Thereafter,
26 successors to such members shall be elected at the November general election immediately

1 preceding the expiration of their terms of office who shall take office on the first day of
2 January immediately following such election and shall serve terms of four years and until
3 their successors are elected and qualified.

4 Section 4. (a) The county chairman who is in office on the effective date of this section
5 shall serve out the term of office to which he or she was elected and until his or her
6 successor is elected and qualified.

7 (b) At the November general election in 2008, a county chairman shall be elected to take
8 office on January 1, 2009, and serve a term of office of four years and until his or her
9 successor is elected and qualified. Thereafter, successors to such county chairman shall
10 be elected at the November general election immediately preceding the expiration of his
11 or her term of office who shall take office on the first day of January immediately
12 following such election and shall serve a term of four years and until his or her successor
13 is elected and qualified.

14 (c) Neither the county chairman nor any district commissioner shall be qualified to offer
15 for election to any position other than the one in which such official serves without first
16 resigning from that position."

17 **SECTION 2.**

18 The governing authority of Heard County shall through its legal counsel cause this Act to be
19 submitted for preclearance under the federal Voting Rights Act of 1965, as amended, no later
20 than 60 days after the date on which this Act is approved by the Governor or otherwise
21 becomes law without such approval.

22 **SECTION 3.**

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