

Senate Bill 382

By: Senators Shafer of the 48th and Bethel of the 54th

AS PASSED SENATE

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 change the
 3 description of the election districts for members of the Public Service Commission; to
 4 provide for manner of election and terms of office; to provide for continuation in office of
 5 current members; to provide for related matters; to provide an effective date; to repeal
 6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

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

13 "46-2-1.

14 (a) The Georgia Public Service Commission shall consist of five members to be elected
 15 as provided in this Code section. The members in office on January 1, ~~2000~~ 2012, and any
 16 member appointed or elected to fill a vacancy in such membership prior to the expiration
 17 of a term of office shall continue to serve out their respective terms of office. As terms of
 18 office expire, new members elected to the commission shall be required to be residents of
 19 one of five Public Service Commission Districts as hereafter provided, but each member
 20 of the commission shall be elected state wide by the qualified voters of this state who are
 21 entitled to vote for members of the General Assembly. Except as otherwise provided in
 22 this Code section, the election shall be held under the same rules and regulations as apply
 23 to the election of Governor. The Commissioners, who shall give their entire time to the
 24 duties of their offices, shall be elected at the general election next preceding the expiration
 25 of the terms of office of the respective incumbents. Their terms of office shall be six years
 26 and shall expire on December 31.

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

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

34 ~~District 001~~

35 ~~Appling County~~

36 ~~Atkinson County~~

37 ~~Bacon County~~

38 ~~Baker County~~

39 ~~Ben Hill County~~

40 ~~Berrien County~~

41 ~~Bleckley County~~

42 ~~Brantley County~~

43 ~~Brooks County~~

44 ~~Bryan County~~

45 ~~Bulloch County~~

46 ~~Calhoun County~~

47 ~~Camden County~~

48 ~~Candler County~~

49 ~~Charlton County~~

50 ~~Chatham County~~

51 ~~Chattahoochee County~~

52 ~~Clay County~~

53 ~~Clinch County~~

54 ~~Coffee County~~

55 ~~Colquitt County~~

56 ~~Cook County~~

57 ~~Crisp County~~

58 ~~Decatur County~~

59 ~~Dodge County~~

60 ~~Dooly County~~

61 ~~Dougherty County~~

62 ~~Early County~~

63 ~~Echols County~~

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

- 101 ~~Wheeler County~~
- 102 ~~Wilcox County~~
- 103 ~~Worth County~~

- 104 ~~District 002~~
- 105 ~~Baldwin County~~
- 106 ~~Barrow County~~
- 107 ~~Bibb County~~
- 108 ~~Burke County~~
- 109 ~~Butts County~~
- 110 ~~Clarke County~~
- 111 ~~Columbia County~~
- 112 ~~Crawford County~~
- 113 ~~Elbert County~~
- 114 ~~Emanuel County~~
- 115 ~~Glascock County~~
- 116 ~~Greene County~~
- 117 ~~Gwinnett County~~
- 118 ~~Tract: 504.15~~
- 119 ~~Tract: 504.16~~
- 120 ~~Tract: 504.29~~
- 121 ~~Tract: 504.30~~
- 122 ~~Tract: 505.09~~
- 123 ~~BG: 1~~
- 124 ~~BG: 2~~
- 125 ~~2000 2001 2002 2003 2004 2005 2006~~
- 126 ~~BG: 3~~
- 127 ~~BG: 4~~
- 128 ~~Tract: 505.14~~
- 129 ~~BG: 1~~
- 130 ~~1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011~~
- 131 ~~1012 1013 1014 1015 1017 1018 1019 1020 1021 1039 1040~~
- 132 ~~BG: 2~~
- 133 ~~2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2011 2012~~
- 134 ~~2013 2014 2015 2042 2043 2057 2058 2999~~
- 135 ~~Tract: 505.16~~
- 136 ~~BG: 1~~

137 BG: 2
 138 ~~2000 2001 2002 2008 2009 2010 2011 2012 2013 2022 2023 2024~~
 139 ~~2025 2026 2027 2028 2029 2030~~
 140 BG: 5
 141 ~~Tract: 505.20~~
 142 BG: 1
 143 ~~1000~~
 144 BG: 2
 145 ~~2033 2034 2035~~
 146 ~~Tract: 505.21~~
 147 BG: 3
 148 ~~3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011~~
 149 ~~3012 3013 3014 3015 3016 3017 3018 3019 3020 3022 3023 3024~~
 150 BG: 4
 151 ~~4006 4007 4008~~
 152 ~~Tract: 505.22~~
 153 ~~Tract: 506.02~~
 154 ~~Tract: 506.03~~
 155 BG: 2
 156 ~~2010 2011 2038 2039 2040 2041 2042 2043 2044~~
 157 ~~Tract: 506.04~~
 158 BG: 1
 159 BG: 2
 160 ~~2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011~~
 161 ~~2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023~~
 162 ~~2024 2025 2051 2052 2053 2060 2061 2062 2063 2064 2065 2066~~
 163 ~~2067 2068 2069 2070 2071 2072~~
 164 BG: 3
 165 ~~Tract: 507.04~~
 166 ~~Tract: 507.05~~
 167 ~~Tract: 507.09~~
 168 ~~Tract: 507.13~~
 169 ~~Tract: 507.14~~
 170 ~~Tract: 507.15~~
 171 ~~Tract: 507.16~~
 172 ~~Tract: 507.17~~
 173 ~~Tract: 507.18~~

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

- 206 ~~District 003~~
- 207 ~~Clayton County~~
- 208 ~~DeKalb County~~
- 209 ~~Fulton County~~

210 ~~District 004~~
211 ~~Banks County~~
212 ~~Bartow County~~
213 ~~Catoosa County~~
214 ~~Chattooga County~~
215 ~~Cherokee County~~
216 ~~Dade County~~
217 ~~Dawson County~~
218 ~~Fannin County~~
219 ~~Floyd County~~
220 ~~Forsyth County~~
221 ~~Franklin County~~
222 ~~Gilmer County~~
223 ~~Gordon County~~
224 ~~Gwinnett County~~
225 ~~Tract: 501.03~~
226 ~~Tract: 501.04~~
227 ~~Tract: 501.05~~
228 ~~Tract: 501.06~~
229 ~~Tract: 502.02~~
230 ~~Tract: 502.04~~
231 ~~Tract: 502.05~~
232 ~~Tract: 502.06~~
233 ~~Tract: 502.07~~
234 ~~Tract: 503.04~~
235 ~~Tract: 503.06~~
236 ~~Tract: 503.07~~
237 ~~Tract: 503.08~~
238 ~~Tract: 503.09~~
239 ~~Tract: 503.10~~
240 ~~Tract: 503.11~~
241 ~~Tract: 503.12~~
242 ~~Tract: 503.13~~
243 ~~Tract: 503.14~~
244 ~~Tract: 503.15~~
245 ~~Tract: 503.16~~
246 ~~Tract: 504.03~~

247 ~~Tract: 504.10~~
 248 ~~Tract: 504.11~~
 249 ~~Tract: 504.17~~
 250 ~~Tract: 504.18~~
 251 ~~Tract: 504.19~~
 252 ~~Tract: 504.20~~
 253 ~~Tract: 504.21~~
 254 ~~Tract: 504.22~~
 255 ~~Tract: 504.23~~
 256 ~~Tract: 504.24~~
 257 ~~Tract: 504.25~~
 258 ~~Tract: 504.26~~
 259 ~~Tract: 504.27~~
 260 ~~Tract: 504.28~~
 261 ~~Tract: 505.07~~
 262 ~~Tract: 505.09~~
 263 ~~BG: 2~~
 264 ~~2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018~~
 265 ~~2019 2020 2021 2022 2023 2024 2025 2026~~
 266 ~~Tract: 505.10~~
 267 ~~Tract: 505.11~~
 268 ~~Tract: 505.12~~
 269 ~~Tract: 505.13~~
 270 ~~Tract: 505.14~~
 271 ~~BG: 1~~
 272 ~~1016 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032~~
 273 ~~1033 1034 1035 1036 1037 1038~~
 274 ~~BG: 2~~
 275 ~~2010 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026~~
 276 ~~2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038~~
 277 ~~2039 2040 2041 2044 2045 2046 2047 2048 2049 2050 2051 2052~~
 278 ~~2053 2054 2055 2056 2059 2060 2061~~
 279 ~~Tract: 505.15~~
 280 ~~Tract: 505.16~~
 281 ~~BG: 2~~
 282 ~~2003 2004 2005 2006 2007 2014 2015 2016 2017 2018 2019 2020~~
 283 ~~2021 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041~~

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

- 321 ~~Pickens County~~
- 322 ~~Rabun County~~
- 323 ~~Stephens County~~
- 324 ~~Towns County~~
- 325 ~~Union County~~
- 326 ~~Walker County~~
- 327 ~~White County~~
- 328 ~~Whitfield County~~

- 329 ~~District 005~~
- 330 ~~Carroll County~~
- 331 ~~Cobb County~~
- 332 ~~Coweta County~~
- 333 ~~Douglas County~~
- 334 ~~Fayette County~~
- 335 ~~Haralson County~~
- 336 ~~Harris County~~
- 337 ~~Heard County~~
- 338 ~~Henry County~~
- 339 ~~Lamar County~~
- 340 ~~Meriwether County~~
- 341 ~~Muscogee County~~
- 342 ~~Paulding County~~
- 343 ~~Pike County~~
- 344 ~~Polk County~~
- 345 ~~Spalding County~~
- 346 ~~Talbot County~~
- 347 ~~Troup County~~
- 348 ~~Upson County~~

- 349 District 001
- 350 Appling County
- 351 Atkinson County
- 352 Bacon County
- 353 Baker County
- 354 Ben Hill County
- 355 Berrien County

- 356 Brantley County
- 357 Brooks County
- 358 Bryan County
- 359 Bulloch County
- 360 Calhoun County
- 361 Camden County
- 362 Candler County
- 363 Charlton County
- 364 Chatham County
- 365 Chattahoochee County
- 366 Clay County
- 367 Clinch County
- 368 Coffee County
- 369 Colquitt County
- 370 Cook County
- 371 Crisp County
- 372 Decatur County
- 373 Dodge County
- 374 Dooly County
- 375 Dougherty County
- 376 Early County
- 377 Echols County
- 378 Effingham County
- 379 Evans County
- 380 Glynn County
- 381 Grady County
- 382 Irwin County
- 383 Jeff Davis County
- 384 Lanier County
- 385 Lee County
- 386 Liberty County
- 387 Long County
- 388 Lowndes County
- 389 Macon County
- 390 Marion County
- 391 McIntosh County
- 392 Miller County

- 393 Mitchell County
- 394 Montgomery County
- 395 Muscogee County
- 396 Pierce County
- 397 Pulaski County
- 398 Quitman County
- 399 Randolph County
- 400 Schley County
- 401 Seminole County
- 402 Stewart County
- 403 Sumter County
- 404 Tattnall County
- 405 Telfair County
- 406 Terrell County
- 407 Thomas County
- 408 Tift County
- 409 Toombs County
- 410 Turner County
- 411 Ware County
- 412 Wayne County
- 413 Webster County
- 414 Wheeler County
- 415 Wilcox County
- 416 Worth County

- 417 District 002
- 418 Baldwin County
- 419 Barrow County
- 420 Bibb County
- 421 Bleckley County
- 422 Burke County
- 423 Clarke County
- 424 Emanuel County
- 425 Glascock County
- 426 Greene County
- 427 Gwinnett County
- 428 Hancock County

- 429 Houston County
- 430 Jackson County
- 431 Jasper County
- 432 Jefferson County
- 433 Jenkins County
- 434 Johnson County
- 435 Jones County
- 436 Laurens County
- 437 Morgan County
- 438 Newton County
- 439 Oconee County
- 440 Putnam County
- 441 Screven County
- 442 Treutlen County
- 443 Twiggs County
- 444 Walton County
- 445 Washington County
- 446 Wilkinson County

- 447 District 003
- 448 Clayton County
- 449 DeKalb County
- 450 Fulton County
- 451 Rockdale County

- 452 District 004
- 453 Banks County
- 454 Bartow County
- 455 Catoosa County
- 456 Chattooga County
- 457 Cherokee County
- 458 Columbia County
- 459 Dade County
- 460 Dawson County
- 461 Elbert County
- 462 Fannin County
- 463 Floyd County

- 464 Forsyth County
- 465 Franklin County
- 466 Gilmer County
- 467 Gordon County
- 468 Habersham County
- 469 Hall County
- 470 Hart County
- 471 Lincoln County
- 472 Lumpkin County
- 473 Madison County
- 474 McDuffie County
- 475 Murray County
- 476 Oglethorpe County
- 477 Pickens County
- 478 Rabun County
- 479 Richmond County
- 480 Stephens County
- 481 Taliaferro County
- 482 Towns County
- 483 Union County
- 484 Walker County
- 485 Warren County
- 486 White County
- 487 Whitfield County
- 488 Wilkes County

- 489 District 005
- 490 Butts County
- 491 Carroll County
- 492 Cobb County
- 493 Coweta County
- 494 Crawford County
- 495 Douglas County
- 496 Fayette County
- 497 Haralson County
- 498 Harris County
- 499 Heard County

500 Henry County
 501 Lamar County
 502 Meriwether County
 503 Monroe County
 504 Paulding County
 505 Peach County
 506 Pike County
 507 Polk County
 508 Spalding County
 509 Talbot County
 510 Taylor County
 511 Troup County
 512 Upson County

513 (d) The first members of the commission elected under this Code section shall be elected
 514 thereto on the Tuesday next following the first Monday in November, ~~2000~~ 2012, from
 515 Public Service Commission Districts 3 and 5, shall take office on the first day of January
 516 immediately following that election, and shall serve for terms of office of six years and
 517 until the election and qualification of their respective successors. Those members of the
 518 commission elected thereto on the Tuesday next following the first Monday in November,
 519 ~~2002~~ 2014, from Public Service Commission Districts 1 and 4 shall take office on the first
 520 day of January immediately following that election and shall serve for terms of office of
 521 six years and until the election and qualification of their respective successors. The
 522 member of the commission elected thereto on the Tuesday next following the first Monday
 523 in November, ~~2004~~ 2016, from Public Service Commission District 2 shall take office on
 524 the first day of January immediately following that election and shall serve for a term of
 525 office of six years and until the election and qualification of his or her respective successor.
 526 All future successors to members of the commission whose terms of office are to expire
 527 shall be elected at the state-wide general election immediately preceding the expiration of
 528 such terms, shall take office on the first day of January immediately following that election,
 529 and shall serve for terms of office of six years.

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

531 ~~(1) The terms "Tract" and "BG" (Block Group) shall mean and describe the same~~
 532 ~~geographical boundaries as provided in the report of the Bureau of the Census for the~~
 533 ~~United States decennial census of 2000 for the State of Georgia. The separate numeric~~
 534 ~~designations in a Tract description which are underneath a "BG" heading shall mean and~~
 535 ~~describe individual Blocks within a Block Group as provided in the report of the Bureau~~
 536 ~~of the Census for the United States decennial census of 2000 for the State of Georgia.~~

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

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

545 ~~(4) Any part of the State of Georgia which is described in subsection (c) of this Code~~
546 ~~section as being included in a particular Public Service Commission District shall~~
547 ~~nevertheless not be included within such Public Service Commission District if such part~~
548 ~~is not contiguous to such Public Service Commission District. Such noncontiguous part~~
549 ~~shall instead be included within that Public Service Commission District contiguous to~~
550 ~~such part which contains the least population according to the United States decennial~~
551 ~~census of 2000 for the State of Georgia."~~

552 **SECTION 2.**

553 This Act shall become effective upon its approval by the Governor or upon its becoming law
554 without such approval.

555 **SECTION 3.**

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