House Bill 16EX (AS PASSED HOUSE AND SENATE)

By: Representatives Hamilton of the 23rd, Dudgeon of the 24th, and Amerson of the 9th

A BILL TO BE ENTITLED

AN ACT

To amend an Act creating a board of commissioners of Forsyth County, approved June 30, 1964 (Ga. L. 1964, Ex. Sess., p. 2225), as amended, particularly by an Act approved April 25, 2002 (Ga. L. 2002, p. 4924), and by an Act approved March 26, 2009 (Ga. L. 2009, p. 3504), so as to revise the districts for the election of members of the board of commissioners; to provide for definitions and inclusions; to provide for method of election; to provide for submission of this Act for preclearance pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for related matters; 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 creating a board of commissioners of Forsyth County, approved June 30, 1964 (Ga. L. 1964, Ex. Sess., p. 2225), as amended, particularly by an Act approved April 25, 2002 (Ga. L. 2002, p. 4924), and by an Act approved March 26, 2009 (Ga. L. 2009, p. 3504), is amended by striking Section 2 and inserting in lieu thereof a new Section 2 to read as follows:

"SECTION 2.

(a) The board of commissioners of Forsyth County shall consist of five members. For the purpose electing such members, Forsyth County shall be divided into five commissioner districts. The districts 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: forsythccsb-2011 Plan Type: Local 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 Forsyth County which is not included in any district described in subsection (b) 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 Forsyth County which is described in subsection (b) 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.

(c) There shall be one member of the board from each commissioner district. A commissioner must reside in the commissioner district such person represents. A candidate shall designate the district from which such candidate offers for election. Beginning with the general election in 2010 and continuing in subsequent elections, members of the board shall be elected by the electors of their respective districts and not by the electors of the entire county. The election of members of the board shall be conducted in accordance with the provisions of Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'

(d) The members of the board who were elected at the general election in November 2008 shall continue in office for the terms to which they were elected and until successors are elected and qualified as provided in this Act. The members of the board who were elected at the general election in November 2010 shall continue in office for the terms to which they were elected and until successors are elected and qualified as provided in this Act.

(e) The first members of the reconstituted board of commissioners of Forsyth County from Commissioner Districts 1 and 3 shall be elected at the general election in November 2014. Such members shall take office on January 1 following their election for terms of four years and until their successors are elected and qualified.

(f) The first members of the reconstituted board of commissioners of Forsyth County from Commissioner Districts 2, 4, and 5 shall be elected at the general election in November 2012. Such members shall take office on January 1 following their election for terms of four years and until their successors are elected and qualified.

(g) Successors to members elected under subsections (e) and (f) of this section shall be elected at the November general election next preceding the expiration of such terms of office and shall take office on January 1 following their election for terms of four years and until their successors are elected and qualified.

(h) Commissioner Districts 1, 2, 3, 4, and 5 as they existed on January 1, 2011, shall continue to be designated as Commissioner Districts 1, 2, 3, 4, and 5, respectively, but as newly described under this Act, and, on and after the effective date of this Act, such members of the board serving from those former commissioner districts shall be deemed to be serving from and representing their respective districts as newly described under this section.″

SECTION 2.

It is the purpose of this Act to reapportion the districts from which members of the board of commissioners of Forsyth County are to be elected in the November, 2012, general election and in subsequent general elections, and this Act results from changes in population based on the United States decennial census of 2010. It is not the intention of the General Assembly to affect the membership of current members of the board, 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, except to the extent of reapportioning the districts represented by such members.

SECTION 3.

The board of commissioners of Forsyth County shall through its legal counsel cause this Act to be submitted for preclearance under 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.

The provisions of this Act relating to and necessary for the regular election in 2012 of members of the board of commissioners of Forsyth County shall become effective upon its approval by the Governor or upon its becoming effective without such approval; and this Act shall otherwise become effective January 1, 2013.

SECTION 5.

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

Plan: forsythccsb-2011
Plan Type: Local
User: bak

District 001
Forsyth County
VTD: 11703 - 03 Chattahooche
3009 3010 3011 3012 3013
2002 2003 2005 2006 2007 2019
VTD: 11705 - 05 Coal Mountai
3007
VTD: 11707 - 07 Cumming
3015 3016
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023
1024 1025 1027 1028 1029 1030 1033 1034 2008 2009 2010 2011
2012 2015 2021 2023 2024 2025 2026 2027 2028 2029 2030 2031
2032 2033 2034 2035 2037 2038 2039 2040 2041
2000 2001 2002 2003 2005 2006 2007 2009 2010 2011 2012 2013
2014
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009
1004 1005 1006 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 2025 2026 2027 2028 2029 2030 2031 2032
2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044
2045
VTD: 11709 - 09 Matt
3003 3004 3005 3006
1005
2002 2003 2004 2005 2006 2011 2012 2013 2014 2015 2016 2017
2018
4001 4002 4007
VTD: 11710 - 10 MIDWAY
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 2000
2001 2002 2003 2004 3002 3003 3004 3005
VTD: 11711 - 11 SAWNEE
VTD: 11714 - 14 LAKELAND
3000 3001 3002
2018 2019 2023 2024 2025 2026 2027
1007 1008 1009 1010 1011 1012 1023 1025 1026
3000 3001 3002 3003 3004 3010 3011 3020
VTD: 11715 - 15 Heardsville
VTD: 11716 - 16 OTWELL
VTD: 11728 - 28 MOUNTAINSIDE

District 002
Forsyth County
VTD: 11701 - 01 Big Creek
VTD: 11702 - 02 Brandywine
1015 1016 1017 1018 1021 1022 1023 1024 1025
1016 1017 1018 1019 1020 1021 3005 3006 3007 3008 3009 3010
3011 3012 3013 3014 3015 3016 3017 3018 3019 3020 3021 3022
3025 3026 3027 3028
VTD: 11717 - 17 JOHNS CREEK
VTD: 11718 - 18 DAVES CREEK
1000 2000 2001 2002
1003 1004 3000 3001 3002 3003 3004
VTD: 11719 - 19 OLD ATLANTA
1004 1005 1006 1007 1008 1009 1010 1018 1019
1000 1001 1004 3000 3001 3002 3003
1004
VTD: 11721 - 21 SOUTH FORSYTH
VTD: 11724 - 24 SHARON FORKS
3010
2000 2001 2002 2003 2004
2013
VTD: 11731 - 31 SAINT MARLO

District 003
Forsyth County
VTD: 11702 - 02 Brandywine
1003 1004 1005 1006 1008 1009 1010 1011 1012 1013 1014 1015
1016 1017
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1019 1020 2000 2001 2002 2003 2004 2005 2006
2007 2008 2009 2010 2011 2012
2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
2012 2013 2014 3023 3024
VTD: 11710 - 10 MIDWAY
1000 1001 1002 1003 1004 1005 1006 2000 2001
VTD: 11714 - 14 LAKELAND
3003 3007 3019 3020
3005 3007 3008 3009 3014 3021 3022 3023 3027 3028
VTD: 11720 - 20 PINEY GROVE
VTD: 11722 - 22 VICKERY

VTD: 11723 - 23 BENTLEY
VTD: 11729 - 29 POLO
VTD: 11732 - 32 WEST

District 004
Forsyth County
VTD: 11704 - 04 Chestatee
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 1018
2009 2011 2012
1008 1009 1016 2021 2022 2023 2024 2025 2026
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 1018 1022 1023 1024 1027
VTD: 11705 - 05 Coal Mountai
1008
1000 1001 1002 1003 1004 1007 2007 2008 2009 2010 2011 2012
2013 3000 3001 3002 3003 3004 3005 3006 3007
1000 1001 1002 1007 1008 1009 2005 2006 2008 2009 2010 2011
2012 2013 2014 2017 3000 3001
3008
VTD: 11706 - 06 Crossroads
VTD: 11709 - 09 Matt
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 2000
2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012
3000 3001 3002 3007 3008 3009 3010
1006
1011 1014 1015 2009 2010 2011 2012
2000 2001
4000
VTD: 11712 - 12 PLEASANT GROVE
2003 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015
2018 2027 2028 3029 3030
VTD: 11727 - 27 CONCORD
VTD: 11733 - 33 KEITH BRIDGE

District 005
Forsyth County
VTD: 11703 - 03 Chattahooche
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023
1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035
1036 1037 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009
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2000 2001 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017
2018 2020 2021 2022 2023 2024 2025 2026 2027
VTD: 11704 - 04 Chestatee
1020
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023
2008 2009 2010 2011 2012 2013 2014 2015
VTD: 11707 - 07 Cumming
1002
1000 1001 1002 1003 1013 1014 1015 1016
VTD: 11708 - 08 Mashburn
VTD: 11712 - 12 PLEASANT GROVE
2016 2017 2019 2020 3023
2000 2001 2002 2003 2004 2005 2006 2007 2016 2017 2018 2019
2020 2021 2022 2023 2024 2025 2026
VTD: 11714 - 14 LAKELAND
1005 1007 1008
2000 2001 2003
1017 1018 1019 1020 1021 1022 1024 1027
3006 3016 3017 3018 3019 3026
VTD: 11718 - 18 DAVES CREEK
1001 1002 1005 1007 2012 3005 3006 3007 3008
VTD: 11719 - 19 OLD ATLANTA
1005
VTD: 11724 - 24 SHARON FORKS
3009
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 3001 3002 3003 3004
1000 1001 1002 1003 1006 2000 2001 2002 2003 2004 2005 2006
2007 2008 2009 2010 2011 2012 2014 2015
VTD: 11725 - 25 WINDERMERE
VTD: 11726 - 26 LANIER
VTD: 11730 - 30 RIVERCLUB