

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating a board of commissioners for Rockdale County, approved
2 March 4, 1977 (Ga. L. 1977, p. 2817), as amended, so as to increase the board of
3 commissioners to five members by adding two new commissioners; to conform the
4 qualifications of members to state law; to provide for commissioner residency districts; to
5 provide for initial terms of office; to provide for continuation in office of current members;
6 to update provisions related to quorums and votes required for approval of official actions
7 of the board of commissioners; to provide for a referendum, effective dates, and automatic
8 repeal; to provide for mandatory execution of election and judicial remedies regarding failure
9 to comply; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 An Act creating a board of commissioners for Rockdale County, approved March 4, 1977
13 (Ga. L. 1977, p. 2817), as amended, is amended by revising Sections 2 and 3 as follows:

"SECTION 2.

Composition of board.

(a) As of January 1, 2027, the commission established herein shall consist of five members, of which one member shall be known as the chairperson and four members shall be known as commissioners. One commissioner shall reside in each of the districts described in subsection (a.2) of this section and shall be elected by the voters of the entire county voting at the elections provided for hereinafter. The chairperson shall be elected by the voters of the entire county and may reside in any district within the county.

(a.1) The chairperson shall be a full voting member of the board. Each year the board of commissioners shall select from among its members a vice-chairperson of the board of commissioners. The vice-chairperson shall preside over meetings of the board of commissioners in the chairperson's absence.

(a.2) For the purpose of electing commissioners, Rockdale County shall be divided into four commissioner districts. Commissioner Districts 1, 2, 3, and 4 shall be and correspond to those four numbered districts described in Appendix A attached to and made a part of this Act and further identified as 'User: HD95 Plan Name: **TBD** Plan Type: Local'.

(a.3)(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 2020 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 2020 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

39 boundaries of that city as shown on the census maps for the United States decennial
40 census of 2020 for the State of Georgia.

41 (2) Any part of Rockdale County which is not included in any district described in
42 subsection (a.2) of this section shall be included within that district contiguous to such
43 part which contains the least population according to the United States decennial census
44 of 2020 for the State of Georgia.

45 (3) Any part of Rockdale County which is described in subsection (a.2) of this section
46 as being included in a particular district shall nevertheless not be included within such
47 district if such part is not contiguous to such district. Such noncontiguous part shall
48 instead be included within that district contiguous to such part which contains the least
49 population according to the United States decennial census of 2020 for the State of
50 Georgia.

51 (a.4)(1) Those members of the Board of Commissioners of Rockdale County who are
52 serving as such on the effective date of this Act and any person selected to fill a vacancy
53 in any such office shall continue to serve as such members until the regular expiration of
54 their respective terms of office and upon the election and qualification of their respective
55 successors.

56 (2)(A) Commissioner Post 1, as it exists immediately prior to the effective date of this
57 Act, shall be designated as Commissioner District 1, but as newly described under this
58 Act, and on and after the effective date of this Act, such member of the board serving
59 from that former commissioner post shall be deemed to be serving from and
60 representing his or her district as newly described under this Act; the successor to such
61 member shall be elected at the November, 2028, general election and shall be elected
62 and serve a term as provided for in this Act.

63 (B) The initial commissioners from Commissioner Districts 2 and 4 as newly described
64 under this Act shall be elected at the November, 2026, general election and shall serve

65 an initial term of office of four years; thereafter, successors to each such member shall
66 be elected and serve terms as provided for in this Act.

67 (C) The initial commissioner from Commissioner District 3 as newly described under
68 this Act shall be elected at the November, 2026, general election and shall serve an
69 initial term of office of two years; thereafter, successors to such member shall be
70 elected and serve terms as provided for in this Act.

71 (b) The chairperson shall be a citizen of this state who has attained the age of 21 years and
72 who has been a resident of Rockdale County for not less than 12 months next preceding his
73 or her election, and shall hold no other elective public office.

74 (c) Commissioners shall be citizens of this state who have attained the age of 21 years and
75 who have been residents of Rockdale County and the district from which he or she is
76 elected, for not less than 12 months next preceding their election, and shall hold no other
77 elective public office.

78 SECTION 3.

79 Election and terms of chairperson and commissioners.

80 Successors to the chairperson and commissioners provided for in Section 2 of this Act shall
81 be elected at the general election immediately preceding the expiration of terms of office
82 and shall take office on the first day of January immediately following their election for
83 terms of four years and until their successors are elected and qualified. Qualification by
84 candidate shall be partisan. Each candidate shall pay a qualification fee set by law at time
85 of qualifying which shall be deposited to the county treasury to assist in defraying expenses
86 of said election. All elections shall be conducted pursuant to Chapter 2 of Title 21 of the
87 O.C.G.A., the 'Georgia Election Code.'

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SECTION 2.

Said Act is further amended by revising Section 8 as follows:

"SECTION 8.

Meetings.

The board shall hold regular meetings on the second and fourth Tuesday of each month at the county seat at 10:00 A.M. on the second Tuesday and 7:00 P.M. on the fourth Tuesday, which meetings shall be open to the public; the board may hold such additional meetings as shall be necessary when called by the chairperson or any two commissioners, provided that the chairperson and all commissioners are notified at least one day in advance of such special meeting. No official action shall be taken by the commission except in a meeting which is open to the public. Any three commissioners or the chairperson and any two commissioners shall constitute a quorum, but no official action shall be taken except upon the affirmative vote of at least three commissioners or two commissioners and the chairperson. The chairperson shall be entitled to the same voting rights as other commissioners on all questions considered by the commission."

SECTION 3.

The election superintendent of Rockdale County shall call and conduct an election as provided for in this section for the purpose of submitting this Act to the electors of Rockdale County for approval or rejection. The election superintendent shall conduct that election on the Tuesday after the first Monday in November, 2024, and shall issue the call and conduct such election as provided by general law. The election superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Rockdale County. The ballot shall have written or printed thereon the words:

112 " YES Shall the Act be approved that increases the Rockdale County Board of
 113 NO Commissioners to five members, to be composed of a chairperson and four
 114 commissioners, each of whom is elected countywide but with the
 115 commissioners residing within designated districts?"

116 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring
 117 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on
 118 such question are for approval of the Act:

- 119 (1) The provisions of this Act necessary to conduct elections for the members of the Board
 120 of Commissioners of Rockdale County in 2026 shall become effective on January 1, 2026;
- 121 (2) Except as otherwise provided in paragraph (1) of this section, the remaining provisions
 122 of Sections 1 and 2 of this Act shall become effective on January 1, 2027.

123 If the Act is not so approved, or if the election is not conducted as provided for in this
 124 section, Sections 1 and 2 of this Act shall not become effective, and this Act shall be
 125 automatically repealed on the first day of July immediately following that election date. The
 126 expense of such election shall be borne by Rockdale County. It shall be the election
 127 superintendent's duty to certify the result thereof to the Secretary of State. The provisions
 128 of this section shall be mandatory upon the election superintendent and are not intended as
 129 directory. If the election superintendent fails or refuses to comply with this section, any
 130 elector of Rockdale County may apply for a writ of mandamus to compel the election
 131 superintendent to perform his or her duties under this section. If the court finds that the
 132 election superintendent has not complied with this section, the court shall fashion appropriate
 133 relief requiring the election superintendent to call and conduct such election on the date
 134 required by this section or on the next date authorized for special elections provided for in
 135 Code Section 21-2-540 of the O.C.G.A.

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SECTION 4.

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Except as otherwise provided in Section 3 of this Act, this Act shall become effective upon

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its approval by the Governor or upon its becoming law without such approval.

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SECTION 5.

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

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APPENDIX A

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User: HD95

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Plan Name: TBD

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Plan Type: Local