

House Bill 452 (AS PASSED HOUSE AND SENATE)

By: Representatives Jones of the 47th and Hill of the 22nd

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to incorporate the City of Milton in Fulton County, Georgia, approved
2 March 29, 2006 (Ga. L. 2006, p. 3554), as amended, so as to change the description of the
3 election districts; to provide for definitions and inclusions; to provide for manner of election;
4 to provide for the continuation in office of current members; to provide for the submission
5 of this Act for preclearance under Section 5 of the federal Voting Rights Act of 1965, as
6 amended; to provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act to incorporate the City of Milton in Fulton County, Georgia, approved March 29,
10 2006 (Ga. L. 2006, p. 3554), as amended, is amended by revising subsections (c), (d), (e),
11 and (f) of Section 2.11 as follows:

12 "(c)(1) For the purpose of electing members of the council, the City of Milton shall
13 consist of three council districts which shall be and correspond to those three numbered
14 districts described in and attached to and made a part of this Act and further identified as
15 'Plan: miltoncc-2013 Plan Type: Local Administrator: H047 User: Gina' which are also
16 described in Appendix B of this charter, which appendix is attached and incorporated into
17 this charter by reference. Each candidate for election to the council other than the mayor
18 must reside in the council district he or she seeks to represent, but such districts shall be
19 residency districts only and not voting districts. All elections for all councilmembers
20 shall be at-large by the voters of the entire city.

21 (2) 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 (3) Any part of the City of Milton which is not included in any district described in
33 paragraph (1) of this subsection shall be included within that district contiguous to such
34 part which contains the least population according to the United States decennial census
35 of 2010 for the State of Georgia.

36 (4) Any part of the City of Milton which is described in paragraph (1) of this subsection
37 as 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 (5) On and after the effective date of this provision, the councilmember from former
43 Council District 1 shall be deemed to represent new Council District 1, Post 1; the
44 councilmember from former Council District 2 shall be deemed to represent new Council
45 District 2, Post 2; the councilmember from former Council District 3 shall be deemed to
46 represent Council District 2, Post 1; the councilmember from former Council District 4
47 shall be deemed to represent new Council District 1, Post 2; the councilmember from
48 former Council District 5 shall be deemed to represent new Council District 3, Post 1; and
49 the councilmember from former Council District 6 shall be deemed to represent new
50 Council District 3, Post 2.

51 (d) Successors to the mayor and the councilmembers from Council District 1, Post 1;
52 Council District 2, Post 1; and Council District 3, Post 1, shall be elected at the November,
53 2013, municipal election. Successors to the councilmembers from Council District 1, Post
54 2; Council District 2, Post 2; and Council District 3, Post 2 shall be elected at the
55 November, 2015, municipal election. Such successors shall be elected for terms of four
56 years. All members shall serve until their successors are elected and qualified.

57 (e) The mayor and each councilmember shall be elected by the qualified electors of the
58 city at large.

59 (f) The time for holding regular municipal elections shall be on the Tuesday next following
60 the first Monday in November of each odd-numbered year beginning in 2013. Successors
61 to the mayor and councilmembers shall be elected at the municipal election immediately
62 preceding the expiration of the respective terms of office and shall take office on the first

63 day of January immediately following their election for terms of four years and until their
 64 successors are elected and qualified."

65 **SECTION 2.**

66 Said Act is further amended by revising Appendix B as follows:

67 "APPENDIX B

68 Plan: miltoncc-2013

69 Plan Type: Local

70 Administrator: H047

71 User: Gina

72 District 001

73 Fulton County

74 VTD: 121AP04 - AP04

75 011503:

76 3023 3031

77 VTD: 121ML01A - ML01A

78 011503:

79 1003 1004 1005 1006 1007 1008 1016 1018 1020 1021 2000 2001

80 2002 2003 2006 2015 3009 3010 3011 3012 3013 3014 3015 3016

81 3017 3018 3019 3020 3021 3022 3024 3028 3032 3037 3038 3039

82 3040 3041 3042 3043 3045 3047 3054

83 VTD: 121ML01B - ML01B

84 011503:

85 2004 2005 2010 2011 2012 2016 2025 2031

86 011505:

87 1001 1003 1009 1019

88 011506:

89 2000 2001 2008 2012

90 VTD: 121ML02A - ML02A

91 011504:

92 3029 3033 3034 3035

93 VTD: 121ML02B - ML02B

94 011503:

95 1000 1001 1002 3007 3008

96 011504:
 97 2011 2012 2020 2021 3037
 98 011615:
 99 1005 1006
 100 VTD: 121ML04 - ML04
 101 011614:
 102 3043 3044 3051
 103 011615:
 104 1000 1001 1002 1003 1009 1010 1011 1012 1014 1015 1016 1019
 105 1020 1021 1033 1034 1036 1047 3006 3017 3021 3034 3035 3036
 106 3037 3040
 107 VTD: 121ML05 - ML05
 108 011615:
 109 3016 3018 3019
 110 VTD: 121ML06 - ML06
 111 011614:
 112 1016 1017 1018 1019 1022 1023 1024 1025 1026 1027 1028 1029
 113 1030 1031 1032 1033 1034 1035 1036 3000 3001 3002 3003 3004
 114 3009 3010 3011 3012 3013 3014 3015 3021
 115 011615:
 116 3024 3028 3052

 117 District 002
 118 Fulton County
 119 VTD: 121ML02A - ML02A
 120 011503:
 121 3000 3001 3002 3003 3004 3005 3006
 122 011504:
 123 2023 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010
 124 3011 3013 3017 3018 3019 3020 3021 3022 3023 3024 3032 3038
 125 VTD: 121ML02B - ML02B
 126 011504:
 127 2006 2014 2015 2016
 128 VTD: 121ML03 - ML03
 129 VTD: 121ML04 - ML04
 130 011504:
 131 2001 2002 2003 2004 2005 2007 2008 2013 4028 4029

132 011615:
 133 2004 3002
 134 VTD: 121ML05 - ML05
 135 011504:
 136 4017 4025 4026
 137 VTD: 121ML07 - ML07
 138 011504:
 139 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 140 1012 1013 1014 1021 1022 4000 4001 4002 4003 4004 4008 4009
 141 4010 4011 4012 4013 4014 4015 4016 4021 4022 4030

 142 District 003
 143 Fulton County
 144 VTD: 121ML04 - ML04
 145 011504:
 146 4027
 147 011615:
 148 3003
 149 VTD: 121ML05 - ML05
 150 011504:
 151 4019 4024 4031 4033 4034 4035
 152 011614:
 153 2001 2008 2009 2010 2011 2013 2014 2015 2016 2017 2018 2019
 154 2020
 155 011615:
 156 2000 2001 2002 2003 2005 2006 2007 2008 2009 2010 3000 3001
 157 3007 3008 3009 3010 3011 3012 3013 3014 3015 3023
 158 VTD: 121ML06 - ML06
 159 011614:
 160 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 161 1012 1013 1014 1015 1020 1021 2000 2002 2003 2004 2005 2006
 162 2007 2012 2021
 163 VTD: 121ML07 - ML07
 164 011504:
 165 4020 4023 4032"

166 **SECTION 3.**

167 Those members of the city council of the City of Milton who are serving as such immediately
168 prior to the effective date of this Act and any person selected to fill a vacancy in any such
169 office shall continue to serve as such members until the regular expiration of their respective
170 terms of office and upon the election and qualification of their respective successors.

171 **SECTION 4.**

172 The governing authority of the City of Milton shall through its legal counsel cause this Act
173 to be submitted for preclearance under Section 5 of the federal Voting Rights Act of 1965,
174 as amended, no later than 45 days after the date on which this Act is approved by the
175 Governor or otherwise becomes law without such approval.

176 **SECTION 5.**

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