

House Bill 1015

By: Representative Greene of the 158th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act reconstituting the Board of Education of Clay County, approved January
2 15, 1993 (Ga. L. 1993, p. 3576), as amended, so as to reconstitute the board of education; to
3 change the description of the education districts; to provide for definitions and inclusions;
4 to provide for continuation in office of current members; to provide for election and terms
5 of office of subsequent members; to provide for submission of this Act for approval under
6 the federal Voting Rights Act of 1965, as amended; to provide for effective dates; to repeal
7 conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 An Act reconstituting the Board of Education of Clay County, approved January 15, 1993
11 (Ga. L. 1993, p. 3576), as amended, is amended by striking Section 1 of said Act and
12 inserting in its place the following:

13 **"SECTION 1.**

14 The Board of Education of Clay County which existed on December 31, 2002, is continued
15 in existence but on and after January 1, 2003, shall be constituted as provided in this Act.
16 The Board of Education of Clay County so continued and constituted, sometimes referred
17 to in this Act as the 'board,' shall continue to have the powers, duties, rights, obligations,
18 and liabilities of that board as existed immediately prior to January 1, 2003."

19 **SECTION 2.**

20 Said Act is further amended by striking Section 2 of said Act and inserting in its place the
21 following:

1 "SECTION 2.

2 (a) Those members of the Board of Education of Clay County who are serving as such on
3 December 31, 2002, and any person selected to fill a vacancy in any such office shall
4 continue to serve as such members until the regular expiration of their respective terms of
5 office and upon the election and qualification of their respective successors. On and after
6 January 1, 2003, the Board of Education of Clay County shall consist of five members, all
7 of whom shall be elected from education districts described in subsection (b) of this
8 section.

9 (b) For purposes of electing members of the board of education, the Clay County School
10 District is divided into five education districts. One member of the board shall be elected
11 from each such district. The five education districts shall be and correspond to those five
12 numbered districts described in and attached to and made a part of this Act and further
13 identified as Plan Name: claywk1 Plan Type: Local User: Tara Administrator: Clay Co.

14 (c) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean
15 and describe the same geographical boundaries as provided in the report of the Bureau of
16 the Census for the United States decennial census of 2000 for the State of Georgia. The
17 separate numeric designations in a Tract description which are underneath a 'BG' heading
18 shall mean and describe individual Blocks within a Block Group as provided in the report
19 of the Bureau of the Census for the United States decennial census of 2000 for the State of
20 Georgia. Any part of the Clay County School District which is not included in any such
21 district described in that attachment shall be included within that district contiguous to such
22 part which contains the least population according to the United States decennial census
23 of 2000 for the State of Georgia. Any part of the Clay County School District which is
24 described in that attachment as being in a particular district shall nevertheless not be
25 included within such district if such part is not contiguous to such district. Such
26 noncontiguous part shall instead be included within that district contiguous to such part
27 which contains the least population according to the United States decennial census of 2000
28 for the State of Georgia. Except as otherwise provided in the description of any education
29 district, whenever the description of such district refers to a named city, it shall mean the
30 geographical boundaries of that city as shown on the census map for the United States
31 decennial census of 2000 for the State of Georgia."

32 **SECTION 3.**

33 Said Act is further amended by striking subsection (a) of Section 4 of said Act and inserting
34 in its place the following:

35 "(a) At the general election on the Tuesday next following the first Monday in November,
36 2002, members of the board shall be elected from Education Districts 1 and 2, shall take

1 office the first day of January immediately following that election, and shall serve for
2 initial terms of office which expire on December 31, 2006, and upon the election and
3 qualification of their respective successors. At the general election on the Tuesday next
4 following the first Monday in November, 2004, members of the board shall be elected from
5 Education Districts 3, 4, and 5, shall take office the first day of January immediately
6 following that election, and shall serve for initial terms of office which expire on December
7 31, 2008, and upon the election and qualification of their respective successors. Those and
8 all future successors to members of the board whose terms of office are to expire shall be
9 elected at the time of the state-wide general election immediately preceding the expiration
10 of such terms, shall take office the first day of January immediately following that election,
11 and shall serve for terms of office of four years each. Members of the board shall serve for
12 the terms of office specified therefor in this subsection and until their respective successors
13 are elected and qualified. Education Districts 1, 2, 3, 4, and 5, as they exist on December
14 31, 2002, shall continue to be designated as Education Districts 1, 2, 3, 4, and 5,
15 respectively, but as newly described under this Act, and on and after January 1, 2003, such
16 members of the board serving from those former education districts shall be deemed to be
17 serving from and representing their respective districts as newly described under this Act."

18 **SECTION 4.**

19 It shall be the duty of the attorney of the Board of Education of Clay County to submit this
20 Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended.

21 **SECTION 5.**

22 This section and Section 4 of this Act and those provisions of this Act necessary for the
23 election of members of the Board of Education of Clay County in 2002 shall become
24 effective upon the approval of this Act by the Governor or upon its becoming law without
25 such approval. The remaining provisions of this Act shall become effective January 1, 2003.

26 **SECTION 6.**

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