

House Bill 1145 (AS PASSED HOUSE AND SENATE)

By: Representatives Knight of the 126th, Maddox of the 127th, Dickey of the 136th, and Holmes of the 125th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the Board of Commissioners of Lamar County, approved March
2 8, 1943 (Ga. L. 1943, p. 1066), as amended, particularly by an Act approved July 26, 2001
3 (Ga. L. 2001, Ex. Sess., p. 770), so as to reconstitute the board of commissioners; to change
4 the description of the commissioner districts; to provide for definitions and inclusions; to
5 provide for continuation in office of current members; to provide for election and terms of
6 office of subsequent members; to provide for related matters; to provide for submission of
7 this Act for preclearance under the federal Voting Rights Act of 1965, as amended; to
8 provide for related matters; to provide for effective dates; to repeal conflicting laws; and for
9 other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 An Act creating the Board of Commissioners of Lamar County, approved March 8, 1943
13 (Ga. L. 1943, p. 1066), as amended, particularly by an Act approved July 26, 2001 (Ga. L.
14 2001, Ex. Sess., p. 770), is amended by revising Sections 1 through 3A as follows:

15 "SECTION 1.

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

22 **SECTION 2.**

23 (a) Those members of the Board of Commissioners of Lamar County who are serving as
24 such on December 31, 2012, 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 until the election and qualification of their respective successors. On and after January 1, 2013, the Board of Commissioners of Lamar County shall consist of five members all of whom shall be elected from commissioner districts described in subsection (b) of this section except for the member who is chairperson and who is elected at large as provided in Section 3.

(b) For purposes of electing members of the board of commissioners, other than the chairperson, Lamar 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: lamarccsb-2012 Plan Type: Local Administrator: Lamar User: Gina'.

(c)(1) 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.

(2) 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 Lamar 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.

(3) Any part of Lamar 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.

(4) 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.

SECTION 3.

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

(b) In order to be elected as a member of the board from a commissioner district, a person must receive the number of votes cast as required by general law for that office in that district only. Only electors who are residents of that commissioner district may vote for a member of the board for that district. At the time of qualifying for election as a member of the board from a commissioner district, each candidate for such office shall specify the commissioner district for which that person is a candidate. A person elected or appointed as a member of the board from a commissioner district must continue to reside in that district during that person's term of office or that office shall become vacant.

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

(d) Before entering upon the discharge of such commissioner's duties, each commissioner shall take and subscribe to the following oath, to wit: 'I do solemnly swear that I will support the Constitution of the United States and of the State of Georgia, and that I will well, truly, and faithfully discharge the duties of commissioner of Lamar County, during my continuance in office according to law and to the best of my knowledge and ability, without fear or affection of any person, firm, or corporation; so help me God.' Each of said commissioners shall give a bond in the sum of \$1,000.00 each, except the chairperson of said board, who shall give a bond in the sum of \$10,000.00, in a good and solvent fidelity and guaranty company, payable to the judge of the probate court of said county and his or her successors in office, conditioned upon the faithful discharge of the duties of his or her office, which shall be duly filed and recorded in the office of the judge of the probate court of said county, as the bond of other county officers. The premium on said bonds shall be paid as provided by Code Section 45-4-7 of the O.C.G.A. Said commissioners shall each be commissioned by the Governor, and all future commissioners shall be commissioned likewise.

(e) The board shall elect one of its members as vice chairperson who, in the absence or disqualification of the chairperson or during a vacancy in the office of chairperson, shall perform and discharge all of the duties and functions of the chairperson.

(f) A quorum for the conduct of business shall be three members. The chairperson shall be a member for purposes of achieving a quorum.

SECTION 3A.

(a) The first members of the reconstituted Board of Commissioners of Lamar County shall be elected at the general election on the Tuesday next following the first Monday in November, 2012. Those members of the board elected thereto from Commissioner

Districts 3 and 4 in 2012 shall take office the first day of January immediately following that election and shall serve for initial terms of office which expire December 31, 2016, and until the election and qualification of their respective successors. The chairperson and those members of the board elected thereto from Commissioner Districts 1 and 2 in 2014 shall take office the first day of January immediately following that election and shall serve for initial terms of office which expire December 31, 2018, and until the election and qualification of their respective successors. Those and all future successors to members of the board whose terms of office are to expire shall be elected at the time of the state-wide general election immediately preceding the expiration of such terms, shall take office the first day of January immediately following that election, and shall serve for terms of office of four years each. Members of the board shall serve for the terms of office specified therefor in this subsection and until their respective successors are elected and qualified.

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

(c) Commissioner Districts 1 through 4, as they exist on December 31, 2012, shall continue to be designated as Commissioner Districts 1 through 4, respectively, but as newly described under this Act, and on and after January 1, 2013, such members of the board serving from those former commissioner districts shall be deemed to be serving from and representing their respective districts as newly described under this section."

SECTION 2.

The Board of Commissioners of Lamar 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 3.

This section and Section 2 of this Act and those provisions of this Act necessary for the election of members of the Board of Commissioners of Lamar 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 4.

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

Plan: lamarccsb-2012
Plan Type: Local
Administrator: Lamar
User: Gina

District 001
Lamar County
VTD: 1711711 - BARNESVILLE FBC
VTD: 1711712B - SENIOR CITIZEN
970200:
1026 1027 1028 1029 1031 1033 1035 1036 1037 1040 1057 1058
1075 1076 1082 1083 1087 5006

District 002
Lamar County
VTD: 1711712A - CHAPPELL MILL
VTD: 1711712B - SENIOR CITIZEN
970200:
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024
1025 1038 1039 1041 1042 1043 1044 1045 1046 1047 1048 1051
1052 1053 1054 1056 1066 1074 1077 1078 1079 1080 1081 1084
1085 1086 3006 3007 3008 3009 5002 5004 5005 5008 5009 5010
5011 5012
VTD: 1711712C - REDBONE
VTD: 1711714 - MILNER
970100:
1018 1019 1020 1104 1108 1109 1110 1112 1113 1114 2000 2001
2021
970200:
1012 1030 5000 5001

District 003
Lamar County
VTD: 1711713 - L C S C

District 004
Lamar County
VTD: 1711714 - MILNER
970100:
1077 1078 1085 1086 1087 1088 1089 1090 1091 1092 1099 1100
1101 1102 1103 2002 2003 2004 2005 2006 2007 2008 2009 2010
2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2022 2023
2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035
2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047
2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059
2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071
2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083
2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095
2096 2097 2098 2099 2100 2104 2105 2106 2111 3000 3001 3002
3003 3004 3005 3006 3007 3008 3009 3010 3011 3012 3013 3014
3015 3016 3017 3018 3019 3020 3021 3022 3023 3024 3025 3026
3027 3028 3029 3030 3031 3032 3033 3034 3035 3036 3037 3038
3039 3040 3041 3042 3043 3044 3045 3046 3047 3048 3049 3050
3051 3052 3053 3054 3055 3056 3057 3058 3059 3060 3061 3062
3063 3064 3065 3066 3067 3068 3069 3070 3071 3072 3073 3074
3075 3076 3077 3078 3079 3080 3081 3082 3083 3084 3085 3086
3087 3088 3089 3090 3091 3092 3093 3094 3095 3096 3097 3098
3099 3100 3101 3102 3103 3104 3105 3106 3107 3108 3109 3110
3111 3112 3113 3114 3115 3116 3117 3118 3119
970300:
1005 1013 1014 1015 1016 1017 1018 2000 2001 2002 2003 2004
2005 4000 4001 4002 4003 4004 4005 4006 4007 4008 4013 4016