

Senate Bill 8EX

By: Senator Hooks of the 14th

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act creating the Board of Commissioners of Webster County, approved April
 2 4, 1991 (Ga. L. 1991, p. 3559), as amended, particularly by an Act approved April 8, 2002
 3 (Ga. L. 2002, p. 3833), so as to reconstitute the board of commissioners; to change the
 4 description of the commissioner districts; to provide for definitions and inclusions; to provide
 5 for continuation in office of current members; to provide for method of election; to provide
 6 for submission of this Act for approval under the federal Voting Rights Act of 1965, as
 7 amended; to provide effective dates; to repeal conflicting laws; and for other purposes.

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

9 **SECTION 1.**

10 An Act creating the Board of Commissioners of Webster County, approved April 4, 1991
 11 (Ga. L. 1991, p. 3559), as amended, particularly by an Act approved April 8, 2002 (Ga. L.
 12 2002, p. 3833), is amended by revising Sections 2 and 4 to read as follows:

13 **"SECTION 2.**

14 (a) Those members of the Board of Commissioners of Webster County who are serving
 15 as such immediately prior to the effective date of this Act and any person selected to fill
 16 a vacancy in any such office shall continue to serve as such members until the regular
 17 expiration of their respective terms of office and upon the election and qualification of their
 18 respective successors. On and after January 1, 2013, the Board of Commissioners of
 19 Webster County shall consist of five members, four of whom shall be elected from
 20 commissioner districts described in subsection (b) of this section, and one member who
 21 shall be the chairperson and who shall be elected at large as provided in this Act.

22 (b) For purposes of electing members of the board of commissioners, other than the
 23 chairperson, Webster County is divided into four commissioner districts. One member of
 24 the board shall be elected from each such district. The four commissioner districts shall
 25 be and correspond to those four numbered districts described in and attached to and made

26 a part of this Act and further identified as 'Plan: websterccsb-2011 Plan Type: Local User:
27 bak'.

28 (c)(1) When used in such attachment, the term 'VTD' (voting tabulation district) shall
29 mean and describe the same geographical boundaries as provided in the report of the
30 Bureau of the Census for the United States decennial census of 2010 for the State of
31 Georgia.

32 (2) The separate numeric designations in a district description which are underneath a
33 VTD heading shall mean and describe individual Blocks within a VTD as provided in the
34 report of the Bureau of the Census for the United States decennial census of 2010 for the
35 State of Georgia. Any part of Webster County which is not included in any such district
36 described in that attachment shall be included within that district contiguous to such part
37 which contains the least population according to the United States decennial census of
38 2010 for the State of Georgia.

39 (3) Any part of Webster County which is described in that attachment as being in a
40 particular district shall nevertheless not be included within such district if such part is not
41 contiguous to such district. Such noncontiguous part shall instead be included within that
42 district contiguous to such part which contains the least population according to the
43 United States decennial census of 2010 for the State of Georgia.

44 (4) Except as otherwise provided in the description of any commissioner district,
45 whenever the description of such district refers to a named city, it shall mean the
46 geographical boundaries of that city as shown on the census map for the United States
47 decennial census of 2010 for the State of Georgia."

48 "SECTION 4.

49 (a) The members of the reconstituted Board of Commissioners of Webster County shall
50 be elected as proved in this subsection. The first members from Commissioner Districts
51 1 and 4 shall be elected at the general election on the Tuesday next following the first
52 Monday in November, 2012. The chairperson and those members of the board elected
53 thereto from Commissioner Districts 1 and 4 in 2012 shall take office the first day of
54 January immediately following that election and shall serve for initial terms of office which
55 expire December 31, 2016, and upon the election and qualification of their respective
56 successors. The first members from Commissioner Districts 2 and 3 shall be elected at the
57 general election on the Tuesday next following the first Monday in November, 2014.
58 Those members of the board elected thereto from Commissioner Districts 2 and 3 in 2014
59 shall take office the first day of January immediately following that election and shall serve
60 for initial terms of office which expire December 31, 2018, and upon the election and
61 qualification of their respective successors. Those and all future successors to members

62 of the board whose terms of office are to expire shall be elected at the time of the
 63 state-wide general election immediately preceding the expiration of such terms, shall take
 64 office the first day of January immediately following that election, and shall serve for terms
 65 of office of four years each. Members of the board shall serve for the terms of office
 66 specified therefor in this subsection and until their respective successors are elected and
 67 qualified.

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

70 (c)(1) Any vacancy in office upon the board which occurs for any reason other than
 71 expiration of term shall be filled as follows:

72 (A) If the vacancy occurs during the final 27 months of a term of office, within 30 days
 73 after such occurrence, the remaining members of the board shall appoint a person to fill
 74 such vacancy; or

75 (B) If the vacancy occurs at any time prior to the time specified in subparagraph (A)
 76 of this paragraph, within 30 days after such occurrence, the remaining members of the
 77 board shall appoint a person to fill such vacancy until a successor is elected at a special
 78 election and qualified, which special election shall be held on the same date as the
 79 state-wide general election which is first held following the date of the vacancy.

80 (2) Any person appointed to fill a vacancy in office pursuant to paragraph (1) of this
 81 subsection shall meet the same eligibility requirements specified for persons who are
 82 elected to such office. Any person appointed to fill a vacancy under subparagraph (A)
 83 of paragraph (1) of this subsection or elected to fill a vacancy under subparagraph (B) of
 84 paragraph (1) of this subsection shall serve out the remainder of the unexpired term and
 85 until a successor is elected and qualified."

86 **SECTION 2.**

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

92 **SECTION 4.**

93 This section and Section 3 of this Act and those provisions of this Act necessary for the
 94 election of members of the Board of Commissioners of Webster County in 2012 shall
 95 become effective upon the approval of this Act by the Governor or upon its becoming law

96 without such approval. The remaining provisions of this Act shall become effective
97 January 1, 2013.

98 **SECTION 5.**

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

100 Plan: websterccsb-2011

101 Plan Type: Local

102 User: bak

103 District 001

104 Webster County

105 VTD: 307P1 - PRESTON 1

106 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011

107 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023

108 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035

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111 1060 1061 1062 1063 1064 1065 1066 1067 1068 1069 1079 1080

112 1081 1082 1083 1084 1089 1090 1091 1092 1093 1094 1095 1096

113 1097 1099 1100 1101 1102 1103 1104 1105 1106 1125 1131 1132

114 1133 1134 1135 1136 1143 1146 1152 1198 1238 1239 1240 1241

115 1242 1244 1245 1246

116 VTD: 307P3 - PRESTON 3

117 1149

118 District 002

119 Webster County

120 VTD: 307P1 - PRESTON 1

121 1085 1086 1087 1088 1098 1107 1108 1109 1110 1111 1112 1113

122 1114 1115 1116 1117 1118 1119 1120 1121 1122 1123 1124 1126

123 1127 1128 1129 1130 1193 1194 1199 1229 1235 1236 1237 1243

124 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011

125 1012 1013 1014 1015 1016 1017 1019 1020 1021 1076 1198

126 VTD: 307W2 - WESTON 2

127 1018 1022 1023 1056 1057 1058 1059 1067 1068 1069 1070 1071

128 1072 1073 1074 1075 1077 1078 1080 1081 1084 1090 1091 1093

129 1094 1133 1186 1187 1188 1190 1191

130 District 003

131 Webster County

132 VTD: 307G3 - GOOSEBERRY 3

133 1125 1126 1129 1130 1131 1132 1177 1178

134 VTD: 307P1 - PRESTON 1
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 136 VTD: 307W2 - WESTON 2
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 144 District 004
 145 Webster County
 146 VTD: 307G3 - GOOSEBERRY 3
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 153 VTD: 307P1 - PRESTON 1
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 155 VTD: 307P3 - PRESTON 3
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