

Senate Bill 354

By: Senator Williams of the 19th

AS PASSED

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act creating the Board of Commissioners of Toombs County, approved
 2 February 13, 1959 (Ga. L. 1959, p. 2010), as amended, particularly by an Act approved
 3 March 23, 1977 (Ga. L. 1977, p. 3927), and an Act approved April 28, 2006 (Ga. L. 2006,
 4 p. 3808), so as to reconstitute the board of commissioners; to change the description of the
 5 commissioner districts; to provide for definitions and inclusions; to provide for continuation
 6 in office of current members; to provide for election and terms of office of subsequent
 7 members; to provide for submission of this Act for preclearance under the federal Voting
 8 Rights Act of 1965, as amended; to provide for related matters; to provide an effective date;
 9 to repeal conflicting laws; and for other purposes.

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

11 **SECTION 1.**

12 An Act creating the Board of Commissioners of Toombs County, approved February 13,
 13 1959 (Ga. L. 1959, p. 2010), as amended, particularly by an Act approved March 23, 1977
 14 (Ga. L. 1977, p. 3927), and an Act approved April 28, 2006 (Ga. L. 2006, p. 3808), is
 15 amended by striking Sections 1 through 3(A) and inserting in lieu thereof the following:

16 "SECTION 1.

17 The Board of Commissioners of Toombs County which existed on December 31, 2011, is
 18 continued in existence but on and after the effective date of this Act shall be constituted as
 19 provided in this Act. The Board of Commissioners of Toombs County so continued and
 20 constituted, sometimes referred to in this Act as the 'board,' shall continue to have the
 21 powers, duties, rights, obligations, and liabilities of that board as existed immediately prior
 22 to the effective date of this Act.

SECTION 2.

(a) Those members of the Board of Commissioners of Toombs County who are serving as such on December 31, 2011, 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 upon the election and qualification of their respective successors. On and after the effective date of this Act, the Board of Commissioners of Toombs County shall consist of four members who shall be elected from commissioner districts described in subsection (b) of this section and a chairperson who is elected at large as provided in subsection (c) of Section 3 of this Act.

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

(c) When used in such attachment, the term 'VTD' 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. 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.

(d) Any part of Toombs County which is not included in any such district described in the 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. Any part of Toombs County which is described in the 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.

(e) 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.

56 SECTION 3.

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

60 (b) In order to be elected or appointed as a member of the board from a commissioner
61 district, a person must have that person's legal residence in that district at the time of
62 qualifying for election or at the time of appointment and, if elected, must receive the
63 number of votes cast as required by general law for that office in that district only and not
64 at large. Only electors who are residents of that commissioner district may vote for a
65 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 (c) The chairperson of the board may reside anywhere within Toombs County and, if
71 elected, must receive the number of votes cast for that office as required by general law in
72 the entire county. The chairperson must continue to reside within the county during that
73 person's term of office or that office shall become vacant.

74 SECTION 3A.

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

92 shall serve for the terms of office specified therefor in this subsection and until their
93 respective successors are elected and qualified.

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

96 (c) Commissioner Districts 1, 2, 3, and 4, as they existed on December 31, 2011, shall
97 continue to be designated as Commissioner Districts 1, 2, 3, and 4, respectively, but as
98 newly described under this Act, and on and after the effective date of this Act, such
99 members of the board serving from those former commissioner districts shall be deemed
100 to be serving from and representing their respective districts as newly described under this
101 Act."

102 **SECTION 2.**

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

108 **SECTION 3.**

109 This Act shall become effective on July 1, 2012.

110 **SECTION 4.**

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

112 Plan: toombsccR-2012
 113 Plan Type: Local
 114 Administrator: Toombs
 115 User: Gina
 116
 117 District 001
 118 Toombs County
 119 VTD: 27915361 - 15361 LYONS
 120 970100:
 121 1077 1078 1079 1080 1081 1082 1083 1084 1085 2018 2019 2020
 122 2023 2026 2027 2028 2029 2030 2031 2034 2035 2036 2037 2038
 123 2039 2040 2041 2045 2046 2047 3002 3003 3004 3005 3006 3007
 124 3008 3009 3010 3011 3012 3013 3014 3015 3016 3017 3018 3019
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 128 970200:
 129 2045 2046 2047 2048 2070 2071 2072 2073 2074 2075 3042 3043
 130 3059 3060 3061 3062 3063 3064 3070
 131 970500:
 132 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 133 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023
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 135 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2018 2019
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 138 VTD: 27915362 - 15362 SANTA CLAUS
 139 970200:
 140 3051 3057 3058
 141 970400:
 142 4000
 143 970500:
 144 2010 2011 2012
 145 VTD: 279511 - 511 OLD HEALTH
 146 970200:
 147 1042 1043 1044 1045 1066 1067 1068 1071 1072 1073 1074 1075
 148 1076 1077 1078 1079 1080 1081 1082 1083 1084 1085 1086 3006

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 158 5071 5072
 159 970300:
 160 2006 2008 2012 2013 2014 2015 2016 2019 2020 2021 2022 2023
 161 2024 2025 2026 2027 2028 2031 2033 2034 2035 2036 2037 2038
 162 2039 2040 2041 2043 2044 2045 2046 2047 3067 3068
 163 VTD: 279512 - 512 S.T.I.
 164 970200:
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 167 970400:
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 169 4072 4078
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 172 VTD: 279514 - 514 S.T.I.A.L.C
 173 970300:
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 177 District 002
 178 Toombs County
 179 VTD: 2791823 - 1823 CENTER
 180 970400:
 181 3021 4054 4056 4059
 182 VTD: 279511 - 511 OLD HEALTH
 183 970300:
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185 VTD: 279512 - 512 S.T.I.
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 195 4040 4041 4042 4043 4044 4045 4046 4048 4049 4050 4060 4075
 196 4077
 197 VTD: 279513 - 513 V.P.D.
 198 VTD: 279514 - 514 S.T.I.A.L.C
 199 970300:
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 207 3064 3065 3069 3070 3071 4013 4014 4015 4019 4020 4021 4025
 208 4026 4038 4039 4047 5022 5023 5024

 209 District 003
 210 Toombs County
 211 VTD: 2791192 - 1192 BLUE RIDGE
 212 VTD: 27915361 - 15361 LYONS
 213 970100:
 214 2017 2021 2022 2024 2025 2032 2033 2042 2043
 215 970200:
 216 1059 2000 2001 2007 2010 2011 2012 2018 2019 2020 2021 2022
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 223 VTD: 27915362 - 15362 SANTA CLAUS
 224 970100:
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 227 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2044 3000
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 229 970200:
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 232 2015 2016 2017
 233 970500:
 234 1032 1033 1034 1035 1036
 235 VTD: 2791715 - 1715 NORMANTOWN
 236 VTD: 2791770 - 1770 OHOOPEE
 237 VTD: 27939 - 39 NEWBRANCH
 238 VTD: 279511 - 511 OLD HEALTH
 239 970200:
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 245 District 004
 246 Toombs County
 247 VTD: 2791403 - 1403 MARVIN
 248 VTD: 2791521 - 1521 HARDEN
 249 VTD: 27915362 - 15362 SANTA CLAUS
 250 970100:
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 254 970500:
 255 2014 2015 2016 2022 2035 2036 2037 2038 2039 2040 2041 2042
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 260 VTD: 2791823 - 1823 CENTER
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 278 970600:
 279 2007 2008 2009 2010 2011 2012
 280 VTD: 27943 - 43 CEDAR CROSSING