Senators Tate of the 38th, Fort of the 39th and Orrock of the 36th offered the following substitute to HB 171:

A BILL TO BE ENTITLED
AN ACT
To amend an Act creating the Board of Commissioners of Fulton County, approved December 3, 1880 (Ga. L. 1880-81, p. 508), as amended, particularly by an Act approved April 9, 1993 (Ga. L. 1993, p. 5241), so as to change the description of the commissioner districts; to provide for definitions and inclusions; to provide for the continuation in office of current members; to provide for the submission of this Act pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating the Board of Commissioners of Fulton County, approved December 3, 1880 (Ga. L. 1880-81, p. 508), as amended, particularly by an Act approved April 9, 1993 (Ga. L. 1993, p. 5241), is amended by revising subsections (a) and (b) of Section 2 as follows:

"(a) For the purpose of electing the members of the board of commissioners, there shall be seven commissioner districts to be designated Commission Districts 1 through 7. One commissioner shall be elected from each district. Commission Districts 1 and 2 shall consist of the entirety of Fulton County. Commission Districts 3 through 7 shall be and correspond to those five numbered districts described in and attached to and made a part of this Act and further identified as 'Plan: fultoncc-2012  Plan Type: local Administrator: fulton cc  User: bak'.

(b)(1) For the purposes of such plan:

(A) 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; and

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

(2) Any part of Fulton County which is not included in any district described in subsection (a) of this section 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.

(3) Any part of Fulton County which is described in subsection (a) of this section as being included 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."

SECTION 2.

(a) All members of the board of commissioners serving in office on the effective date of this Act shall continue to serve until the expiration of the terms for which they were elected and until their respective successors are elected and qualified unless otherwise removed from office as provided by the Constitution and laws of this state.

(b) Each member of the board of commissioners serving in office on the effective date of this Act and elected from former Commissioner District 3, 4, 5, 6, or 7 shall on and after said date be deemed to represent the new Commissioner District 3, 4, 5, 6, or 7 in which he or she resides.

SECTION 3.

The Board of Commissioners of Fulton County shall through its legal counsel cause this Act to be submitted for preclearance under Section 5 of the federal Voting Rights Act of 1965, as amended, no later than 45 days after the date on which this Act is approved by the Governor or otherwise becomes law without such approval.

SECTION 4.

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