

House Bill 1137

By: Representative Hatfield of the 177th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating a board of commissioners for Ware County, approved March 15,
2 1963 (Ga. L. 1963, p. 2237), as amended, particularly by an Act approved April 25, 2002
3 (Ga. L. 2002, p. 4404), so as to change the boundaries of the commissioner districts; to
4 provide for certain definitions and inclusions; to provide for continuation in office of current
5 members; to provide for election and terms of office of subsequent members; to provide for
6 submission for preclearance under Section 5 of the Voting Rights Act of 1965, as amended;
7 to provide for related matters; to repeal conflicting laws; and for other purposes.

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

9 **SECTION 1.**

10 An Act creating a board of commissioners for Ware County, approved March 15, 1963 (Ga.
11 L. 1963, p. 2237), as amended, particularly by an Act approved April 25, 2002 (Ga. L. 2002,
12 p. 4404), is amended by revising Sections 2 and 3 as follows:

13 **"SECTION 2.**

14 (a) For the purpose of electing members of the board of commissioners, other than the
15 chairperson, Ware County is divided into four commissioner districts. One member shall
16 be elected from each such district. The four commission districts shall be and correspond
17 to those four numbered districts described in and attached to and made a part of this Act
18 and further identified as Plan Name: wareccp8 Plan Type: Local User: staff
19 Administrator: Ware Co.

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

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

13 SECTION 3.

14 (a) The members of the board of commissioners for Ware County shall be elected as
15 provided in this subsection. The first members from Commissioner Districts 1 and 3 shall
16 be elected at the general election on the Tuesday next following the first Monday in
17 November, 2010. Those members of the board elected thereto from Commissioner
18 Districts 1 and 3 in 2010 shall take office the first day of January immediately following
19 that election and shall serve for initial terms of office which expire December 31, 2014, and
20 upon the election and qualification of their respective successors. The chairperson and the
21 first members from Commissioner Districts 2 and 4 shall be elected at the general election
22 on the Tuesday next following the first Monday in November, 2008. The chairperson and
23 those members of the board elected thereto from Commissioner Districts 2 and 4 in 2008
24 shall take office the first day of January immediately following that election and shall serve
25 for initial terms of office which expire December 31, 2012, and upon the election and
26 qualification of their respective successors. Those and all future successors to members
27 of the board whose terms of office are to expire shall be elected at the time of the
28 state-wide general election immediately preceding the expiration of such terms, shall take
29 office the first day of January immediately following that election, and shall serve for terms
30 of office of four years each. Members of the board shall serve for the terms of office
31 specified therefor in this subsection and until their respective successors are elected and
32 qualified.

33 (b) All members of the board who are elected thereto shall be nominated and elected in
34 accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'

35 (c) Commissioner Districts 1, 2, 3, and 4, as they exist immediately prior to the effective
36 date of this Act, shall continue to be designated as Commissioner Districts 1, 2, 3, and 4,
37 respectively, but as newly described under this Act, and on and after the effective date of

1 this Act, such members of the board serving from those former commissioner districts shall
2 be deemed to be serving from and representing their respective districts as newly described
3 under this Act."

4 **SECTION 2.**

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

10 **SECTION 3.**

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