

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

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

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

9 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

10 **SECTION 1.**

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

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

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

22 (2) When used in such attachment, the term 'VTD' (voting tabulation district) shall mean
23 and describe the same geographical boundaries as provided in the report of the Bureau
24 of the Census for the United States decennial census of 2010 for the State of Georgia.

25 (3) The separate numeric designations in a district description which are underneath a
26 VTD heading shall mean and describe individual Blocks within a VTD as provided in the

27 report of the Bureau of the Census for the United States decennial census of 2010 for the
28 State of Georgia. Any part of DeKalb County which is not included in any such district
29 described in that attachment shall be included within that district contiguous to such part
30 which contains the least population according to the United States decennial census of
31 2010 for the State of Georgia.

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

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

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

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

47 (2) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean
48 and describe the same geographical boundaries as provided in the report of the Bureau
49 of the Census for the United States decennial census of 2000 for the State of Georgia.
50 The separate numeric designations in a Tract description which are underneath a BG
51 heading shall mean and describe individual Blocks within a Block Group as provided in
52 the report of the Bureau of the Census for the United States decennial census of 2000 for
53 the State of Georgia. Any part of DeKalb County which is not included in any such
54 district described in that attachment shall be included within that district contiguous to
55 such part which contains the least population according to the United States decennial
56 census of 2000 for the State of Georgia. Any part of DeKalb County which is described
57 in that attachment as being in a particular district shall nevertheless not be included
58 within such district if such part is not contiguous to such district. Such noncontiguous
59 part shall instead be included within that district contiguous to such part which contains
60 the least population according to the United States decennial census of 2000 for the State
61 of Georgia. Except as otherwise provided in the description of any commissioner district,
62 whenever the description of such district refers to a named city, it shall mean the
63 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.

132 **SECTION 5.**

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

138 **SECTION 6.**

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

143 **SECTION 7.**

144 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 - SCOTTDALE
 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