

House Bill 50EX (AS PASSED HOUSE AND SENATE)

By: Representative Hudson of the 124th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing for a Board of Commissioners of Warren County, approved
2 March 23, 1977 (Ga. L. 1977, p. 3951), so as to reconstitute the board of commissioners; to
3 change the description of the commissioner districts; to provide for continuation in office of
4 certain current board members; to provide for election and terms of office of subsequent
5 members; to provide for submission of this Act for preclearance under the federal Voting
6 Rights Act of 1965, as amended; to provide for effective dates; to repeal conflicting laws;
7 and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act providing for a Board of Commissioners of Warren County, approved March 23,
11 1977 (Ga. L. 1977, p. 3951), is amended by revising Sections 1 and 2 as follows:

12 "SECTION 1.

13 (a) The governing authority of Warren County shall be a Board of Commissioners of
14 Warren County consisting of three members to be elected as hereinafter provided. The
15 Board of Commissioners of Warren County which existed on December 31, 2011, is
16 continued in existence but on and after January 1, 2012, shall be constituted as provided
17 in this Act. The Board of Commissioners of Warren County so continued and constituted,
18 sometimes referred to in this Act as the 'board,' shall continue to have the powers, duties,
19 rights, obligations, and liabilities of that board as existed immediately prior to January 1,
20 2012.

21 (b) Those members of the Board of Commissioners of Warren County who are serving as
22 such on December 31, 2011, and any person selected to fill a vacancy in any such office
23 shall continue to serve as such members until the regular expiration of their respective
24 terms of office and upon the election and qualification of their respective successors. On
25 and after January 1, 2012, the Board of Commissioners of Warren County shall consist of

three members all of whom shall be elected from commissioner districts described in subsection (c) of this section except for the member who is chairperson and who is elected at large.

(c)(1) For purposes of electing members of the board of commissioners, other than the chairperson, Warren County is divided into two commissioner districts. One member of the board shall be elected from each such district. The two commissioner districts shall be and correspond to those two numbered districts described in and attached to and made a part of this Act and further identified as 'Plan: warrencc-2011 Plan Type: Local User: bak'.

(2) When used in such attachment, the term 'VTD' (voting tabulation district) 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.

(3) 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. Any part of Warren County 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 2010 for the State of Georgia.

(4) Any part of Warren County 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 2010 for the State of Georgia. Except as otherwise provided in the description of any commission 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 2010 for the State of Georgia.

SECTION 2.

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

(b) In order to be elected or appointed as a member of the board from a commissioner district, other than the member who is chairperson, a person must have that person's legal residence in that district at the time of qualifying for election or at the time of appointment and, if elected, must receive the number of votes cast as required by general law for that

office in that district only and not at large. Only electors who are residents of that commissioner district may vote for a member of the board for that district. At the time of qualifying for election as a member of the board from a commissioner district, each candidate for such office shall specify the commissioner district and post for which that person is a candidate. A person elected or appointed as a member of the board from a commissioner district must continue to reside in that district during that person's term of office or that office shall become vacant. Each candidate for membership on the board of commissioners shall designate which post he is offering for: election District No. 1 Post, election District No. 2 Post or the chairperson post. A person can be a candidate for only one post.

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

(d) The first members of the reconstituted Board of Commissioners of Warren County shall be elected at the general election on the Tuesday next following the first Monday in November, 2012. The members of the board elected thereto in 2012 shall take office the first day of January immediately following that election and shall serve for initial terms of office which expire December 31, 2016, and upon the election and qualification of their respective successors. Those and all future successors to members of the board whose terms of office are to expire shall be elected at the time of the state-wide general election immediately preceding the expiration of such terms, shall take office the first day of January immediately following that election, and shall serve for terms of office of four years each. Members of the board shall serve for the terms of office specified therefor in this subsection and until their respective successors are elected and qualified.

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

(f) Commissioner Districts 1 and 2, as they exist on December 31, 2011, shall continue to be designated as Commissioner Districts 1 and 2, respectively, but as newly described under this Act, and on and after January 1, 2012, 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 Act."

SECTION 2.

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

98 the appropriate court no later than 45 days after the date on which this Act is approved by the
99 Governor or otherwise becomes law without such approval.

100 **SECTION 3.**

101 This section and Section 2 of this Act and those provisions of this Act necessary for the
102 election of members of the Board of Commissioners of Warren County in 2012 shall become
103 effective upon the approval of this Act by the Governor or upon its becoming law without
104 such approval. The remaining provisions of this Act shall become effective January 1, 2012.

105 **SECTION 4.**

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

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

District 001
Warren County
VTD: 3011 - WARRENTON
1000 1001 1002 1003 1004 1005 1006 1007 1008 1010 1011 1012
1013 1014 1024 1025 1029 1030 1031 1032 1033 1034 1035 1036
1040 1041 1042 1043 1044 1046 1052 1053 1054 1055 1056 1057
1058 1059 1060 1061 1062 1063 1064 1065 1066 1067 1068 1069
1070 1071 1072 1073 1074 1075 1076 1077 1078 1079 1080 1081
1082 1083 1084 1085 2013 2014 2017 2018 2026 2027 2028 2029
2030 2031 2032 2033 2034 2035 2036 2045 2046 3053 3054 3055
3056 3057 3058 3059 3060 3063 3064 3065 3066 3067 3068 3069
3076 3081 3095 3096 3097
2087 2088 2126 2128 2129 2130 2171 2177 2178 2179 2185 2186
2187 2188 2190 3000 3001 3002 3003 3004 3005 3006 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 3034 3035 3036 3037 3038 3039 3042 3043 3065 3066 3067
3068 3069 3070 3071 3072 3073 3080 3081 3082 3151 3154 3155
VTD: 3013 - NORWOOD
VTD: 3014 - BEALL SPRINGS

District 002
Warren County
VTD: 3011 - WARRENTON
1009 1015 1016 1017 1018 1019 1020 1021 1022 1023 1026 1027
1028 1037 1038 1039 1045 1047 1048 1049 1050 1051 1086 2000
2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012
2015 2016 2019 2020 2021 2022 2023 2024 2025 2037 2038 2039
2040 2041 2042 2043 2044 2047 2048 2049 2050 2051 2052 2053
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3244 3245
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1110 1111 1112 1113 1121 1122 1123 1149 1150 1155 1156 1157
1158 1159 1162 1163 1164 1165 1167 1168 1169 1170 1171 1172
1173 1174 1175 1176 1180 1181 1182 1184 1185 1186 1187 1188
1189 1190 1191 1192 1193 1200
VTD: 3012 - CAMAK
VTD: 3015 - RICKETSON
VTD: 3016 - PAN HANDLE