

Senate Bill 1EX

By: Senators Seabaugh of the 28th, Cowsert of the 46th, Bethel of the 54th, Williams of the 19th and Rogers of the 21st

A BILL TO BE ENTITLED  
AN ACT

1 To provide for the composition and number of state senatorial districts; to provide for a short  
2 title; to amend Chapter 2 of Title 28 of the Official Code of Georgia Annotated, relating to  
3 apportionment of the House of Representatives and Senate and qualifications of members,  
4 so as to provide for the number and election of Senators; to provide for qualifications; to  
5 provide when the Senators elected shall take office; to provide for the continuation of present  
6 senatorial districts until a certain time; to provide that the provisions of this Act shall  
7 supersede and replace an interim apportionment plan; to provide for other matters relative  
8 to the foregoing; to provide an effective date; to repeal conflicting laws; and for other  
9 purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 This Act shall be known and may be cited as the "Georgia Senate Reapportionment Act of  
13 2011."

14 **SECTION 2.**

15 (a) For the purpose of electing members of the Senate, the State of Georgia is divided into  
16 56 senatorial districts. Such senatorial districts shall be and correspond to those 56 numbered  
17 districts described in and attached to and made a part of this Act.

18 (b) For the purposes of such plan:

19 (1) The term "VTD" shall mean and describe the same geographical boundaries as  
20 provided in the report of the Bureau of the Census for the United States decennial census  
21 of 2010 for the State of Georgia. The separate numeric designations in a district  
22 description which are underneath a "VTD" heading shall mean and describe individual  
23 Blocks within a VTD as provided in the report of the Bureau of the Census for the United  
24 States decennial census of 2010 for the State of Georgia; and

25 (2) Except as otherwise provided in the description of any senatorial district, whenever  
 26 the description of any senatorial district refers to a named city, it shall mean the  
 27 geographical boundaries of that city as shown on the census maps for the United States  
 28 decennial census of 2010 for the State of Georgia.

29 (c) Any part of the State of Georgia which is not included in any senatorial district described  
 30 in subsection (a) of this section shall be included within that district contiguous to such part  
 31 which contains the least population according to the United States decennial census of 2010  
 32 for the State of Georgia.

33 (d) Any part of the State of Georgia which is described in subsection (a) of this section as  
 34 being included in a particular senatorial district shall nevertheless not be included within  
 35 such senatorial district if such part is not contiguous to such senatorial district. Such  
 36 noncontiguous part shall instead be included within that senatorial district contiguous to such  
 37 part which contains the least population according to the United States decennial census of  
 38 2010 for the State of Georgia.

39 (e) The first members of the Senate elected pursuant to this Act shall be those who are  
 40 elected to take office on the convening date of the regular session of the General Assembly  
 41 in 2013. Until that time the members of the Senate elected in 2010 shall continue to serve  
 42 and shall represent the districts from which elected; and until that time the composition of  
 43 the districts from which such members were elected shall remain the same. The provisions  
 44 of this Act shall be effective for the primary and general elections of 2012 for the purpose  
 45 of electing members of the Senate who are to take office in 2013. Successors to those  
 46 members shall likewise be elected under the provisions of this Act.

### 47 SECTION 3.

48 Chapter 2 of Title 28 of the Official Code of Georgia Annotated, relating to apportionment  
 49 of the House of Representatives and Senate and qualifications of members, is amended by  
 50 repealing Code Section 28-2-2, relating to apportionment and qualifications for the Senate,  
 51 and enacting a new Code Section 28-2-2 to read as follows:

52 "28-2-2.

53 (a) There shall be 56 members of the Senate. The General Assembly shall by general law  
 54 divide the state into 56 Senate districts which shall be composed of a portion of a county  
 55 or a county or counties or a combination thereof and shall be represented by one Senator  
 56 elected only by the electors of such district.

57 (b) A member of the Senate shall be a resident of the district which such member  
 58 represents and at the time of such member's election shall have been a resident of the  
 59 territory embraced within such district for at least one year preceding such time."

60 **SECTION 4.**

61 The apportionment of the Senate and the description of Senate Districts 1 through 56  
62 provided for pursuant to this Act shall supersede and replace the apportionment of the Senate  
63 and the description of Senate districts provided for pursuant to the 2004 interim Senate  
64 apportionment plan of the Special Master adopted by the United States District Court for the  
65 Northern District of Georgia in *Larios v. Cox*, 314 F. Sup. 2d 1357 (N.D. Ga. 2004), as well  
66 as the revised statutory description of Senate Districts 46, 47, and 49.

67 **SECTION 5.**

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

70 **SECTION 6.**

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