

House Bill 867 (AS PASSED HOUSE AND SENATE)

By: Representatives Forster of the 3<sup>rd</sup> and Dickson of the 6<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating the office of commissioner of Catoosa County, approved  
2 February 23, 1943 (Ga. L. 1943, p. 858), as amended, so as to revise the districts for the  
3 election of members of the board of commissioners; to provide for definitions and inclusions;  
4 to provide for method of election; to provide for submission of this Act for preclearance  
5 pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for  
6 related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act creating the office of commissioner of Catoosa County, approved February 23, 1943  
10 (Ga. L. 1943, p. 858), as amended, is amended by striking Section 2 and inserting in lieu  
11 thereof a new Section 2 to read as follows:

12 "SECTION 2.

13 (a) For the purpose of electing members of the board of commissioners, Catoosa County  
14 shall be divided into five commissioner districts. Commissioner Districts 1, 2, 3, and 4  
15 shall be and correspond to those four numbered districts described in and attached to and  
16 made a part of this Act and further identified as Plan Name: catccsbp1 Plan Type: Local  
17 User: staff Administrator: Catoosa. Commissioner District 5 shall be comprised of the  
18 entire geographic area of Catoosa County.

19 (b) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean  
20 and describe the same geographical boundaries as provided in the report of the Bureau of  
21 the Census for the United States decennial census of 2000 for the State of Georgia. The  
22 separate numeric designations in a Tract description which are underneath a 'BG' heading  
23 shall mean and describe individual Blocks within a Block Group as provided in the report  
24 of the Bureau of the Census for the United States decennial census of 2000 for the State of  
25 Georgia. Any part of Catoosa County which is not included in any such district described

1 in that attachment shall be included within that district contiguous to such part which  
2 contains the least population according to the United States decennial census of 2000 for  
3 the State of Georgia. Any part of Catoosa County which is described in that attachment  
4 as being in a particular district shall nevertheless not be included within such district if such  
5 part is not contiguous to such district. Such noncontiguous part shall instead be included  
6 within that district contiguous to such part which contains the least population according  
7 to the United States decennial census of 2000 for the State of Georgia. Except as otherwise  
8 provided in the description of any district, whenever the description of such district refers  
9 to a named city, it shall mean the geographical boundaries of that city as shown on the  
10 census map for the United States decennial census of 2000 for the State of Georgia.”

11 **SECTION 2.**

12 Said Act is further amended by striking Section 3 and inserting in lieu thereof a new  
13 Section 3 to read as follows:

14 **SECTION 3.**

15 (a) The members of the board who were elected at the general election in November, 2002,  
16 shall continue in office for the terms to which they were elected and until successors are  
17 elected and qualified as provided in this Act. The members of the board who were elected  
18 at the general election in November, 2004, shall continue in office for the terms to which  
19 they were elected and until successors are elected and qualified as provided in this Act.

20 (b) The first members of the reconstituted board of commissioners of Catoosa County  
21 from Commissioner Districts 2 and 4 shall be elected at the general election in November,  
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 (c) The first members of the reconstituted board of commissioners of Catoosa County from  
25 Commissioner Districts 1, 3, and 5 shall be elected at the general election in November  
26 2008. Such members shall take office on January 1 following their election for terms of  
27 four years and until their successors are elected and qualified.

28 (d) Successors to members elected under subsections (b) and (c) of this section shall be  
29 elected at the November 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 (e) Commissioner Districts 1, 2, 3, 4, and 5 as they existed on January 1, 2005, 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

1 to be serving from and representing their respective districts as newly described under this  
2 section."

3 **SECTION 3.**

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

9 **SECTION 4.**

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