

Senate Bill 518

By: Senators Jones of the 10th, Butler of the 55th, Henson of the 41st, Carter of the 42nd, Millar of the 40th and others

A BILL TO BE ENTITLED
AN ACT

To amend an Act establishing the form of government of DeKalb County and fixing the powers and duties of the officers constituting the governing authority of DeKalb County, approved April 9, 1981 (Ga. L. 1981, p. 4304), as amended, so as to change the description of commissioner districts; to provide for definitions and inclusions; to provide for election and terms of office of subsequent members; to revise provisions relating to amending the Act; to provide for related matters; to provide for submission of this Act for preclearance under the federal Voting Rights Act of 1965, as amended; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act establishing the form of government of DeKalb County and fixing the powers and duties of the officers constituting the governing authority of DeKalb County, approved April 9, 1981 (Ga. L. 1981, p. 4304), as amended, is amended by revising subsections (b), (c), and (d) of Section 2 as follows:

“(b) For purposes of electing members of the board of commissioners, DeKalb County is divided into seven commissioner districts. One member of the board shall be elected from each such district.

(c)(1) Commissioner Districts 1, 2, 3, 4, and 5 shall be and correspond to those five numbered districts described in and attached to and made a part of this Act and further identified as 'Plan: dekalbcc-import1-02092012 Plan Type: local Administrator: dekalb cc User: bak'.

(2) When used in such attachment, the term 'VTD' (voting tabulation district) 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.

(3) 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. Any part of DeKalb County which is not included in any such district described in that 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.

(4) Any part of DeKalb County which is described in that 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.

(5) 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.

(6) Paragraphs (2) through (5) of this subsection shall only be applicable with respect to Commissioner Districts 1, 2, 3, 4, and 5.

(d)(1) Commissioner Districts 6 and 7 shall be and correspond to those two numbered districts described in and attached to and made a part of this Act and further identified as 'Plan Name: deksuperdist4 Plan Type: LOCAL User: Gina Administrator: CNTY-DEKALB'.

(2) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) 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 2000 for the State of Georgia. The separate numeric designations in a Tract description which are underneath a BG heading shall mean and describe individual Blocks within a Block Group as provided in the report of the Bureau of the Census for the United States decennial census of 2000 for the State of Georgia. Any part of DeKalb County which is not included in any such district described in that attachment shall be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2000 for the State of Georgia. Any part of DeKalb County which is described in that 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 2000 for the State of Georgia. 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

64 decennial census of 2000 for the State of Georgia. This paragraph shall only be
65 applicable with respect to Commissioner Districts 6 and 7."

66 **SECTION 2.**

67 Said Act is further amended by revising Section 3 as follows:

68 "SECTION 3.

69 (a) Commissioner Districts 1, 2, 3, 4, and 5, as they exist on January 1, 2012, shall
70 continue to be designated as Commissioner Districts 1, 2, 3, 4, and 5, respectively, but as
71 newly described under this Act, and such members of the board serving from those former
72 commissioner districts shall be deemed to be serving from and representing their respective
73 districts as newly described under this Act. Commissioner Districts 6 and 7 as they exist
74 on January 1, 2012, shall continue to be designated as Commissioner Districts 6 and 7 as
75 described under this Act and in effect on January 1, 2012.

76 (b) Those members of the Board of Commissioners of DeKalb County who are serving as
77 such on January 1, 2012, and any person selected to fill a vacancy in any such office shall
78 continue to serve as such members until the regular expiration of their respective terms of
79 office and until the election and qualification of their respective successors. The successor
80 to each such member shall be elected as provided in this section.

81 (c) The first members for new Commissioner Districts 1, 4, and 5 and the member from
82 Commissioner District 6 shall be elected at the general election on the Tuesday next
83 following the first Monday in November, 2012. Those members of the board elected
84 thereto from new Commissioner Districts 1, 4, and 5 and from Commissioner District 6 in
85 2012 shall take office the first day of January immediately following that election and shall
86 serve for initial terms of office which expire December 31, 2016, and upon the election and
87 qualification of their respective successors.

88 (d) The first members for new Commissioner Districts 2 and 3 and the member from
89 Commissioner District 7 shall be elected at the general election on the Tuesday next
90 following the first Monday in November, 2014. Those members of the board elected
91 thereto from new Commissioner Districts 2 and 3 and from Commissioner District 7 in
92 2014 shall take office the first day of January immediately following that election and shall
93 serve for initial terms of office which expire December 31, 2018, and upon the election and
94 qualification of their respective successors.

95 (e) Those and all future successors to members of the board whose terms of office are to
96 expire shall be elected at the time of the state-wide general election immediately preceding
97 the expiration of such terms, shall take office the first day of January immediately
98 following that election, and shall serve for terms of office of four years each. Members of

99 the board shall serve for the terms of office specified therefor in this subsection and until
100 their respective successors are elected and qualified."

101 **SECTION 3.**

102 Said Act is further amended by revising Section 23 as follows:

103 "SECTION 23.

104 Pursuant to the authority of an amendment to the Constitution ratified at the 1978 general
105 election as set forth in Georgia Laws 1978, pages 2370-2372, which amendment authorized
106 the General Assembly to provide by law for the form of government of DeKalb County and
107 to provide for the various officers, bodies, branches, or agencies by or through which the
108 county's governmental powers shall be exercised, any law adopted pursuant to such authority
109 shall be conditioned on the approval of a majority of the qualified electors of DeKalb County
110 voting at elections held for such purpose when any such law affects the DeKalb County
111 government in any one or more of the following ways:

- 112 (1) Changing the number of members, terms of office, or the manner of electing the
113 members of the governing body of DeKalb County;
- 114 (2) Changing the term of office or the method of electing the chief executive officer of
115 DeKalb County;
- 116 (3) Establishing the powers and duties of the executive or legislative branch of the
117 DeKalb County government; or
- 118 (4) Changing the powers and duties of the executive or legislative branch of the DeKalb
119 County government when such powers and duties have been established by Acts of the
120 General Assembly, pursuant to the authority of the amendment to the Constitution ratified
121 at the 1978 general election as set forth in Georgia Laws 1978, pages 2370-2372."

122 **SECTION 4.**

123 It is the purpose of this Act to reapportion Commissioner Districts 1, 2, 3, 4, and 5 from
124 which members of the Board of Commissioners of DeKalb County are to be elected in the
125 November, 2012, general election, as applicable, and in subsequent general elections, and
126 this Act results from changes in population based on the United States decennial census of
127 2010. It is not the intention of the General Assembly to affect the membership of current
128 members of the board, their terms of office, or the manner in which their successors shall be
129 elected, and such matters shall remain as provided by law on the effective date of this Act
130 until otherwise amended by law, except to the extent of reapportioning the districts
131 represented by such members.

SECTION 5.

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

SECTION 6.

This section and Section 3 of this Act and those provisions of this Act necessary for the election of members of the Board of Commissioners of DeKalb County in 2012 shall become effective upon the approval of this Act by the Governor or upon its becoming law without such approval. The remaining provisions of this Act shall become effective January 1, 2013.

SECTION 7.

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

145 Plan: dekalbcc-import1-02092012

146 Plan Type: local

147 Administrator: dekalb cc

148 User: bak

149 District 001

150 DeKalb County

151 VTD: 089AD - AUSTIN

152 VTD: 089AG - ASHFORD DUNWOOD

153 VTD: 089AH - ASHFORD PARKSIDE

154 VTD: 089BD - BRIARLAKE ELEMENTARY

155 VTD: 089BF - BROCKETT ELEMENTARY

156 VTD: 089BH - BROCKETT

157 021805:

158 1000 1001 1002 1003 1004 1005 1006 1007 1008 1011 1012

159 021806:

160 1005

161 021809:

162 2038 2039 2040

163 VTD: 089CE - CHAMBLEE (CHA)

164 VTD: 089CH - CHESNUT ELEMENTARY

165 VTD: 089DA - DORAVILLE NORTH

166 VTD: 089DB - DORAVILLE SOUTH

167 VTD: 089DF - DUNWOODY

168 VTD: 089DG - DUNWOODY HIGH SCHOOL

169 VTD: 089DI - DUNWOODY LIBRARY

170 VTD: 089EC - EMBRY HILLS

171 VTD: 089EF - EVANSDALE ELEM

172 VTD: 089GD - GEORGETOWN SQ

173 VTD: 089HC - HENDERSON MILL

174 VTD: 089HF - HUNTLEY HILLS ELEM

175 VTD: 089HG - HUGH HOWELL

176 VTD: 089KB - KINGSLEY ELEM

177 VTD: 089LV - LAWRENCEVILLE HIGH SCHOOL

178 VTD: 089MH - MIDVALE ELEM

179 VTD: 089MQ - MOUNT VERNON EAST

- 180 VTD: 089MS - MOUNT VERNON WEST
- 181 VTD: 089MU - MONTGOMERY ELEM
- 182 VTD: 089MW - MIDVALE ROAD
- 183 VTD: 089NA - NANCY CREEK ELEM
- 184 VTD: 089NF - NORTH PEACHTREE
- 185 VTD: 089OB - OAKCLIFF ELEM
- 186 VTD: 089PB - PEACHTREE MIDDLE SCHOOL
- 187 VTD: 089PF - PLEASANTDALE ELEM
- 188 VTD: 089PK - PLEASANTDALE ROAD
- 189 VTD: 089SH - SMOKE RISE
- 190 VTD: 089TF - TUCKER
- 191 VTD: 089TG - TILLY MILL ROAD
- 192 VTD: 089TH - TUCKER LIBRARY
- 193 VTD: 089WI - WARREN TECH
- 194 VTD: 089WL - WINTERS CHAPEL

- 195 District 002
- 196 DeKalb County
- 197 VTD: 089AB - ASHFORD PARK ELEMENTARY
- 198 VTD: 089BC - BRIAR VISTA ELEMENTARY
- 199 VTD: 089BE - BRIARWOOD
- 200 VTD: 089BG - BRIARCLIFF
- 201 VTD: 089BI - BROOKHAVEN
- 202 VTD: 089CI - CLAIREMONT WEST
- 203 VTD: 089CJ - CLAIRMONT HILLS
- 204 VTD: 089CO - CROSS KEYS HIGH
- 205 VTD: 089CV - CLAIREMONT EAST
- 206 VTD: 089CW - CORALWOOD
- 207 VTD: 089DC - DRESDEN ELEM
- 208 VTD: 089DH - DRUID HILLS HIGH SCHOOL
- 209 VTD: 089EE - EPWORTH (ATL)
- 210 VTD: 089EG - EMORY SOUTH
- 211 VTD: 089ER - EMORY ROAD
- 212 VTD: 089FB - FERNBANK ELEM
- 213 VTD: 089GA - GLENNWOOD (DEC)
- 214 VTD: 089HB - HAWTHORNE ELEM

215 VTD: 089HD - HERITAGE ED
216 VTD: 089JA - JOHNSON ESTATES
217 VTD: 089LA - LAKESIDE HIGH
218 VTD: 089LB - LAVISTA ROAD
219 VTD: 089LC - LAVISTA
220 VTD: 089LE - MARY LIN ELEM
221 VTD: 089MG - MEDLOCK ELEM
222 VTD: 089MJ - MONTCLAIR ELEM
223 VTD: 089MP - MARGARET HARRIS
224 VTD: 089ND - NORTHLAKE
225 VTD: 089OA - OAK GROVE ELEM
226 VTD: 089OK - OAKHURST (DEC)
227 VTD: 089PG - PONCE DE LEON
228 VTD: 089RD - REHOBOTH
229 VTD: 089RN - RENFROE MIDDLE
230 VTD: 089SA - SAGAMORE HILLS
231 VTD: 089SB - SCOTT
232 VTD: 089SE - SILVER LAKE
233 VTD: 089SF - SKYLAND
234 VTD: 089WF - WINNONA PARK ELEM
235 VTD: 089WJ - WOODWARD ELEM

236 District 003
237 DeKalb County
238 VTD: 089AF - HOOPER ALEXANDER
239 VTD: 089BB - BOULEVARD (ATL)
240 VTD: 089BL - BOULDERCREST RD
241 VTD: 089BR - BURGESS ELEMENTARY
242 VTD: 089CA - COLUMBIA DRIVE
243 VTD: 089CB - CANBY LANE ELEMENTARY
244 VTD: 089CC - COLUMBIA ELEMENTARY
245 VTD: 089CD - CEDAR GROVE ELEMENTARY
246 VTD: 089CG - CHAPEL HILL ELEMENTARY
247 023425:
248 1000 1001 1002 1003 1004 1005 1006 1010 1013 1017 1018 1019
249 1020 1021 1022 1023 1026 1031

250 VTD: 089CL - CLIFTON ELEMENTARY
251 VTD: 089CM - COLUMBIA MIDDLE
252 VTD: 089CN - COAN MIDDLE
253 VTD: 089CQ - CANDLER
254 VTD: 089CR - CEDAR GROVE MIDDLE
255 VTD: 089CS - CEDAR GROVE SOUTH
256 VTD: 089EA - EAST LAKE ELEM
257 VTD: 089EB - EASTLAND
258 VTD: 089FC - FLAT SHOALS ELEM
259 VTD: 089FE - FLAT SHOALS PARKWAY
260 VTD: 089FJ - FLAT SHOALS
261 VTD: 089FK - FLAKES MILL FIRE
262 VTD: 089FL - FLAT SHOALS LIBRARY
263 VTD: 089GC - GRESHAM PARK ELEM
264 VTD: 089HH - NARVIE J HARRIS
265 VTD: 089KA - KELLEY LAKE ELEM
266 VTD: 089KC - KELLEY CHAPEL
267 VTD: 089KE - KNOLLWOOD ELEM
268 VTD: 089ML - MEADOWVIEW ELEM
269 VTD: 089MO - MIDWAY ELEM
270 VTD: 089MP - MCNAIR MIDDLE
271 VTD: 089MR - BOB MATHIS ELEM
272 VTD: 089MT - METROPOLITAN
273 VTD: 089OV - OAK VIEW ELEM
274 VTD: 089PA - PEACHCREST ELEM
275 VTD: 089PN - PINEY GROVE
276 VTD: 089RA - RAINBOW ELEM
277 VTD: 089SG - SNAPFINGER ELEM
278 VTD: 089SR - SNAPFINGER ROAD
279 VTD: 089TA - TERRY MILL ELEM
280 VTD: 089TB - TILSON ELEM
281 VTD: 089TC - TONEY ELEM
282 VTD: 089WA - WADSWORTH ELEM
283 VTD: 089WB - WESLEY CHAPEL SOUTH
284 VTD: 089WE - WHITEFOORD ELEMENTARY

285 District 004
286 DeKalb County
287 VTD: 089AA - ALLGOOD ELEMENTARY
288 VTD: 089AE - AVONDALE (AVO)
289 VTD: 089AM - AVONDALE MIDDLE
290 VTD: 089BH - BROCKETT
291 021805:
292 1015 1018 1019 1020 1021 1022 1023 1024 1025 1026 2000 2001
293 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013
294 2014 2015 2016 2017 2018 2019 2020 2021 2022 3019
295 021810:
296 3023 3030 3031 3034 3035
297 022009:
298 3007 3008
299 VTD: 089CK - CLARKSTON (CLA)
300 VTD: 089CT - COVINGTON HWY L
301 VTD: 089DE - DUNAIRE ELEM
302 VTD: 089FD - FORREST HILLS ELEM
303 VTD: 089FM - FREEDOM MIDDLE
304 VTD: 089HA - HAMBRICK ELEM
305 VTD: 089IA - IDLEWOOD ELEM
306 VTD: 089IB - INDIAN CREEK ELEM
307 VTD: 089JB - JOLLY ELEM
308 VTD: 089MA - ELDRIDGE L MILL
309 VTD: 089ME - MCLENDON ELEM
310 VTD: 089MK - MONTREAL
311 VTD: 089MM - MEMORIAL NORTH
312 VTD: 089MN - MEMORIAL SOUTH
313 VTD: 089NB - NORTH DECATUR
314 VTD: 089NC - NORTH HAIRSTON
315 VTD: 089PE - PINE LAKE (PIN)
316 VTD: 089RE - ROCKBRIDGE ELEM
317 VTD: 089RI - ROCKBRIDGE ROAD
318 VTD: 089RJ - ROWLAND ROAD
319 VTD: 089SC - SCOTTTDALE
320 VTD: 089SD - STN MTN ELEMENTARY
321 VTD: 089SI - STN MTN MIDDLE

322 VTD: 089SJ - STONE MILL ELEM
323 VTD: 089SK - SHADOW ROCK ELEM
324 VTD: 089SN - SHAMROCK MIDDLE
325 VTD: 089SO - SOUTH DESHON
326 VTD: 089SP - STN MTN CHAMPION
327 VTD: 089SQ - STONE MTN LIBRARY
328 VTD: 089ST - STEPHENSON MIDDLE
329 VTD: 089SU - SOUTH HAIRSTON
330 VTD: 089SV - STEPHENSON HIGH
331 VTD: 089VB - VALLEY BROOK
332 VTD: 089WN - WYNBROOKE ELEM

333 District 005
334 VTD: 089AC - ATHERTON ELEMENTARY
335 VTD: 089BJ - BROWN'S MILL ELEMENTARY
336 VTD: 089BM - BETHUNE MIDDLE
337 VTD: 089CF - MURPHEY CANDLER
338 VTD: 089CG - CHAPEL HILL ELEMENTARY
339 023426:
340 1000 1004 1026 1027 2000 2001 2002 2003 2004 2005 2006 2007
341 2008 2009 2010 2011 2012 2013 2014 2016 2017 2018 2019 2020
342 2021 2022 2023 2024 2025 2026 2027 2028 2029
343 VTD: 089CP - CROSSROADS
344 VTD: 089FA - FAIRINGTON ELEM
345 VTD: 089FG - FLAT ROCK ELEM
346 VTD: 089GB - GLENHAVEN
347 VTD: 089GE - GLENHAVEN ELEM
348 VTD: 089KD - ML KING JR HIGH
349 VTD: 089LD - LITHONIA (LIT)
350 VTD: 089LH - LITHONIA HIGH SCHOOL
351 VTD: 089MC - MARBUT ELEM
352 VTD: 089MF - MCWILLIAMS
353 VTD: 089MI - MILLER GROVE MIDDLE SCHOOL
354 VTD: 089MV - MILLER GROVE ROAD
355 VTD: 089MZ - MILLER GROVE HIGH
356 VTD: 089PC - PRINCETON ELEM

- 357 VTD: 089PH - PANOLA
- 358 VTD: 089PI - PANOLA WAY ELEM
- 359 VTD: 089PR - PANOLA ROAD
- 360 VTD: 089RC - REDAN ELEM
- 361 VTD: 089RF - ROCK CHAPEL ELEM
- 362 VTD: 089RG - ROWLAND ELEM
- 363 VTD: 089RH - REDAN-TROTTI
- 364 VTD: 089RK - REDAN ROAD
- 365 VTD: 089RL - ROCK CHAPEL ROAD
- 366 VTD: 089RM - REDAN MIDDLE
- 367 VTD: 089SL - STONEVIEW ELEM
- 368 VTD: 089SM - SALEM MIDDLE
- 369 VTD: 089SS - SNAPFINGER ROAD
- 370 VTD: 089WD - WOODROW ROAD
- 371 VTD: 089WG - WOODRIDGE ELEM
- 372 VTD: 089WK - WHITE OAK
- 373 VTD: 089YA - YOUNG ROAD