House Bill 386 (AS PASSED HOUSE AND SENATE)

By: Representative Amerson of the 9th

A BILL TO BE ENTITLED

AN ACT

To amend an Act providing a new charter for the City of Lula, approved April 5, 1994 (Ga. L. 1994, p. 4841), so as to provide for city council election districts; to provide for definitions and inclusions; to provide for continuation in office of current councilmembers; to provide for other related matters; to provide for submission of this Act for approval under the federal Voting Rights Act of 1965, as amended; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act providing a new charter for the City of Lula, approved April 5, 1994 (Ga. L. 1994, p. 4841), is amended by striking subsections (d) and (e) of Section 2.10 and inserting in lieu thereof the following:

"(d)(1) For purposes of electing members of the city council, the City of Lula is divided into five residency districts. One member of the council shall be elected from each such district. No person shall be eligible to serve as a councilmember for a district unless such person has been a resident of the district for the 12 months immediately preceding the election of councilmembers. Each such person shall continue to reside within the district during said period of service. Council Districts 1, 2, 3, 4, and 5 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 Name: lula2 Plan Type: Local User: Gina Administrator: Lula-city.

(2) When used in such attachment, the term 'Tract' and 'BG' (Block Group) 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 2000 for the State of Georgia. The separate numeric designations in a Tract description which are underneath a 'BG' heading shall mean and describe individual Blocks within a Block Group as provided in the report of the Bureau of the Census for the United States decennial census of 2000 for

the State of Georgia. Any part of the City of Lula which is not included in any such district described in that attachment shall be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2000 for the State of Georgia. Any part of the City of Lula which is described in that attachment as being 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 2000 for the State of Georgia. Except as otherwise provided in the description of any council district, whenever the description of such district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census map for the United States decennial census of 2000 for the State of Georgia.

(e) The members of the city council shall be elected as provided in this subsection. On the Tuesday next following the first Monday in November, 2003, and on that date quadrennially thereafter, there shall be elected three councilmembers representing Districts 1, 4, and 5. On the Tuesday next following the first Monday in November, 2005, and on that date quadrennially thereafter, there shall be elected a mayor and two councilmembers representing Districts 2 and 3.″

SECTION 2.

It is the purpose of this Act to provide for residency districts from which members of the city council of the City of Lula are to be elected in the November, 2003, general election and in subsequent general elections, and this Act results from changes in population based on the United States decennial census of 2000. It is not the intention of the General Assembly to affect the membership of current members of the council, their terms of office, or the manner in which their successors shall be elected, and such matters shall remain as provided by law on the effective date of this Act until otherwise amended by law. Those members of the city council of Lula who are serving as such on July 1, 2003, and any person elected to fill such vacancy in any such office shall continue to serve as such members until the regular expiration of their respective terms of office and upon the election and qualification of their respective successors.

SECTION 3.

The governing authority of the City of Lula shall through its legal counsel cause this Act to be submitted for preclearance under the federal Voting Rights of 1965, as amended; and such submission shall be made to the United States Department of Justice or filed with the

appropriate court 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.

The provisions of this Act relating to and necessary for the regular election in 2003 of members of the city council of the City of Lula shall become effective upon its approval by the Governor or upon its becoming effective without such approval; and this Act shall otherwise become effective July 1, 2003.

SECTION 5.

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