

Senate Bill 354

By: Senator Williams of the 19th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the Board of Commissioners of Toombs County, approved
2 February 13, 1959 (Ga. L. 1959, p. 2010), as amended, particularly by an Act approved
3 March 23, 1977 (Ga. L. 1977, p. 3927), and an Act approved April 28, 2006 (Ga. L. 2006,
4 p. 3808), so as to reconstitute the board of commissioners; to change the description of the
5 commissioner districts; to provide for definitions and inclusions; to provide for continuation
6 in office of current members; to provide for election and terms of office of subsequent
7 members; to provide for submission of this Act for preclearance under the federal Voting
8 Rights Act of 1965, as amended; to provide for related matters; to provide an effective date;
9 to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 An Act creating the Board of Commissioners of Toombs County, approved February 13,
13 1959 (Ga. L. 1959, p. 2010), as amended, particularly by an Act approved March 23, 1977
14 (Ga. L. 1977, p. 3927), and an Act approved April 28, 2006 (Ga. L. 2006, p. 3808), is
15 amended by striking Sections 1 through 3(A) and inserting in lieu thereof the following:

16 "SECTION 1.

17 The Board of Commissioners of Toombs County which existed on December 31, 2011, is
18 continued in existence but on and after the effective date of this Act shall be constituted as
19 provided in this Act. The Board of Commissioners of Toombs County so continued and
20 constituted, sometimes referred to in this Act as the 'board,' shall continue to have the
21 powers, duties, rights, obligations, and liabilities of that board as existed immediately prior
22 to the effective date of this Act.

SECTION 2.

(a) Those members of the Board of Commissioners of Toombs County who are serving as such on December 31, 2011, and any person selected to fill a vacancy in any such office shall continue to serve as such members until the regular expiration of their respective terms of office and upon the election and qualification of their respective successors. On and after the effective date of this Act, the Board of Commissioners of Toombs County shall consist of four members who shall be elected from commissioner districts described in subsection (b) of this section and a chairperson who is elected at large as provided in subsection (c) of Section 3 of this Act.

(b) For purposes of electing members of the board of commissioners other than the chairperson, Toombs County is divided into four commissioner districts. One member of the board shall be elected from each such district. The four commissioner districts shall be and correspond to those four numbered districts described in and attached to and made a part of this Act and further identified as 'Plan Name: toombscc-2012 Plan Type: Local Administrator: Toombs User: bak'.

(c) When used in such attachment, the term 'VTD' shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia. The separate numeric designations in a district description which are underneath a 'VTD' heading shall mean and describe individual Blocks within a VTD as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia.

(d) Any part of Toombs County which is not included in any such district described in the attachment shall be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2010 for the State of Georgia. Any part of Toombs County which is described in the attachment as being in a particular district shall nevertheless not be included within such district if such part is not contiguous to such district. Such noncontiguous part shall instead be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2010 for the State of Georgia.

(e) Except as otherwise provided in the description of any commissioner district, whenever the description of such district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census map for the United States decennial census of 2010 for the State of Georgia.

56

SECTION 3.

57 (a) No person shall be a member of the board if that person is ineligible for such office
58 pursuant to Code Section 45-2-1 of the O.C.G.A. or any other general law applicable to that
59 office.

60 (b) In order to be elected or appointed as a member of the board from a commissioner
61 district, a person must have that person's legal residence in that district at the time of
62 qualifying for election or at the time of appointment and, if elected, must receive the
63 number of votes cast as required by general law for that office in that district only and not
64 at large. Only electors who are residents of that commissioner district may vote for a
65 member of the board for that district. At the time of qualifying for election as a member
66 of the board from a commissioner district, each candidate for such office shall specify the
67 commissioner district for which that person is a candidate. A person elected or appointed
68 as a member of the board from a commissioner district must continue to reside in that
69 district during that person's term of office or that office shall become vacant.

70 (c) The chairperson of the board may reside anywhere within Toombs County and, if
71 elected, must receive the number of votes cast for that office as required by general law in
72 the entire county. The chairperson must continue to reside within the county during that
73 person's term of office or that office shall become vacant.

74

SECTION 3A.

75 (a) The members of the reconstituted Board of Commissioners of Toombs County shall
76 be elected as provided in this subsection. The first members from Commissioner
77 Districts 1 and 4 shall be elected at the general election on the Tuesday next following the
78 first Monday in November, 2014. Those members of the board elected thereto from
79 Commissioner Districts 1 and 4 in 2014 shall take office the first day of January
80 immediately following that election and shall serve for initial terms of office which expire
81 December 31, 2018, and upon the election and qualification of their respective successors.
82 The first members from Commissioner Districts 2 and 3 and the at-large district shall be
83 elected at the general election on the Tuesday next following the first Monday in
84 November, 2012. Those members of the board elected thereto from Commissioner
85 Districts 2 and 3 and the at-large district in 2012 shall take office the first day of January
86 immediately following that election and shall serve for initial terms of office which expire
87 December 31, 2016, and upon the election and qualification of their respective successors.
88 Those and all future successors to members of the board whose terms of office are to expire
89 shall be elected at the time of the state-wide general election immediately preceding the
90 expiration of such terms, shall take office the first day of January immediately following
91 that election, and shall serve for terms of office of four years each. Members of the board

92 shall serve for the terms of office specified therefor in this subsection and until their
93 respective successors are elected and qualified.

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

96 (c) Commissioner Districts 1, 2, 3, and 4, as they existed on December 31, 2011, shall
97 continue to be designated as Commissioner Districts 1, 2, 3, and 4, respectively, but as
98 newly described under this Act, and on and after the effective date of this Act, such
99 members of the board serving from those former commissioner districts shall be deemed
100 to be serving from and representing their respective districts as newly described under this
101 Act."

102 **SECTION 2.**

103 The Board of Commissioners of Toombs County shall through its legal counsel cause this
104 Act to be submitted for preclearance under the federal Voting Rights Act of 1965, as
105 amended; and such submission shall be made to the United States Department of Justice or
106 filed with the appropriate court no later than 45 days after the date on which this Act is
107 approved by the Governor or otherwise becomes law without such approval.

108 **SECTION 3.**

109 This Act shall become effective on July 1, 2012.

110 **SECTION 4.**

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

112 Plan: toombscc-2012
 113 Plan Type: Local
 114 Administrator: Toombs
 115 User: bak

116 District 001
 117 Toombs County
 118 VTD: 27915361 - 15361 LYONS
 119 1077 1078 1079 1080 1081 1082 1083 1084 1085 3002 3003 3004
 120 3005 3006 3007 3008 3009 3010 3011 3019 3020 3021 3022 3031
 121 3032 3033 3034 3035 3036 3037 3038 3039 3040 3041 3042 3043
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 126 3062 3063 3064 3065 3066 3067 3068 3069 3070 3072 3073
 127 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
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 130 2001 2002 2003 2004 2005 2006 2007 2008 2009 2018 2019 2020
 131 2021 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033
 132 2034 2056
 133 VTD: 27915362 - 15362 SANTA CLAUS
 134 3051 3057 3058
 135 4000 4002
 136 2010 2011 2012 2016
 137 VTD: 279511 - 511 OLD HEALTH
 138 1042 1043 1044 1045 1066 1067 1068 1071 1072 1073 1074 1075
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 140 3005 3006 3007 3008 3009 3010 3011 3017 3018 3019 3020 3021
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 143 4008 4009 4010 4011 4012 4013 4014 4015 4016 4017 4018 4019
 144 4020 4021 4022 5000 5001 5002 5003 5004 5005 5006 5007 5008
 145 5009 5010 5011 5012 5013 5014 5015 5016 5017 5018 5019 5020
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148 5045 5046 5047 5048 5049 5050 5051 5052 5055 5056 5057 5058
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 150 2006 2008 2012 2013 2014 2015 2016 2019 2020 2021 2022 2023
 151 2024 2025 2026 2027 2028 2031 2033 2034 2035 2036 2037 2038
 152 2039 2040 2041 2043 2044 2045 2046 2047 3067 3068
 153 VTD: 279512 - 512 S.T.I.
 154 3012 3013 3014 3015 3016 3052 3053 3054 3055 3056 5053 5054
 155 5060 5061 5067 5073
 156 4001 4004 4006 4007 4008 4009 4010 4020 4021 4022 4061 4072
 157 4078
 158 2013 2017
 159 VTD: 279514 - 514 S.T.I.A.L.C
 160 1018 1026 1027 1028 1029 1030 1031 1033 1038 1039 1040 1041
 161 1042 1043 1044 1065 1072 1073 1074 2000 2001 2002 2003 2004
 162 2005 2007 2009 2010 2011 2017 2018 2029 2030 2032 2042

 163 District 002
 164 Toombs County
 165 VTD: 279511 - 511 OLD HEALTH
 166 1002 1005 1006 1007 1013 1014 1025 1056 1057 1058
 167 VTD: 279512 - 512 S.T.I.
 168 5068
 169 1000 1004 1008 1009 1010 1011 1012 1029 1030 1031 1032 1033
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 175 4040 4041 4042 4043 4044 4045 4046 4048 4049 4050 4060 4075
 176 4077
 177 VTD: 279513 - 513 V.P.D.
 178 VTD: 279514 - 514 S.T.I.A.L.C
 179 1016 1017 1034 1035 1036 1037 1045 1046 1047 1048 1049 1050
 180 1051 1052 1053 1054 1055 1059 1060 1061 1062 1063 1064 1066
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 182 3005 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015 3016
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184 3029 3030 3031 3032 3033 3034 3035 3036 3037 3038 3039 3043
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 186 3069 3070 3071 4013 4014 4015 4019 4020 4021 4025 4026 4038
 187 4039 4047

 188 District 003
 189 Toombs County
 190 VTD: 2791192 - 1192 BLUE RIDGE
 191 VTD: 27915361 - 15361 LYONS
 192 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028
 193 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040
 194 2041 2042 2043 2045 2046 2047 3012 3013 3014 3015 3016 3017
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 198 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048
 199 2049 2050 2051 2052 2053 2067 2068 2069 2070 2071
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 201 VTD: 27915362 - 15362 SANTA CLAUS
 202 1047 1048 1049 1050 1051 1052 1053 1054 1055 1056 1057 1073
 203 1074 1075 1076 1086 1087 2000 2001 2002 2003 2004 2005 2006
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 207 1062 1087 1088 2002 2003 2004 2005 2006 2008 2009 2013 2014
 208 2015 2016 2017
 209 1032 1033 1034 1035 1036
 210 VTD: 2791715 - 1715 NORMANTOWN
 211 VTD: 2791770 - 1770 OHOOPEE
 212 VTD: 27939 - 39 NEWBRANCH
 213 VTD: 279511 - 511 OLD HEALTH
 214 1037 1038 1039 1040 1041 1046 1047 1048 1063 1064 1065 1069
 215 3000 3001 3002 3003
 216 1000 1001 1003 1004 1008 1009 1010 1011 1012 1015 1019 1020
 217 1021 1022 1023 1024 1032 1077

218 District 004
 219 Toombs County
 220 VTD: 2791403 - 1403 MARVIN
 221 VTD: 2791521 - 1521 HARDEN
 222 VTD: 27915362 - 15362 SANTA CLAUS
 223 4024
 224 4005 4068 4069 4070 4071 4073 4074
 225 2014 2015 2022 2035 2036 2037 2038 2039 2040 2041 2042 2043
 226 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055
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 228 2071 2072 2073 2075 2076 2077 2078 3001 3002 3003 3004 3012
 229 VTD: 2791823 - 1823 CENTER
 230 VTD: 27943 - 43 CEDAR CROSSING
 231 VTD: 279512 - 512 S.T.I.
 232 4003
 233 VTD: 279514 - 514 S.T.I.A.L.C
 234 3042 3046 5022 5023 5024