

House Bill 1336

By: Representatives Richardson of the 26<sup>th</sup> and Murphy of the 18<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act to provide for the election of the members of the Paulding County Board  
2 of Education, approved March 21, 1968 (Ga. L. 1968, p. 2381), as amended, particularly by  
3 an Act approved March 29, 1984 (Ga. L. 1984, p. 5146), so as to revise the districts for the  
4 election of members of the board of education; to provide for definitions and inclusions; to  
5 provide for the manner of election; to provide for qualifications; to provide for payment of  
6 expense allowance for attendance at meetings; to provide for submission of this Act for  
7 preclearance pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended; to  
8 provide for related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 An Act to provide for the election of the members of the Paulding County Board of  
12 Education, approved March 21, 1968 (Ga. L. 1968, p. 2381), as amended, particularly by an  
13 Act approved March 29, 1984 (Ga. L. 1984, p. 5146), is amended by striking Section 1 in its  
14 entirety and inserting in lieu thereof a new Section 1 to read as follows:

15 "SECTION 1.

16 (a) The Board of Education of Paulding County shall be composed of seven members.  
17 Any person, in order to be eligible for membership on the board, must be registered and  
18 eligible to vote for members of the General Assembly from Paulding County, must have  
19 resided in Paulding County for at least one year immediately preceding the date of election,  
20 and must reside in the education district from which such person offers as a candidate for  
21 at least six months immediately preceding the date of election. The members of the board  
22 shall be elected by the qualified electors of the entire county.

23 (b) For the purpose of electing the seven members of the board from education districts,  
24 Paulding County shall be divided into seven education districts. One member of the board  
25 shall be elected from each such district. Districts 1 through 6 shall be and correspond to

1 those six numbered districts described in and attached to and made a part of this Act and  
 2 further identified as Plan Name: pauldsbwk4 Plan Type: Local User: Tara Administrator:  
 3 Paulding. District 7 shall be composed of the entire county.

4 (c) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean  
 5 and describe the same geographical boundaries as provided in the report of the Bureau of  
 6 the Census for the United States decennial census of 2000 for the State of Georgia. The  
 7 separate numeric designations in a Tract description which are underneath a 'BG' heading  
 8 shall mean and describe individual Blocks within a Block Group as provided in the report  
 9 of the Bureau of the Census for the United States decennial census of 2000 for the State of  
 10 Georgia. Any part of Paulding County which is not included in any such district described  
 11 in that attachment shall be included within that district contiguous to such part which  
 12 contains the least population according to the United States decennial census of 2000 for  
 13 the State of Georgia. Any part of Paulding County which is described in that attachment  
 14 as being in a particular district shall nevertheless not be included within such district if such  
 15 part is not contiguous to such district. Such noncontiguous part shall instead be included  
 16 within that district contiguous to such part which contains the least population according  
 17 to the United States decennial census of 2000 for the State of Georgia. Except as otherwise  
 18 provided in the description of any district, whenever the description of such district refers  
 19 to a named city, it shall mean the geographical boundaries of that city as shown on the  
 20 census map for the United States decennial census of 2000 for the State of Georgia."

## 21 **SECTION 2.**

22 Said Act is further amended by striking Section 2 in its entirety and inserting a new Section 2  
 23 to read as follows:

## 24 "SECTION 2.

25 (a) In the event that any member elected from a district ceases to be a resident of his or her  
 26 respective education district during his or her term of office, a vacancy shall be created and  
 27 shall be filled in the manner as provided in this Act. All members shall be nominated and  
 28 elected in accordance with the provisions of Chapter 2 of Title 21 of the O.C.G.A., the  
 29 'Georgia Election Code,' as now or hereafter amended.

30 (b) The members of the board who were elected at the general election in November 1998  
 31 shall continue in office for the terms to which they were elected and until successors are  
 32 elected and qualified as provided in this section. The members of the board who were  
 33 elected at the general election in November 2000 shall continue in office for the terms to  
 34 which they were elected and until successors are elected and qualified as provided in this  
 35 section.

1 (c) The first members of the reconstituted Board of Education of Paulding County from  
 2 Education Districts 2, 5, and 6 shall be elected in the general election in November 2002.  
 3 Such members shall take office on January 1 following their election for terms of four  
 4 years and until their successors are elected and qualified.

5 (d) The first members of the reconstituted Board of Education of Paulding County from  
 6 Education Districts 1, 3, 4, and 7 shall be elected in the general election in November 2004.  
 7 Such members shall take office on January 1 following their election for a term of four  
 8 years and until their successors are elected and qualified.

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

13 (f) Education Districts 1, 2, 3, 4, 5, and 6 as they exist immediately prior to the effective  
 14 date of this section shall continue to be designated as Education Districts 1, 2, 3, 4, 5,  
 15 and 6, respectively, but as newly described under this Act, and, on and after the effective  
 16 date of this section, such members of the board serving from former Education Districts  
 17 2, 3, 4, 5, and 6 shall be deemed to be serving from and representing Education Districts  
 18 2, 3, 4, 5, and 6, respectively, as newly described under this section. On and after the  
 19 effective date of this section, Derek Lawrence shall be designated as the member from  
 20 Education District 1 and Howard Maxwell shall be designated as the at-large member from  
 21 Education District 7."

### 22 **SECTION 3.**

23 Said Act is further amended by adding a new Section 2A to read as follows:

#### 24 "SECTION 2A.

25 Each member of the Board of Education of Paulding County shall receive the same  
 26 expense allowance per day as that received by a member of the General Assembly for each  
 27 day such member is in attendance at a meeting of such board as provided in subsection (b)  
 28 of Code Section 45-7-21 of the O.C.G.A. The expense allowance and reimbursement  
 29 provided for in this section shall be paid in lieu of any per diem, allowance, or other  
 30 remuneration now received by such member for such attendance."

### 31 **SECTION 4.**

32 It shall be the duty of the attorney of the Board of Education of Paulding County to submit  
 33 this Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965, as  
 34 amended.

1 **SECTION 5.**

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