

House Bill 1028 (AS PASSED HOUSE AND SENATE)

By: Representatives Setzler of the 35<sup>th</sup>, Golick of the 40<sup>th</sup>, Ehrhart of the 36<sup>th</sup>, Cooper of the 43<sup>rd</sup>, Carson of the 46<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating the Board of Commissioners of Cobb County, approved June 19,  
2 1964 (Ga. L. 1964, Ex. Sess., p. 2075), as amended, particularly by an Act approved May 30,  
3 2003 (Ga. L. 2003, p. 3808), so as to change the description of the commissioner districts;  
4 to provide for definitions and inclusions; to provide for continuation in office of current  
5 members; to provide for election and terms of office of subsequent members; to repeal  
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act creating the Board of Commissioners of Cobb County, approved June 19, 1964  
10 (Ga. L. 1964, Ex. Sess., p. 2075), as amended, particularly by an Act approved May 30, 2003  
11 (Ga. L. 2003, p. 3808), is amended by striking Sections 1 through 4 and inserting in lieu  
12 thereof the following:

13 "SECTION 1.

14 The Board of Commissioners of Cobb County which exists on January 1, 2014, is  
15 continued in existence but on and after such date shall be constituted as provided in this  
16 Act. The Board of Commissioners of Cobb County so continued and constituted,  
17 sometimes referred to in this Act as the 'board,' shall continue to have the powers, duties,  
18 rights, obligations, and liabilities of that board as existed immediately prior to January 1,  
19 2014.

20 **SECTION 2.**

21 (a) Those members of the Board of Commissioners of Cobb County who are serving as  
22 such on immediately prior to January 1, 2014, and any person selected to fill a vacancy in  
23 any such office shall continue to serve as such members until the regular expiration of their  
24 respective terms of office and upon the election and qualification of their respective

25 successors. On and after January 1, 2017, the Board of Commissioners of Cobb County  
 26 shall consist of five members all of whom shall be elected from commissioner districts  
 27 described in subsection (b) of this section except for the member who is chairperson and  
 28 who is elected at large as provided in Section 3.

29 (b) For purposes of electing members of the board of commissioners, other than the  
 30 chairperson, Cobb County is divided into four commissioner districts. One member of the  
 31 board shall be elected from each such district. The four commissioner districts shall be and  
 32 correspond to those four numbered districts described in and attached to and made a part  
 33 of this Act and further identified as Plan Name: cobbcc-hd035-p0-2014 Plan Type: local  
 34 Administrator: hd035 User: bak.

35 (c)(1) For the purposes of such plan:

36 (A) The term 'VTD' shall mean and describe the same geographical boundaries as  
 37 provided in the report of the Bureau of the Census for the United States decennial  
 38 census of 2010 for the State of Georgia. The separate numeric designations in a district  
 39 description which are underneath a VTD heading shall mean and describe individual  
 40 Blocks within a VTD as provided in the report of the Bureau of the Census for the  
 41 United States decennial census of 2010 for the State of Georgia; and

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

46 (2) Any part of Cobb County which is not included in any district described in  
 47 subsection (b) of this section shall be included within that district contiguous to such part  
 48 which contains the least population according to the United States decennial census of  
 49 2010 for the State of Georgia.

50 (3) Any part of Cobb County which is described in subsection (b) of this section as being  
 51 included in a particular district shall nevertheless not be included within such district if  
 52 such part is not contiguous to such district. Such noncontiguous part shall instead be  
 53 included within that district contiguous to such part which contains the least population  
 54 according to the United States decennial census of 2010 for the State of Georgia.

### 55 SECTION 3.

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

59 (b) In order to be elected as a member of the board from a commissioner district, a person  
 60 must receive the number of votes cast as required by general law for that office in that

61 district only. Only electors who are residents of that commissioner district may vote for  
 62 a member of the board for that district. At the time of qualifying for election as a member  
 63 of the board from a commissioner district, each candidate for such office shall specify the  
 64 commissioner district for which that person is a candidate. A person elected or appointed  
 65 as a member of the board from a commissioner district must continue to reside in that  
 66 district during that person's term of office or that office shall become vacant.

67 (c) The member of the board who is chairperson of the board may reside anywhere within  
 68 Cobb County and, if elected, must receive the number of votes cast for that office as  
 69 required by general law in the entire county. The chairperson must continue to reside  
 70 within the county during that person's term of office or that office shall become vacant.

71 **SECTION 4.**

72 (a) The first members of the reconstituted Board of Commissioners of Cobb County shall  
 73 be elected as provided in this subsection. The chairperson and the first members from  
 74 Commissioner Districts 2 and 4 shall be elected at the general election on the Tuesday next  
 75 following the first Monday in November, 2016. The first members from Commissioner  
 76 Districts 1 and 3 shall be elected at the general election on the Tuesday next following the  
 77 first Monday in November, 2018. All future successors to members of the board whose  
 78 terms of office are to expire shall be elected at the time of the state-wide general election  
 79 immediately preceding the expiration of such terms, shall take office the first day of  
 80 January immediately following that election, and shall serve for terms of office of four  
 81 years each. Members of the board shall serve for the terms of office specified therefor in  
 82 this subsection and until their respective successors are elected and qualified.

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

85 (c) Commissioner Districts 1 through 4, as they exist immediately prior to January 1, 2017,  
 86 shall continue to be designated as Commissioner Districts 1 through 4, respectively, but as  
 87 newly described under this Act, and on and after January 1, 2017, such members of the  
 88 board serving from those former commissioner districts shall be deemed to be serving from  
 89 and representing their respective districts as newly described under this section."

90 **SECTION 2.**

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

Plan:cobbcc-hd035-p0-2014  
Plan Type:local  
Administrator: hd035  
User: bak

District 001  
Cobb County  
VTD: 067AC1A - ACWORTH 1A  
VTD: 067AC1B - ACWORTH 1B  
VTD: 067AC1C - ACWORTH 1C  
VTD: 067BG01 - BIG SHANTY 01  
030230:  
2023  
VTD: 067BK01 - BAKER 01  
030106:  
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2011  
030107:  
2000 2001 2002 2003 2004 2005 2006 2007 2008 2013 2015 2016  
030226:  
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1023 1029 2000 2001 2003 2005 2006 2011 2014 2015  
030227:  
1001  
VTD: 067CH02 - CHEATHAM HILL 02  
VTD: 067CH03 - CHEATHAM HILL 03  
VTD: 067DL01 - DOWELL 01  
VTD: 067DU01 - DURHAM 01  
VTD: 067FO01 - FAIR OAKS 01  
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2012 2013 2014 2015 2016 3017  
VTD: 067FO02 - FAIR OAKS 02  
031002:  
3018  
VTD: 067FO03 - FAIR OAKS 03  
031002:  
3013 3015 3016  
VTD: 067FO04 - FAIR OAKS 04  
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3011 3019  
VTD: 067FO06 - FAIR OAKS 06  
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VTD: 067FY01 - FREY 01  
VTD: 067HR01 - HARRISON 01  
VTD: 067HY01 - HAYES 01  
VTD: 067KE2A - KENNESAW 2A  
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VTD: 067KE2B - KENNESAW 2B  
VTD: 067KE3A - KENNESAW 3A  
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1043

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VTD: 067KE5A - KENNESAW 5A  
VTD: 067KE5B - KENNESAW 5B  
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VTD: 067KP02 - KEMP 02  
VTD: 067KP03 - KEMP 03  
VTD: 067LM01 - LOST MOUNTAIN 01  
VTD: 067LM02 - LOST MOUNTAIN 02  
VTD: 067LM03 - LOST MOUNTAIN 03  
VTD: 067LM04 - LOST MOUNTAIN 04  
VTD: 067LW01 - LEWIS 01  
VTD: 067ML01 - MCCLURE 01  
VTD: 067MR2A - MARIETTA 2A  
VTD: 067MR2B - MARIETTA 2B  
VTD: 067MR2C - MARIETTA 2C  
VTD: 067MR3A - MARIETTA 3A  
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VTD: 067MR4E - MARIETTA 4E  
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VTD: 067MS01 - MARS HILL 01  
VTD: 067MS02 - MARS HILL 02  
VTD: 067NC01 - NORTH COBB 01  
VTD: 067OR01 - OREGON 01  
VTD: 067OR03 - OREGON 03  
VTD: 067OR05 - OREGON 05  
VTD: 067PM01 - PINE MOUNTAIN 01  
VTD: 067PM02 - PINE MOUNTAIN 02  
VTD: 067RR01 - RED ROCK 01  
VTD: 067VA01 - VAUGHAN 01

District 002

Cobb County

VTD: 067BY01 - BRUMBY 01  
VTD: 067CA01 - CHATTAHOOCHEE 01  
VTD: 067CR01 - CHESTNUT RIDGE  
VTD: 067DC01 - DICKERSON 01  
VTD: 067DI01 - DOBBINS 01

030339:

1003

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2002 2005

031207:

1000

031208:

1001 1002 1015 1023

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VTD: 067EL06 - ELIZABETH 06  
VTD: 067EV01 - EAST VALLEY 01  
VTD: 067FP01 - FULLERS PARK 01  
VTD: 067HT01 - HIGHTOWER 01  
VTD: 067MA04 - MABLETON 04  
031307:  
3005  
VTD: 067MD01 - MURDOCK 01  
VTD: 067MR1A - MARIETTA 1A  
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VTD: 067MT03 - MT BETHEL 03  
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VTD: 067NP01 - NORTON PARK 01  
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VTD: 067RW01 - ROSWELL 01  
VTD: 067RW02 - ROSWELL 02  
VTD: 067SF01 - SHALLOWFORD FALLS  
VTD: 067SM01 - SEWELL MILL 01  
VTD: 067SM03 - SEWELL MILL 03  
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VTD: 067SO02 - SOPE CREEK 02  
VTD: 067SO03 - SOPE CREEK 03  
VTD: 067SP01 - SEDALIA PARK 01  
VTD: 067TM01 - TERRELL MILL 01  
VTD: 067TR01 - TIMBER RIDGE 01  
VTD: 067TS01 - TEASLEY 01  
VTD: 067TT01 - TRITT 01  
VTD: 067VG01 - VININGS 01  
VTD: 067VG02 - VININGS 02  
VTD: 067VG03 - VININGS 03  
VTD: 067VG04 - VININGS 04  
VTD: 067WL01 - WILLEO 01

District 003

Cobb County

VTD: 067AD01 - ADDISON 01  
VTD: 067BF01 - BELLS FERRY 01  
VTD: 067BF02 - BELLS FERRY 02  
VTD: 067BF03 - BELLS FERRY 03  
VTD: 067BG01 - BIG SHANTY 01  
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VTD: 067BW01 - BLACKWELL 01  
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 VTD: 067EL02 - ELIZABETH 02  
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 VTD: 067EL04 - ELIZABETH 04  
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 VTD: 067EP01 - EAST PIEDMONT 01  
 VTD: 067FO05 - FAIR OAKS 05  
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 VTD: 067MK01 - MCCLESKEY 01  
 VTD: 067MR1A - MARIETTA 1A  
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 VTD: 067MR6B - MARIETTA 6B  
 VTD: 067MR6C - MARIETTA 6C  
 030502:  
 2006 2009 2012 2014 2017 2020 2026 2035 2039 2055  
 030504:  
 2010 2011 2021 2022 2026 2027 2028 2029 2030 2031 2032 2035  
 2037  
 030505:  
 1002 1005 1009 1010 1012 1013 1015 1016 1017 1018 1019 1021  
 1022 1023 2000 2001 2002 2003 2004 2005 2006 2012 2013 2021  
 3020 3022 3023 3027 3028 3029 3030 3032 3033 4009 4010 4011  
 4012 4013 4014 4016 4017 4018 4019 4020 4028 4029 4030 4031  
 4032  
 030506:  
 1025 1026 1054 1057 1063 1069 1070 1071 1074 1075 1078 1145  
 1148  
 030507:  
 1059 1060 1061 1064 1065 1066 1067 1068 1070 1071 1073 1074  
 030700:  
 4003 4013 4014 4031 4032  
 VTD: 067MR7A - MARIETTA 7A  
 VTD: 067NS01 - NICHOLSON 01  
 VTD: 067PF01 - POWERS FERRY 01

030405:  
4003 4004 4005 4006 4017 4019 4020 4022 4024 4025 4026 4027  
4028 4029 4030  
030410:  
1029 1038 1041 1042 1043 1044  
VTD: 067PO01 - POST OAK 01  
VTD: 067PP01 - POPE 01  
030327:  
1009 1010 1011 1012 1013 1014 1015 1016  
030328:  
1009 1010  
VTD: 067PR01 - PALMER 01  
VTD: 067PT01 - PITNER 01  
VTD: 067RM01 - ROCKY MOUNT 01  
VTD: 067RM02 - ROCKY MOUNT 02  
VTD: 067SA01 - SANDY PLAINS 01  
VTD: 067SI01 - SIMPSON 01  
VTD: 067SM03 - SEWELL MILL 03  
030410:  
1031 1033 1036  
030504:  
1011  
030505:  
1000 1001 1003 1004 1006 1007 1008 1011 1014 1020 2007 2010  
2011 2016 2023 2024 2025 2026 2027 2028 2029 2030 3000 3001  
3002 3003 3004 3005 3006 3007 3008 3009 3010 3011 3012 3013  
3014 3015 3016 3017 3018 3019 3021 3024 3025 3026 3031 3034  
4023 4024 4025 4026 4027 4033 4034  
VTD: 067SN2B - SMYRNA 2B  
031001:  
2056  
VTD: 067SY01 - SPRAYBERRY 01  
VTD: 067WG01 - WADE GREEN 01  
VTD: 067WG02 - WADE GREEN 02

District 004

Cobb County

VTD: 067AU1A - AUSTELL 1A  
VTD: 067BR01 - BIRNEY 01  
VTD: 067BR02 - BIRNEY 02  
VTD: 067BT01 - BRYANT 01  
VTD: 067BT02 - BRYANT 02  
VTD: 067CL01 - CLARKDALE 01  
VTD: 067CL02 - CLARKDALE 02  
VTD: 067CO01 - COOPER 01  
VTD: 067DI01 - DOBBINS 01

031108:

1002 1007 1009 1015 1021 1024 1029 1033 1035 1036 1038 1039  
1041 1043 1047 1050 2002 3008 3009 3013 3015 3025 3030 3032  
3033 3034 3036 4005 4006 4011 4014 4015 4018 4019 4023  
VTD: 067FO01 - FAIR OAKS 01

030905:

2017 2018 2019 3001 3002 3003 3004 3005 3006 3007 3008 3009  
3010 3011 3012 3013 3014 3015 3016 3017 3018 3019 3020 3021  
3022 4000 4001 4002 4003 4004 4005 4006 4007

031005:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
1012 1013 1014 1016 1017 1018 1019 1020 1021 1022 1023 1024  
1025 1026 1029

VTD: 067FO02 - FAIR OAKS 02

031005:

1015 1027 1028 2000 2001 2002 2003 2004 2005 2006 2007 2008  
2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020  
2021 2022 2023 2024

VTD: 067FO03 - FAIR OAKS 03

031004:

2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2021  
3003 3004 3005 3006 3007 3008 3009 3010 3011 3012 3014 3016  
4000 4001 4002 4003 4004 4005 4006 4007 4008 4009 4010 4011  
4012 4013

VTD: 067FO04 - FAIR OAKS 04

031004:

1003 1005 1006 1007 1009 1010 1011 1012 1013 1014 1015 1016  
1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028

1029 1030 2000 2001 2002 2014 2015 2016 2017 2018 2019 2020  
3000 3001 3002 3013 3015  
VTD: 067HL01 - HARMONY-LELAND  
VTD: 067LI01 - LINDLEY 01  
VTD: 067MA01 - MABLETON 01  
VTD: 067MA02 - MABLETON 02  
VTD: 067MA03 - MABLETON 03  
VTD: 067MA04 - MABLETON 04  
031206:  
1056 1082  
031307:  
1000 1003 1006 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 3033 3037 3040 3044 3046 3048 3049  
3050 3051 3052 3053 3054 3055 3057 3058  
VTD: 067MC01 - MACLAND 01  
VTD: 067MC02 - MACLAND 02  
VTD: 067ME01 - MCEACHERN 01  
VTD: 067NP01 - NORTON PARK 01  
031106:  
2027 2028  
031115:  
2002 2006 2009 2016 2031 2032 2033 2034 2037 2038 2040 2041  
2042 2043 2044 2048 2049 2052 2053 2054  
031117:  
1001 1002 1003 1004 1005 1006 1008 1009 1012 1014 1016 1017  
1018 1019 1021 1025 1026 1027 2025 2026  
VTD: 067NP02 - NORTON PARK 02  
VTD: 067OR02 - OREGON 02  
VTD: 067OR04 - OREGON 04  
VTD: 067OR06 - OREGON 06  
VTD: 067PE01 - PEBBLEBROOK 01  
VTD: 067PE02 - PEBBLEBROOK 02  
VTD: 067PS1A - POWDER SPRINGS 1A  
VTD: 067PS2A - POWDER SPRINGS 2A  
VTD: 067PS3A - POWDER SPRINGS 3A  
VTD: 067RS01 - RIVERSIDE 01  
VTD: 067SN2B - SMYRNA 2B  
031108:  
3000 3001 3002 3003 3004 3005 3006 3007 3010 3011 3012 3014  
3016 3017 3018 3019 3020 3021 3022 3023 3024 3031 3035 4004  
4008  
VTD: 067SN3A - SMYRNA 3A  
VTD: 067SN5A - SMYRNA 5A  
VTD: 067SN7A - SMYRNA 7A  
031307:  
3001 3002 3003 3004 3034 3060  
VTD: 067SN7B - SMYRNA 7B  
031307:  
1001 1002 1004 1005 1007 1008 1009 1011 1013 1014 1015 1016  
1017 1022 1026 3035 3036 3038 3039 3041 3042 3043 3045 3047  
3056 3059  
031313:  
1027 2005 2012 2018 2022 2023 2039 2048 2053 2054 2058 2059  
2061 2063 2067 2073 2080 2088  
VTD: 067SN7C - SMYRNA 7C  
031117:  
1000 1007 1010 1011 1013 1015 1020 1022 1023 1024  
VTD: 067SW01 - SWEETWATER 01  
VTD: 067SW02 - SWEETWATER 02  
VTD: 067SW04 - SWEETWATER 04  
VTD: 067SW05 - SWEETWATER 05