

Senate Bill 6EX

By: Senators Dixon of the 45th and Anderson of the 24th

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act creating the Board of Commissioners of Gwinnett County, approved
2 January 31, 1968 (Ga. L. 1968, p. 2003), as amended, particularly by an Act approved
3 March 24, 1988 (Ga. L. 1988, p. 4658), an Act approved April 1, 1994 (Ga. L. 1994,
4 p. 4497), and by an Act approved September 21, 2011 (Ga. L. 2011 Ex. Sess., p. 296), so as
5 to reconstitute the board of commissioners; to change the description of the commissioner
6 districts; to provide for five additional districts; to provide for definitions and inclusions; to
7 provide for election and terms of office of subsequent members; to change quorum
8 provisions; to provide that the chairperson votes only in the event of a tie; to revise
9 provisions governing the duties of the chairperson; to repeal a superseded description of
10 commissioner districts; to provide for related matters; to provide for effective dates; to repeal
11 conflicting laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

14 An Act creating the board of commissioners of Gwinnett County, approved January 31, 1968
15 (Ga. L. 1968, p. 2003), as amended, particularly by an Act approved March 24, 1988
16 (Ga. L. 1988, p. 4658), an Act approved April 1, 1994 (Ga. L. 1994, p. 4497), and by an Act

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17 approved September 21, 2011 (Ga. L. 2011 Ex. Sess., p. 296), is amended by revising
18 Section 3 to read as follows:

19 "SECTION 3.

20 (a) Until January 1, 2023, the Board of Commissioners of Gwinnett County shall consist
21 of four members and a chairperson. On and after January 1, 2023, the Board of
22 Commissioners of Gwinnett County shall consist of nine members and a chairperson. The
23 chairperson shall be elected by the qualified voters of the entire county and may reside in
24 any district in Gwinnett County, but each candidate for membership on the board shall be
25 a resident of the commissioner district created by this section which he or she offers to
26 represent and shall be elected by the qualified voters of such district. The chairperson and
27 members of the board of commissioners shall be elected by majority vote.

28 (b) The nine commissioner districts shall be and correspond to those nine numbered
29 districts described in Appendix A attached to and made a part of this Act and further
30 identified as 'User: H104 Plan Name: GwinnettCC-2021 Plan Type: Local'

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

32 (A) The term 'VTD' shall mean and describe the same geographical boundaries as
33 provided in the report of the Bureau of the Census for the United States decennial
34 census of 2020 for the State of Georgia. The separate numeric designations in a district
35 description which are underneath a 'VTD' heading shall mean and describe individual
36 Blocks within a VTD as provided in the report of the Bureau of the Census for the
37 United States decennial census of 2020 for the State of Georgia; and

38 (B) Except as otherwise provided in the description of any district, whenever the
39 description of any district refers to a named city, it shall mean the geographical
40 boundaries of that city as shown on the census maps for the United States decennial
41 census of 2020 for the State of Georgia.

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

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

52 (d)(1) The members of the reconstituted Board of Commissioners of Gwinnett County
53 shall be elected as provided in this subsection. The chairperson and those members of
54 the board elected from Commissioner Districts 1 and 3 shall be elected at the general
55 election on the Tuesday next following the first Monday in November, 2024. The
56 chairperson and those members of the board elected from Commissioner Districts 1 and 3
57 shall take office the first day of January immediately following that election and shall
58 serve for terms of office which expire December 31, 2028, and upon the election and
59 qualification of their respective successors.

60 (2) The first board member from Commissioner Districts 5, 7, and 9 shall be elected in
61 the general election on the Tuesday next following the first Monday in November, 2022,
62 and shall take office the first day of January immediately following that election and shall
63 serve for an initial term of office which expires December 31, 2024, and upon the
64 election and qualification of their respective successors.

65 (3) Those members from Commissioner Districts 2, 4, 6, and 8 shall be elected at the
66 general election on the Tuesday next following the first Monday in November, 2022, and
67 shall take office the first day of January immediately following that election and shall

68 serve for terms of office which expire December 31, 2026, and upon the election and
69 qualification of their respective successors.

70 (4) Except as provided in paragraph (2) of this subsection, those and all future successors
71 to members of the board whose terms of office are to expire shall be elected at the time
72 of the state-wide general election preceding the expiration of such terms, shall take office
73 the first day of January immediately following that election, and shall serve for terms of
74 office of four years each. Members of the board shall serve for the terms of office
75 specified in this subsection and until their respective successors are elected and qualified.

76 (e) Commissioner Districts 1, 2, 3, and 4, as they exist on the effective date of this Act,
77 shall continue to be designated as Commissioner Districts 1, 2, 3, and 4, respectively, but
78 as newly described under this Act; and on and after January 1, 2023, such members of the
79 board serving from those former commissioner districts shall be deemed to be serving from
80 and representing their respective districts as newly described under this Act.

81 (f) All members of the board shall be nominated and elected in accordance with Chapter 2
82 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'"

83 **SECTION 2.**

84 Said Act is further amended by striking in its entirety the attachment thereto containing the
85 descriptions of the four commissioner districts which is identified as
86 "Plan: gwinnettcc-2011re2 Plan Type: Local User: bak"

87 **SECTION 3.**

88 Said Act is further amended by revising Section 9 to read as follows:

89 **"SECTION 9.**

90 The board of commissioners shall hold regular meetings on the first and third Tuesdays of
91 each month at 10:00 A.M. and on the fourth Tuesday of each month at 7:00 P.M. Work

92 sessions shall be held on the second and fourth Tuesdays of each month at a time to be
93 designated by the board of commissioners. At the evening meetings on the fourth Tuesday,
94 the board of commissioners shall hear applications for rezoning. These meetings, work
95 sessions, and other meetings shall be held at the county seat or such other location within
96 the county as the board of commissioners designates and shall be open to the public. The
97 board of commissioners shall be authorized to change the scheduled time of the regular
98 meetings and the day and time of the work sessions by duly adopted resolution, provided
99 that notice of such change shall be published in a newspaper of general circulation and in
100 the official county organ for three weeks within a period of 60 days prior to the adoption
101 of the resolution. The board of commissioners may hold such additional meetings as shall
102 be necessary when called by the chairperson or any three members of the board of
103 commissioners, provided that all members shall have been notified at least three days in
104 advance of such special meeting. No official action shall be taken by the board of
105 commissioners except in a meeting which is open to the public. The chairperson and any
106 four members of the board of commissioners, or any five members of the board of
107 commissioners, exclusive of the chairperson, shall constitute a quorum. No official action
108 shall be taken except upon the affirmative vote of at least five members of the board of
109 commissioners. The chairperson shall vote only in the event of a tie vote of the
110 commissioners."

111

SECTION 4.

112 Said Act is further amended by revising paragraphs (6) and (7) of subsection (b) of
113 Section 10 as follows:

114 "(6) Being empowered to submit motions to the board of commissioners for action;
115 (7) Sharing equal responsibility with other commissioners for the approval of the board
116 of commissioners staff additions or separations; and"

117

SECTION 5.

118 Said Act is further amended by repealing subsection (b) of Section 13.

119

SECTION 6.

120 This Act shall become effective upon its approval by the Governor or upon its becoming law
121 without such approval, except Sections 3 and 4 of this Act shall become effective
122 January 1, 2023.

123

SECTION 7.

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

125

APPENDIX A

126 User: H104

127 Plan Name: GwinnettCC-2021

128 Plan Type: Local

129 District001

130 County Gwinnett GA

131 VTD BAYCREEK B

132 VTD BAYCREEK E

133 VTD BAYCREEK G

134 VTD BAYCREEK J

135 VTD CATES A

136 VTD CATES C

137 VTD CATES H

138 VTD CATES L

139 VTD GARNERS B

140 VTD GARNERS D

141 VTD ROCKBRIDGE A

142 VTD ROCKBRIDGE B

143 VTD ROCKBRIDGE C

144 VTD ROCKBRIDGE D

145 VTD ROCKBRIDGE E

146 VTD ROCKBRIDGE F

147 VTD ROCKBRIDGE G

148 District 002

149 County Gwinnett GA
150 VTD BAYCREEK A
151 VTD BAYCREEK F
152 VTD BAYCREEK K
153 VTD BERKSHIRE D
154 VTD BERKSHIRE E
155 VTD BERKSHIRE G
156 VTD BERKSHIRE J
157 VTD BERKSHIRE M
158 VTD BERKSHIRE N
159 VTD BERKSHIRE O
160 VTD BERKSHIRE Q
161 VTD CATES B
162 VTD CATES D
163 VTD CATES E
164 VTD CATES F
165 VTD CATES G
166 VTD CATES I
167 VTD CATES J
168 VTD CATES K
169 VTD CATES M
170 VTD CATES N
171 VTD CATES O
172 VTD GARNERS A
173 VTD GARNERS C
174 VTD GARNERS F
175 VTD LAWRENCEVILLE B

- 176 District 003
- 177 County Gwinnett GA
- 178 VTD BERKSHIRE A
- 179 VTD BERKSHIRE B
- 180 VTD BERKSHIRE F
- 181 VTD BERKSHIRE H
- 182 VTD BERKSHIRE L
- 183 VTD BERKSHIRE P
- 184 VTD PINCKNEYVILLE B
- 185 VTD PINCKNEYVILLE D
- 186 VTD PINCKNEYVILLE F
- 187 VTD PINCKNEYVILLE J
- 188 VTD PINCKNEYVILLE K
- 189 VTD PINCKNEYVILLE O
- 190 VTD PINCKNEYVILLE Q
- 191 VTD PINCKNEYVILLE V
- 192 VTD PINCKNEYVILLE Y

- 193 District 004
- 194 County Gwinnett GA
- 195 VTD DULUTH A
- 196 VTD DULUTH B
- 197 VTD DULUTH D
- 198 VTD DULUTH F
- 199 VTD DULUTH G
- 200 VTD DULUTH I
- 201 VTD GOODWINS E

- 202 VTD GOODWINS F
- 203 VTD GOODWINS H
- 204 VTD MARTINS D
- 205 VTD MARTINS E
- 206 VTD MARTINS J
- 207 VTD SUWANEE C
- 208 VTD SUWANEE G

- 209 District 005
- 210 County Gwinnett GA
- 211 VTD DUNCANS A
- 212 VTD DUNCANS B
- 213 VTD DUNCANS C
- 214 VTD DUNCANS D
- 215 VTD GOODWINS B
- 216 VTD HARBINS B
- 217 VTD HOG MOUNTAIN A
- 218 VTD HOG MOUNTAIN B
- 219 VTD HOG MOUNTAIN C
- 220 VTD HOG MOUNTAIN D
- 221 VTD LAWRENCEVILLE K
- 222 VTD PUCKETTS C
- 223 VTD PUCKETTS D
- 224 VTD ROCKYCREEK A
- 225 VTD ROCKYCREEK B
- 226 VTD ROCKYCREEK C

- 227 District 006
- 228 County Gwinnett GA
- 229 VTD PUCKETTS A
- 230 VTD PUCKETTS B
- 231 VTD PUCKETTS E
- 232 VTD SUGAR HILL A
- 233 VTD SUGAR HILL B
- 234 VTD SUGAR HILL C
- 235 VTD SUGAR HILL D
- 236 VTD SUGAR HILL E
- 237 VTD SUGAR HILL F
- 238 VTD SUGAR HILL G
- 239 VTD SUWANEE A
- 240 VTD SUWANEE B
- 241 VTD SUWANEE D
- 242 VTD SUWANEE E
- 243 VTD SUWANEE F
- 244 VTD SUWANEE H

- 245 District 007
- 246 County Gwinnett GA
- 247 VTD DULUTH C
- 248 VTD DULUTH E
- 249 VTD DULUTH H
- 250 VTD DULUTH K
- 251 VTD MARTINS F
- 252 VTD PINCKNEYVILLE A1

253 VTD PINCKNEYVILLE C
254 VTD PINCKNEYVILLE E
255 VTD PINCKNEYVILLE H
256 VTD PINCKNEYVILLE I
257 VTD PINCKNEYVILLE L
258 VTD PINCKNEYVILLE M
259 VTD PINCKNEYVILLE N
260 VTD PINCKNEYVILLE P
261 VTD PINCKNEYVILLE S
262 VTD PINCKNEYVILLE T
263 VTD PINCKNEYVILLE U
264 VTD PINCKNEYVILLE W
265 VTD PINCKNEYVILLE X
266 VTD PINCKNEYVILLE Z
267 VTD PINKCNEYVILLE A

268 District 008
269 County Gwinnett GA
270 VTD BAYCREEK C
271 VTD BAYCREEK D
272 VTD BAYCREEK H
273 VTD BAYCREEK I
274 VTD DACULA
275 VTD HARBINS A
276 VTD HARBINS C
277 VTD LAWRENCEVILLE C
278 VTD LAWRENCEVILLE D

279 VTD LAWRENCEVILLE F
280 VTD LAWRENCEVILLE H
281 VTD LAWRENCEVILLE I
282 VTD LAWRENCEVILLE M

283 District 009
284 County Gwinnett GA
285 VTD GOODWINS A
286 VTD GOODWINS C
287 VTD GOODWINS D
288 VTD GOODWINS G
289 VTD GOODWINS I
290 VTD LAWRENCEVILLE A
291 VTD LAWRENCEVILLE E
292 VTD LAWRENCEVILLE G
293 VTD LAWRENCEVILLE J
294 VTD LAWRENCEVILLE L
295 VTD LAWRENCEVILLE N
296 VTD MARTINS A
297 VTD MARTINS B
298 VTD MARTINS C
299 VTD MARTINS G
300 VTD MARTINS H
301 VTD MARTINS I
302 VTD MARTINS K