

House Bill 847 (AS PASSED HOUSE AND SENATE)

By: Representatives Maddox of the 172<sup>nd</sup> and Taylor of the 173<sup>rd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating a board of commissioners for the County of Grady, approved  
2 December 22, 1937 (Ga. L. 1937-38, Ex. Sess. p. 837), as amended, particularly by an Act  
3 approved July 20, 2001 (Ga. L. 2001, Ex. Sess. p. 654), so as to reconstitute the board  
4 of commissioners; to change the description of the commissioner districts; to provide for  
5 definitions and inclusions; to provide for continuation in office of current members; to  
6 provide for election and terms of office of subsequent members; to provide for submission  
7 of this Act for preclearance under Section 5 of the federal Voting Rights Act of 1965, as  
8 amended; to provide for related matters; to provide for effective dates; to repeal conflicting  
9 laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 An Act creating a board of commissioners for the County of Grady, approved December 22,  
13 1937 (Ga. L. 1937-38, Ex. Sess. p. 837), as amended, particularly by an Act approved  
14 July 20, 2001 (Ga. L. 2001, Ex. Sess. p. 654), is amended by striking Sections 1 and 2 and  
15 inserting in lieu thereof the following:

16

17 "SECTION 1.

18 The Board of Commissioners of Grady County which existed on December 31, 2012, is  
19 continued in existence but on and after January 1, 2013, shall be constituted as provided  
20 in this Act. The Board of Commissioners of Grady County so continued and constituted,  
21 sometimes referred to in this Act as the 'board,' shall continue to have the powers, duties,  
22 rights, obligations, and liabilities of that board as existed immediately prior to January 1,  
23 2013.

## 24 SECTION 2.

25 (a) Those members of the Board of Commissioners of Grady County who are serving as  
26 such on December 31, 2012, and any person selected to fill a vacancy in any such office  
27 shall continue to serve as such members until the regular expiration of their respective  
28 terms of office and upon the election and qualification of their respective successors. On  
29 and after January 1, 2013, the Board of Commissioners of Grady County shall consist of  
30 five members, all of whom shall be elected from commissioner districts described in  
31 subsection (b) of this section.

32 (b)(1) For purposes of electing members of the board of commissioners, Grady County  
33 is divided into five commissioner districts. One member of the board shall be elected  
34 from each such district. The five commissioner districts shall be and correspond to those  
35 five numbered districts described in and attached to and made a part of this Act and  
36 further identified as 'Plan: gradycsb-2012 Plan Type: Local Administrator: grady User:  
37 bak'.

38 (2) For the purposes of such plan:

39 (A) The term 'VTD' shall mean and describe the same geographical boundaries as  
40 provided in the report of the Bureau of the Census for the United States decennial  
41 census of 2010 for the State of Georgia. The separate numeric designations in a district  
42 description which are underneath a 'VTD' heading shall mean and describe individual  
43 Blocks within a VTD as provided in the report of the Bureau of the Census for the  
44 United States decennial census of 2010 for the State of Georgia; and

45 (B) Except as otherwise provided in the description of any district, whenever the  
46 description of any district refers to a named city, it shall mean the geographical  
47 boundaries of that city as shown on the census maps for the United States decennial  
48 census of 2010 for the State of Georgia.

49 (c) Any part of Grady County which is not included in any such district described in that  
50 attachment shall be included within that district contiguous to such part which contains the  
51 least population according to the United States decennial census of 2010 for the State of  
52 Georgia.

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

58

## SECTION 2A.

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

62 (b) In order to be elected as a member of the board from a commissioner district, a person  
63 must receive the number of votes cast as required by general law for that office in that  
64 district only. Only electors who are residents of that commissioner district may vote for  
65 a 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

71

## SECTION 2B.

72 (a) The first members of the reconstituted Board of Commissioners of Grady County shall  
73 be elected at the general election on the Tuesday next following the first Monday in  
74 November, 2012. Those members of the board elected thereto from Commissioner  
75 Districts 2 and 5 in November, 2014, shall take office the first day of January immediately  
76 following that election and shall serve for initial terms of office which expire December 31,  
77 2018, and upon the election and qualification of their respective successors. Those  
78 members of the board elected thereto from Commissioner Districts 1, 3, and 4 in  
79 November, 2012, shall take office the first day of January immediately following that  
80 election and shall serve for initial terms of office which expire December 31, 2016, and  
81 upon the election and qualification of their respective successors. Those and all future  
82 successors to members of the board whose terms of office are to expire shall be elected at  
83 the time of the state-wide general election immediately preceding the expiration of such  
84 terms, shall take office the first day of January immediately following that election, and  
85 shall serve for terms of office of four years each. Members of the board shall serve for the  
86 terms of office specified therefor in this subsection and until their respective successors are  
87 elected and qualified.

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

90 (c) Commissioner Districts 1 through 5, as they exist on December 31, 2012, shall  
91 continue to be designated as Commissioner Districts 1 through 5, respectively, but as newly  
92 described under this Act, and on and after January 1, 2013, such members of the board  
93 serving from those former commissioner districts shall be deemed to be serving from and  
94 representing their respective districts as newly described under this section."

95 **SECTION 2.**

96 The Board of Commissioners of Grady County shall through its legal counsel cause this Act  
97 to be submitted for preclearance under Section 5 of the federal Voting Rights Act of 1965,  
98 as amended, no later than 45 days after the date on which this Act is approved by the  
99 Governor or otherwise becomes law without such approval.

100 **SECTION 3.**

101 If, as of the first date upon which candidates may begin qualifying for the general primary  
102 in 2012, implementation of this Act is not permissible under the federal Voting Rights Act  
103 of 1965, as amended, then as of such date this Act shall be void and stand repealed in its  
104 entirety.

105 **SECTION 4.**

106 For the purpose of conducting elections in 2012, this Act shall become effective upon its  
107 approval by the Governor or upon its becoming law without such approval. For all other  
108 purposes, this Act shall become effective on January 1, 2013.

109 **SECTION 5.**

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

Plan: gradycsb-2012  
Plan Type: Local  
Administrator: grady  
User: bak

District 001  
Grady County  
VTD: 131B - BLOWING CAVE  
2039 2040 2041 2042 2128 2130 2133 2140  
VTD: 131L - LIMESINK  
VTD: 131R - RAGAN  
2058 2059 2060 2061 2062 2063 2064 2065 2096 2097 2098 2107  
2143  
VTD: 131SH - SPRING HILL  
VTD: 131W - WHIGHAM

District 002  
Grady County  
VTD: 131C05 - CAIRO 5TH DISTRICT  
2075  
VTD: 131P - PINE PARK  
2000 2001 2002 2003 2005 2006 2010 2011 2012 2013 2014 2038  
2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052  
2053 2082 2083 2084 2085 2086 2087 2092 2093 2100 2101  
1003 1004 1072 1073 1074 1075 1076 1108 1109 1110  
VTD: 131S - SPENCE  
VTD: 131WL - WOODLAND  
1000 1001 1002 1003 1004 1005 1017 1018 1019 1024 1025 1026  
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2096 2097 2098 2099 2102 2103 2104

District 003  
Grady County  
VTD: 131C05 - CAIRO 5TH DISTRICT  
1044 1045 1047 1048 1049 1050 1051 1052 1053 1054  
VTD: 131D - DUNCANVILLE  
VTD: 131H - HIGDON  
1085 1086 1114 1115 1116 1117 1118 1119 1120 1121 1122 1123  
1124 1125 1126 1127 1128 1129 1130 1131 1132 1133 1134 1135  
1136 1137 1138 1139 1140 1141 1142 1143 1144 1145 1146 1147  
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1317 1318 1319 1322 1325 1326 1327 1328 1410 1412 1413 1414  
VTD: 131M - MIDWAY  
1000 1001 1002 1007 1008 1009 1010 1011 1012 1013 1014 1015  
1016 1017 1035 1036 1037 1038 1039 1040 1041 1042 1043 1055  
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3126 3127 3128 3129 3137 3138 3140  
VTD: 131P - PINE PARK  
1005 1006  
VTD: 131R - RAGAN  
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2122 2123  
3040 3122 3123 3130 3131 3132 3133 3134 3135 3136 3139  
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1112 1113 1153 1154 1155 1156 1157 1158 1159 1160 1161 1162  
1163 1164 1165 1166 1167 1168 1169 1170 1171 1172 1173 1174

1175 1176 1177 1178 1179 1180 1181 1184 1185 1186 1187 1188  
1189 1190 1191 1193 1194 1195 1196 1197 1198 1199 1200 1201  
1202 1205 1208 1320 1321 1323 1324

District 004

Grady County

VTD: 131C04 - CAIRO 4TH DISTRICT

VTD: 131WL - WOODLAND

1038 1039 1040 1041 1043 1047 1048 1049 1050 1051 1053 1054  
1055 1056 1057 1058 1060 1061 1062 1063 1064 1065 1066 1067  
1076 1077 1078 1079 1080 1081 1082 1083 1084 1085 1086 1087  
1088 1089 1090 1091 1092 1093 1094 1095 1096 1097 1098 1099  
1100 1101 1102 1103 1104 1105 1106 1107 1108

District 005

Grady County

VTD: 131C05 - CAIRO 5TH DISTRICT

2059 2060 2061 2062 2063 2064 2065 2067 2068 2069 2070 2071  
2072 2073 2074 2081 2090 2091 3000 3001 3002 3003 3004 3005  
3006 3007 3008 3009 3010 3011 3012 3013 3014 3015 3016 3017  
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3054 3055 3056 3057 3058 3059 4000 4001 4002 4003 4004 4005  
4006 4007 4008 4009 4010 4011 4012 4013 4014 4015 4016 4017  
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2066 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010  
3011 3012 3013 3014 3015 3016 3017 3018 3019 3032 4031

VTD: 131M - MIDWAY

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