

House Bill 568

By: Representative Parsons of the 42<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 2 of Title 46 of the Official Code of Georgia Annotated,  
2 relating to organization and members of the Public Service Commission, so as to provide that  
3 members of the Public Service Commission shall represent the entire state and be elected  
4 state wide; to change the term and manner of the election of the chairperson of the  
5 commission; to provide for the election of other officers; to provide for the establishment of  
6 rules by the commission as to quorum, attendance, and other matters; to provide for an  
7 effective date; to provide for related matters; to repeal conflicting laws; and for other  
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Article 1 of Chapter 2 of Title 46 of the Official Code of Georgia Annotated, relating to  
12 organization and members of the Public Service Commission, is amended by revising Code  
13 Section 46-2-1, relating to election of Commissioners and terms of office, as follows:

14 "46-2-1.

15 (a) The Georgia Public Service Commission shall consist of five members to be elected  
16 as provided in this Code section. The members in office on January 1, ~~2000~~ 2010, and any  
17 member appointed or elected to fill a vacancy in such membership prior to the expiration  
18 of a term of office shall continue to serve out their respective terms of office. As terms of  
19 office expire, new members elected to the commission shall be required to be residents of  
20 ~~one of five Public Service Commission Districts as hereafter provided, but each~~ this state  
21 and may reside anywhere within this state. Each member of the commission shall be  
22 elected state wide by the qualified voters of this state who are entitled to vote for members  
23 of the General Assembly. Except as otherwise provided in this Code section, the election  
24 shall be held under the same rules and regulations as apply to the election of Governor. The  
25 Commissioners, who shall give their entire time to the duties of their offices, shall be  
26 elected at the general election next preceding the expiration of the terms of office of the

27 respective incumbents. Their terms of office shall be six years and shall expire on  
28 December 31.

29 (b) In order to be elected as a member of the commission ~~from a Public Service~~  
30 ~~Commission District~~, a person must have resided in ~~that district~~ this state for at least 12  
31 months prior to election thereto. A person elected as a member of the commission ~~from a~~  
32 ~~Public Service Commission District~~ by the voters of Georgia must continue to reside in ~~that~~  
33 ~~district~~ this state during the person's term of office or that office shall thereupon become  
34 vacant.

35 (c) ~~For the purpose of electing the members of the Public Service Commission, the state~~  
36 ~~shall be divided into five Public Service Commission Districts described as follows:~~

37 ~~District 001~~

38 ~~Appling County~~

39 ~~Atkinson County~~

40 ~~Bacon County~~

41 ~~Baker County~~

42 ~~Ben Hill County~~

43 ~~Berrien County~~

44 ~~Bleckley County~~

45 ~~Brantley County~~

46 ~~Brooks County~~

47 ~~Bryan County~~

48 ~~Bulloch County~~

49 ~~Calhoun County~~

50 ~~Camden County~~

51 ~~Candler County~~

52 ~~Charlton County~~

53 ~~Chatham County~~

54 ~~Chattahoochee County~~

55 ~~Clay County~~

56 ~~Clinch County~~

57 ~~Coffee County~~

58 ~~Colquitt County~~

59 ~~Cook County~~

60 ~~Crisp County~~

61 ~~Decatur County~~

62 ~~Dodge County~~

- 63 Dooly County
- 64 Dougherty County
- 65 Early County
- 66 Echols County
- 67 Effingham County
- 68 Evans County
- 69 Glynn County
- 70 Grady County
- 71 Irwin County
- 72 Jeff Davis County
- 73 Lanier County
- 74 Laurens County
- 75 Lee County
- 76 Liberty County
- 77 Long County
- 78 Lowndes County
- 79 Macon County
- 80 Marion County
- 81 McIntosh County
- 82 Miller County
- 83 Mitchell County
- 84 Montgomery County
- 85 Pierce County
- 86 Pulaski County
- 87 Quitman County
- 88 Randolph County
- 89 Schley County
- 90 Seminole County
- 91 Stewart County
- 92 Sumter County
- 93 Tattnall County
- 94 Telfair County
- 95 Terrell County
- 96 Thomas County
- 97 Tift County
- 98 Toombs County
- 99 Treutlen County

- 100 ~~Turner County~~
- 101 ~~Ware County~~
- 102 ~~Wayne County~~
- 103 ~~Webster County~~
- 104 ~~Wheeler County~~
- 105 ~~Wilcox County~~
- 106 ~~Worth County~~
  
- 107 ~~District 002~~
- 108 ~~Baldwin County~~
- 109 ~~Barrow County~~
- 110 ~~Bibb County~~
- 111 ~~Burke County~~
- 112 ~~Butts County~~
- 113 ~~Clarke County~~
- 114 ~~Columbia County~~
- 115 ~~Crawford County~~
- 116 ~~Elbert County~~
- 117 ~~Emanuel County~~
- 118 ~~Glascock County~~
- 119 ~~Greene County~~
- 120 ~~Gwinnett County~~
- 121 ~~Tract: 504.15~~
- 122 ~~Tract: 504.16~~
- 123 ~~Tract: 504.29~~
- 124 ~~Tract: 504.30~~
- 125 ~~Tract: 505.09~~
- 126 ~~BG: 1~~
- 127 ~~BG: 2~~
- 128 ~~2000 2001 2002 2003 2004 2005 2006~~
- 129 ~~BG: 3~~
- 130 ~~BG: 4~~
- 131 ~~Tract: 505.14~~
- 132 ~~BG: 1~~
- 133 ~~1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011~~
- 134 ~~1012 1013 1014 1015 1017 1018 1019 1020 1021 1039 1040~~
- 135 ~~BG: 2~~

136 ~~2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2011 2012~~  
 137 ~~2013 2014 2015 2042 2043 2057 2058 2999~~  
 138 ~~Tract: 505.16~~  
 139 ~~BG: 1~~  
 140 ~~BG: 2~~  
 141 ~~2000 2001 2002 2008 2009 2010 2011 2012 2013 2022 2023 2024~~  
 142 ~~2025 2026 2027 2028 2029 2030~~  
 143 ~~BG: 5~~  
 144 ~~Tract: 505.20~~  
 145 ~~BG: 1~~  
 146 ~~1000~~  
 147 ~~BG: 2~~  
 148 ~~2033 2034 2035~~  
 149 ~~Tract: 505.21~~  
 150 ~~BG: 3~~  
 151 ~~3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011~~  
 152 ~~3012 3013 3014 3015 3016 3017 3018 3019 3020 3022 3023 3024~~  
 153 ~~BG: 4~~  
 154 ~~4006 4007 4008~~  
 155 ~~Tract: 505.22~~  
 156 ~~Tract: 506.02~~  
 157 ~~Tract: 506.03~~  
 158 ~~BG: 2~~  
 159 ~~2010 2011 2038 2039 2040 2041 2042 2043 2044~~  
 160 ~~Tract: 506.04~~  
 161 ~~BG: 1~~  
 162 ~~BG: 2~~  
 163 ~~2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011~~  
 164 ~~2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023~~  
 165 ~~2024 2025 2051 2052 2053 2060 2061 2062 2063 2064 2065 2066~~  
 166 ~~2067 2068 2069 2070 2071 2072~~  
 167 ~~BG: 3~~  
 168 ~~Tract: 507.04~~  
 169 ~~Tract: 507.05~~  
 170 ~~Tract: 507.09~~  
 171 ~~Tract: 507.13~~  
 172 ~~Tract: 507.14~~

- 173 ~~Tract: 507.15~~
- 174 ~~Tract: 507.16~~
- 175 ~~Tract: 507.17~~
- 176 ~~Tract: 507.18~~
- 177 ~~Tract: 507.19~~
- 178 ~~Tract: 507.20~~
- 179 ~~Tract: 507.21~~
- 180 ~~Hancock County~~
- 181 ~~Houston County~~
- 182 ~~Jackson County~~
- 183 ~~Jasper County~~
- 184 ~~Jefferson County~~
- 185 ~~Jenkins County~~
- 186 ~~Johnson County~~
- 187 ~~Jones County~~
- 188 ~~Lincoln County~~
- 189 ~~Madison County~~
- 190 ~~McDuffie County~~
- 191 ~~Monroe County~~
- 192 ~~Morgan County~~
- 193 ~~Newton County~~
- 194 ~~Oconee County~~
- 195 ~~Oglethorpe County~~
- 196 ~~Peach County~~
- 197 ~~Putnam County~~
- 198 ~~Richmond County~~
- 199 ~~Rockdale County~~
- 200 ~~Screven County~~
- 201 ~~Taliaferro County~~
- 202 ~~Taylor County~~
- 203 ~~Twiggs County~~
- 204 ~~Walton County~~
- 205 ~~Warren County~~
- 206 ~~Washington County~~
- 207 ~~Wilkes County~~
- 208 ~~Wilkinson County~~

209 ~~District 003~~  
210 ~~Clayton County~~  
211 ~~DeKalb County~~  
212 ~~Fulton County~~  
  
213 ~~District 004~~  
214 ~~Banks County~~  
215 ~~Bartow County~~  
216 ~~Catoosa County~~  
217 ~~Chattooga County~~  
218 ~~Cherokee County~~  
219 ~~Dade County~~  
220 ~~Dawson County~~  
221 ~~Fannin County~~  
222 ~~Floyd County~~  
223 ~~Forsyth County~~  
224 ~~Franklin County~~  
225 ~~Gilmer County~~  
226 ~~Gordon County~~  
227 ~~Gwinnett County~~  
228 ~~Tract: 501.03~~  
229 ~~Tract: 501.04~~  
230 ~~Tract: 501.05~~  
231 ~~Tract: 501.06~~  
232 ~~Tract: 502.02~~  
233 ~~Tract: 502.04~~  
234 ~~Tract: 502.05~~  
235 ~~Tract: 502.06~~  
236 ~~Tract: 502.07~~  
237 ~~Tract: 503.04~~  
238 ~~Tract: 503.06~~  
239 ~~Tract: 503.07~~  
240 ~~Tract: 503.08~~  
241 ~~Tract: 503.09~~  
242 ~~Tract: 503.10~~  
243 ~~Tract: 503.11~~  
244 ~~Tract: 503.12~~

245 ~~Tract: 503.13~~  
 246 ~~Tract: 503.14~~  
 247 ~~Tract: 503.15~~  
 248 ~~Tract: 503.16~~  
 249 ~~Tract: 504.03~~  
 250 ~~Tract: 504.10~~  
 251 ~~Tract: 504.11~~  
 252 ~~Tract: 504.17~~  
 253 ~~Tract: 504.18~~  
 254 ~~Tract: 504.19~~  
 255 ~~Tract: 504.20~~  
 256 ~~Tract: 504.21~~  
 257 ~~Tract: 504.22~~  
 258 ~~Tract: 504.23~~  
 259 ~~Tract: 504.24~~  
 260 ~~Tract: 504.25~~  
 261 ~~Tract: 504.26~~  
 262 ~~Tract: 504.27~~  
 263 ~~Tract: 504.28~~  
 264 ~~Tract: 505.07~~  
 265 ~~Tract: 505.09~~  
 266 ~~BG: 2~~  
 267 ~~2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018~~  
 268 ~~2019 2020 2021 2022 2023 2024 2025 2026~~  
 269 ~~Tract: 505.10~~  
 270 ~~Tract: 505.11~~  
 271 ~~Tract: 505.12~~  
 272 ~~Tract: 505.13~~  
 273 ~~Tract: 505.14~~  
 274 ~~BG: 1~~  
 275 ~~1016 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032~~  
 276 ~~1033 1034 1035 1036 1037 1038~~  
 277 ~~BG: 2~~  
 278 ~~2010 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026~~  
 279 ~~2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038~~  
 280 ~~2039 2040 2041 2044 2045 2046 2047 2048 2049 2050 2051 2052~~  
 281 ~~2053 2054 2055 2056 2059 2060 2061~~



282 ~~Tract: 505.15~~  
 283 ~~Tract: 505.16~~  
 284 ~~BG: 2~~  
 285 ~~2003 2004 2005 2006 2007 2014 2015 2016 2017 2018 2019 2020~~  
 286 ~~2021 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041~~  
 287 ~~2042 2043 2044 2045 2046 2047~~  
 288 ~~Tract: 505.17~~  
 289 ~~Tract: 505.18~~  
 290 ~~Tract: 505.19~~  
 291 ~~Tract: 505.20~~  
 292 ~~BG: 1~~  
 293 ~~1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012~~  
 294 ~~1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024~~  
 295 ~~1025 1026 1027 1028~~  
 296 ~~BG: 2~~  
 297 ~~2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011~~  
 298 ~~2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023~~  
 299 ~~2024 2025 2026 2027 2028 2029 2030 2031 2032 2036 2037 2038~~  
 300 ~~2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050~~  
 301 ~~Tract: 505.21~~  
 302 ~~BG: 3~~  
 303 ~~3021~~  
 304 ~~BG: 4~~  
 305 ~~4000 4001 4002 4003 4004 4005 4009 4010~~  
 306 ~~BG: 5~~  
 307 ~~Tract: 506.03~~  
 308 ~~BG: 1~~  
 309 ~~BG: 2~~  
 310 ~~2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2012 2013~~  
 311 ~~2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025~~  
 312 ~~2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037~~  
 313 ~~Tract: 506.04~~  
 314 ~~BG: 2~~  
 315 ~~2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037~~  
 316 ~~2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049~~  
 317 ~~2050 2054 2055 2056 2057 2058 2059~~  
 318 ~~Tract: 507.12~~

319 ~~Habersham County~~  
 320 ~~Hall County~~  
 321 ~~Hart County~~  
 322 ~~Lumpkin County~~  
 323 ~~Murray County~~  
 324 ~~Pickens County~~  
 325 ~~Rabun County~~  
 326 ~~Stephens County~~  
 327 ~~Towns County~~  
 328 ~~Union County~~  
 329 ~~Walker County~~  
 330 ~~White County~~  
 331 ~~Whitfield County~~  
  
 332 ~~District 005~~  
 333 ~~Carroll County~~  
 334 ~~Cobb County~~  
 335 ~~Coweta County~~  
 336 ~~Douglas County~~  
 337 ~~Fayette County~~  
 338 ~~Haralson County~~  
 339 ~~Harris County~~  
 340 ~~Heard County~~  
 341 ~~Henry County~~  
 342 ~~Lamar County~~  
 343 ~~Meriwether County~~  
 344 ~~Muscogee County~~  
 345 ~~Paulding County~~  
 346 ~~Pike County~~  
 347 ~~Polk County~~  
 348 ~~Spalding County~~  
 349 ~~Talbot County~~  
 350 ~~Troup County~~  
 351 ~~Upson County~~  
 352 ~~(d)~~(c) The first members of the commission elected under this Code section shall be  
 353 elected thereto on the Tuesday next following the first Monday in November, ~~2000~~, from  
 354 2012, to succeed the members from former Public Service Commission Districts 3 and 5,

355 shall take office on the first day of January immediately following that election, and shall  
 356 serve for terms of office of six years and until the election and qualification of their  
 357 respective successors. Those members of the commission elected thereto on the Tuesday  
 358 next following the first Monday in November, ~~2002, from 2014, to succeed the members~~  
 359 ~~from~~ Public Service Commission Districts 1 and 4 shall take office on the first day of  
 360 January immediately following that election and shall serve for terms of office of six years  
 361 and until the election and qualification of their respective successors. The member of the  
 362 commission elected thereto on the Tuesday next following the first Monday in November,  
 363 ~~2004, from 2010, to succeed the member from~~ Public Service Commission District 2 shall  
 364 take office on the first day of January immediately following that election and shall serve  
 365 for a term of office of six years and until the election and qualification of his or her  
 366 respective successor. All future successors to members of the commission whose terms of  
 367 office are to expire shall be elected at the state-wide general election immediately  
 368 preceding the expiration of such terms, shall take office on the first day of January  
 369 immediately following that election, and shall serve for terms of office of six years.

370 ~~(e) For purposes of this Code section:~~

371 ~~(1) The terms "Tract" and "BG" (Block Group) shall mean and describe the same~~  
 372 ~~geographical boundaries as provided in the report of the Bureau of the Census for the~~  
 373 ~~United States decennial census of 2000 for the State of Georgia. The separate numeric~~  
 374 ~~designations in a Tract description which are underneath a "BG" heading shall mean and~~  
 375 ~~describe individual Blocks within a Block Group as provided in the report of the Bureau~~  
 376 ~~of the Census for the United States decennial census of 2000 for the State of Georgia.~~

377 ~~(2) Except as otherwise provided in the description of any Public Service Commission~~  
 378 ~~District, whenever the description of any Public Service Commission District refers to~~  
 379 ~~a named city, it shall mean the geographical boundaries of that city as shown on the~~  
 380 ~~census maps for the United States decennial census of 2000 for the State of Georgia.~~

381 ~~(3) Any part of the State of Georgia which is not included in any Public Service~~  
 382 ~~Commission District described in subsection (c) of this Code section shall be included~~  
 383 ~~within that district contiguous to such part which contains the least population according~~  
 384 ~~to the United States decennial census of 2000 for the State of Georgia.~~

385 ~~(4) Any part of the State of Georgia which is described in subsection (c) of this Code~~  
 386 ~~section as being included in a particular Public Service Commission District shall~~  
 387 ~~nevertheless not be included within such Public Service Commission District if such part~~  
 388 ~~is not contiguous to such Public Service Commission District. Such noncontiguous part~~  
 389 ~~shall instead be included within that Public Service Commission District contiguous to~~  
 390 ~~such part which contains the least population according to the United States decennial~~  
 391 ~~census of 2000 for the State of Georgia."~~

392 **SECTION 2.**

393 Said article is further amended by revising Code Section 46-2-5, relating to chairman of the  
 394 commission and selection, as follows:

395 "46-2-5.

396 (a) There shall be a ~~chairman~~ chairperson of the commission. The chairperson shall be  
 397 selected by a simple majority of the members of the commission. The initial chairperson  
 398 selected under this Code section shall take office within 15 days after January 1, 2010, and  
 399 shall serve for a term of office as chairperson until January 1, 2013, or until his or her term  
 400 as a member of the commission shall expire, whichever is shorter. Each subsequent  
 401 chairperson shall serve for a three-year term of office as chairperson or until his or her term  
 402 as a member of the commission shall expire, whichever is shorter. Any two members of  
 403 the commission may call for an election of a chairperson at any time prior to the end of the  
 404 three-year term of a chairperson; provided, however, such elections shall not be held more  
 405 than once per calendar year, except in the case of a vacancy by the chairperson; and  
 406 provided, further, any chairperson so elected shall serve for a three-year term of office as  
 407 chairperson or until his or her term as a member of the commission shall expire, whichever  
 408 is shorter. ~~The chairman shall be selected on an annual basis. The initial chairman selected~~  
 409 ~~under this Code section shall take office within 15 days after April 20, 1992, and shall~~  
 410 ~~serve for a term of office as chairman expiring January 1, 1993. Thereafter a new chairman~~  
 411 ~~shall take office within 15 days after the first day of January in 1993 and each subsequent~~  
 412 ~~year; and each such chairman shall serve for a one-year term of office as chairman.~~

413 ~~(b) The chairman shall be selected by the members of the commission according to the~~  
 414 ~~following rules; and for purposes of these rules, seniority on the commission shall be~~  
 415 ~~determined according to the longest period of continuous unbroken service:~~

416 ~~(1) A member of the commission with less than one year of continuous unbroken service~~  
 417 ~~on the commission shall not be eligible to take office as chairman;~~

418 ~~(2) A member of the commission who has previously served as chairman shall not be~~  
 419 ~~eligible to serve again as chairman until each other eligible member (i.e., each other~~  
 420 ~~member with more than one year of continuous service on the commission) has served~~  
 421 ~~as chairman or has deferred service as chairman;~~

422 ~~(3) Subject to paragraphs (1) and (2) of this subsection, the most senior member of the~~  
 423 ~~commission who is eligible to serve as chairman shall be selected to the office of~~  
 424 ~~chairman; provided, however, that such member may elect to defer service as chairman~~  
 425 ~~for a period of one year, at the conclusion of which year such member shall resume his~~  
 426 ~~place at the head of the order of rotation for the chairmanship; and~~

427 (4) ~~If in any year the foregoing rules fail to provide for a chairman because two or more~~  
428 ~~members have equal seniority, then the member to serve as chairman shall be selected by~~  
429 ~~lot.~~

430 ~~(c) Anything in subsection (b) of this Code section to the contrary notwithstanding, the~~  
431 ~~members of the commission may by unanimous vote of the members select any member~~  
432 ~~as chairman for any given year for a term of office as chairman as specified in~~  
433 ~~subsection (a) of this Code section.~~

434 ~~(d)~~(b) The chairman chairperson shall give his or her entire time to the duties of his the  
435 office.

436 (c) The members of the commission may elect such other officers as they deem advisable  
437 and shall establish such quorum, attendance, and other rules as they deem necessary for the  
438 most efficient operation of the commission. The commission may meet at such times and  
439 places within this state as the commission deems necessary."

440 **SECTION 3.**

441 This Act shall become effective on January 1, 2010.

442 **SECTION 4.**

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