

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

1 To amend an Act creating the Board of Commissioners of Fulton County, approved
2 December 3, 1880 (Ga. L. 1880-81, p. 508), as amended, particularly by an Act approved
3 April 9, 1993 (Ga. L. 1993, p. 5241), so as to change the description of the commissioner
4 districts; to provide for definitions and inclusions; to provide for the continuation in office
5 of current members; to provide for the submission of this Act pursuant to Section 5 of the
6 federal Voting Rights Act of 1965, as amended; to provide for related matters; to repeal
7 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 Fulton County, approved December 3, 1880
11 (Ga. L. 1880-81, p. 508), as amended, particularly by an Act approved April 9, 1993
12 (Ga. L. 1993, p. 5241), is amended by revising subsections (a) and (b) of Section 2 as
13 follows:

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

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

22 (A) The term 'VTD' shall mean and describe the same geographical boundaries as
23 provided in the report of the Bureau of the Census for the United States decennial
24 census of 2010 for the State of Georgia. The separate numeric designations in a district
25 description which are underneath a VTD heading shall mean and describe individual

26 Blocks within a VTD as provided in the report of the Bureau of the Census for the
27 United States decennial census of 2010 for the State of Georgia; and

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

32 (2) Any part of Fulton County which is not included in any district described in
33 subsection (a) of this section shall be included within that district contiguous to such part
34 which contains the least population according to the United States decennial census of
35 2010 for the State of Georgia.

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

42 **SECTION 2.**

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

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

51 **SECTION 3.**

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

56 **SECTION 4.**

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