

House Bill 42EX (AS PASSED HOUSE AND SENATE)

By: Representatives Yates of the 73rd and Knight of the 126th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the Board of Commissioners of Spalding County, approved
2 February 5, 1873 (Ga. L. 1873, p. 289), as amended, particularly by an Act approved March
3 15, 2002 (Ga. L. 2002, p. 3591), 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 election and terms of office of subsequent members; to provide for submission
6 of this Act for preclearance under the federal Voting Rights Act of 1965, as amended; to
7 provide for 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 Spalding County, approved February 5,
11 1873 (Ga. L. 1873, p. 289), as amended, particularly by an Act approved March 15, 2002
12 (Ga. L. 2002, p. 3591), is amended by revising subsection (c) of Section 1 as follows:

13 "(c)(1) The Board of Commissioners of Spalding County which existed on December 31,
14 2011, is continued in existence but on and after January 1, 2012, shall be constituted as
15 provided in this Act. The Board of Commissioners of Spalding County, so continued and
16 constituted, sometimes referred to in this Act as the 'board,' shall continue to have the
17 powers, duties, rights, obligations, and liabilities of that board as existed immediately
18 prior to January 1, 2012.

19 (2) Those members of the Board of Commissioners of Spalding County who are serving
20 as such on December 31, 2012, and any person selected to fill a vacancy in any such
21 office shall continue to serve as such members until the regular expiration of their
22 respective terms of office and upon the election and qualification of their respective
23 successors. On and after January 1, 2012, the Board of Commissioners of Spalding
24 County shall consist of five members all of whom shall be elected from commissioner
25 districts described in this subsection. The members of the board shall be residents of the

26 commissioner districts they represent and shall be elected by the qualified electors voting
27 within their respective commissioner districts.

28 (3) For purposes of electing members of the board of commissioners, Spalding County
29 is divided into five commissioner districts. One member of the board shall be elected
30 from each such district. The five commissioner districts shall be and correspond to those
31 five numbered districts described in and attached to and made a part of this Act and
32 further identified as Plan: spaldingccsb2011 Plan Type: Local User: admin.

33 (4)(A) When used in such attachment, the term 'VTD' (voting tabulation district) shall
34 mean and describe the same geographical boundaries as provided in the report of the
35 Bureau of the Census for the United States decennial census of 2010 for the State of
36 Georgia.

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

44 (C) Any part of Spalding County which is described in that attachment as being in a
45 particular district shall nevertheless not be included within such district if such part is
46 not contiguous to such district. Such noncontiguous part shall instead be included
47 within that district contiguous to such part which contains the least population
48 according to the United States decennial census of 2010 for the State of Georgia.

49 (D) Except as otherwise provided in the description of any district, whenever the
50 description of such district refers to a named city, it shall mean the geographical
51 boundaries of that city as shown on the census map for the United States decennial
52 census of 2010 for the State of Georgia.

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

56 (6) The members of the reconstituted Board of Commissioners of Spalding County shall
57 be elected as provided in this subsection. The first members from Commissioner
58 Districts 2 and 5 shall be elected at the general election on the Tuesday next following
59 the first Monday in November, 2014. Those members of the board elected thereto from
60 Commissioner Districts 2 and 5 in 2014 shall take office the first day of January
61 immediately following that election and shall serve for initial terms of office which
62 expire December 31, 2018, and upon the election and qualification of their respective

63 successors. The first members from Commissioner Districts 1, 3, and 4 shall be elected
 64 at the general election on the Tuesday next following the first Monday in November,
 65 2012. Those members of the board elected thereto from Commissioner Districts 1, 3, and
 66 4 in 2012 shall take office the first day of January immediately following that election
 67 and shall serve for initial terms of office which expire December 31, 2016, and upon the
 68 election and qualification of their respective successors. Those and all future successors
 69 to members of the board whose terms of office are to expire shall be elected at the time
 70 of the state-wide general election immediately preceding the expiration of such terms,
 71 shall take office the first day of January immediately following that election, and shall
 72 serve for terms of office of four years each. Members of the board shall serve for the
 73 terms of office specified therefor in this subsection and until their respective successors
 74 are elected and qualified.

75 (7) Commissioner Districts 1 through 5, as they exist on December 31, 2011, shall
 76 continue to be designated as Commissioner Districts 1 through 5, respectively, but as
 77 newly described under this Act, and on and after January 1, 2012, such members of the
 78 board serving from those former commissioner districts shall be deemed to be serving
 79 from and representing their respective districts as newly described under this Act."

80 **SECTION 2.**

81 Said Act is further amended by repealing the attachment thereto containing the former
 82 descriptions of commissioner districts which is identified as Plan Name: spaldcc5 Plan Type:
 83 Local User: Linda Administrator: Spalding.

84 **SECTION 3.**

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

90 **SECTION 4.**

91 This section and Section 3 of this Act and those provisions of this Act necessary for the
 92 election of members of the Board of Commissioners of Spalding County in 2012 shall
 93 become effective upon the approval of this Act by the Governor or upon its becoming law
 94 without such approval. The remaining provisions of this Act shall become effective January
 95 1, 2012.

96

SECTION 5.

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

Plan: spaldingccsb2011
Plan Type: Local
User: admin

District 001

Spalding County

VTD: 25502 - 02 FAIRMONT

VTD: 25503 - 03 LIBRARY

2016 2017 2018 2031 3009 3010 3011 3012 3013 3014 3015 3048
3056 3066

VTD: 25504 - 04 THIRD WARD

3033 3034 3035 3036 3037 3038 3040 3041 3042 3043 3055

VTD: 25505 - 05 GA EXP STATION

1012 1025 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010
2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022
2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034
2035 2036 2040 2041 2042 2043 2046 2047 2048 2049 2050 2051
2052 2053 2054 2055 2056 2057 2060 2061 2062 2063 2064 2065
5030

1014 1018 1037 1038 1039 1045 2014 2015 2016 2017 2018 2019
2020 2022 2023 2024 2025 2026 2027 2028 2037 2038 2039 2040
2041 2042

3000 3001 3002 3003 3005 3007 3057

VTD: 25516 - 16 GARY REID

1000 1001 1002 1020 1021 1036 2037 2038 2039 2044 2045 4000
4006 5000 5001 5002 5003 5004 5005 5006 5007 5008 5009 5010
5011 5012 5013 5014 5015 5016 5017 5018 5020 5021 5022 5023
5024 5025 5029 5031 5032
1034 1035 1036

VTD: 25517 - 17 AMBUCS

2023 2024 2025 2026

1000 1001 1002 1003 1006

1001 1002 1003 1004 1008 1009 1013 1014 1015 1016 1018 1020
1021 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010
2011 2012 2013 2014 2015 2019 2020 2021 2022 2023 2024 2025
2026 2027 2028 2029 2030 2032 2033 2034 2035 2036 2037 2038
2039 2040 2041 2042 2043 2044 2049 2050 2057 2058 2059 3047
3049 3067 3069
2013

VTD: 25518 - 18 COMMUNITY

VTD: 25521 - 21 SUN CITY

3033 3034 3039

District 002

Spalding County

VTD: 25503 - 03 LIBRARY

2045 2046 2047 2048 2053 3046 3050 3051 3052 3053 3054 3057
3058 3059 3061 3062 3063 3064 3068
2020

2004 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018
2019 2020 2021 2022 2023 2024 2025 2031 2033 2034 2035 2036
1007 1008 1020 3029

VTD: 25504 - 04 THIRD WARD

2060 2061 2062 2063 2064 2065

3039 3044 3045

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024
1025 1026 1027 1028 1029 1030

1000 1001 1002 1003 1004 1005 1006 1009 2000 2001 2014 2015
2022 3000 3030

VTD: 25506 - 06 CITY PARK

2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2058
2059

2002 2003 2004 2010 2011 4006

VTD: 25507 - 07 FIRST METHODIST

VTD: 25508 - 08 BOY SCOUTS

3036 3039 4001 4002 4003 4004 4005 4016 4017 4018 4024 4025
4026 4027 4028 4029 4030 4031 4032 4033 4034 4048 4049 4056
4062 4064 4065 4066 4067 4068 4069 4070 4071 4072 4073 4074

VTD: 25511 - 11 FIRST PRESBYTERIAN

VTD: 25517 - 17 AMBUCS

1014

VTD: 25520 - 20 ROBERTS

District 003

Spalding County

VTD: 25501 - 01 RESA ACADEMY

VTD: 25505 - 05 GA EXP STATION

3023 3024 3025 3027 3028 3029 3030 3031 3033 3034 3036 3038
3039 3041 3042

VTD: 25506 - 06 CITY PARK

2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
2012 2013 2014 2015 2016 2017 2018 2019 2020 2022 2023 2024
3000 3001 3002 3003 3009 3010 3016 3017 3018 3045
2049 2053 2054 2055 2056 2057 3021 3048 3049 3050 3051 3052

3053 3054 3055 3056
2005 2006 2007 2008 2009 2012 2013 2016 2017 2018 2019 2020
2021 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033
3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011 3012
3013 3014 3015 3016 3017 3018 3019 3020 3021 3022 3023 3024
3027 3028 3033 3035 3037 3040 3041 3042 3043 4007 4008
VTD: 25508 - 08 BOY SCOUTS
3031 3032 4009 4014 4015 4019 4046 4047 4050 4051 4052 4053
4054 4055 4057
VTD: 25510 - 10 CARVER
1002 2021 3014 3015 3032 3037 3040 3043 3044 3048 3049 3050
3051 3052
3025 3026 3034 4010 4011 4012 4013 4020 4039 4040 4041 4042
4043 4044 4045 4063

District 004

Spalding County

VTD: 25505 - 05 GA EXP STATION

2032 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053
2062 2063 2064 2065 2066 2067 2068 2069 2071 2073 2074 2075
2091 2092

1000 1005 3006 3011 3012 3020

VTD: 25506 - 06 CITY PARK

3019 3026

VTD: 25510 - 10 CARVER

2055 2056 2057 2058 2059 2060 2083 2084 2090

2091 2092 2093 2094

1001 1003 1004 1006 1007 1008 1009 1010 1011 1012 1013 1021

1022 1030 1032 1033 1034 3021 3022 3035 3046 3047 3053 3054

4021 4022 4023 4035 4036 4037 4038 4058 4059 4060 4061

VTD: 25512 - 12 LIBERTY

VTD: 25513 - 13 COUNTY LINE

VTD: 25515 - 15 BLALOCK

VTD: 25519 - 19 FIRST ASSEMBLY

District 005

Spalding County

VTD: 25509 - 09 CABIN

VTD: 25514 - 14 SUNNYSIDE

VTD: 25516 - 16 GARY REID

1073 3080

1003 1004 1005 1006 1007 1008 1009 1010 1011 1013 1014 1015

1016 1017 1018 1019 1022 1023 1024 2000

1002 1003 1004 1007 1008 1009 1011 1012 1013 1015 1016 1017

1019 1020 1021 1022 1023 1041 1042 1044

VTD: 25517 - 17 AMBUCS

2011 2012 2016 2017 2018 2019 2020 2021 2022 2027 2028 2029

2030 2031 2032 2049 2050

1000 1017 1019

1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024

1025 1026 1027 1033 1034

VTD: 25521 - 21 SUN CITY

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

1022 1023 1024 1025 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 3035 3036 3037 3038