

House Bill 1359

By: Representative Shaw of the 176<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating a new board of education of Lanier County, approved March 13,  
2 1970 (Ga. L. 1970, p. 2709), as amended, particularly by an Act approved March 20, 1985  
3 (Ga. L. 1985, p. 3966), so as to revise the education districts for the election of members of  
4 the board of education; to provide for definitions and inclusions; to provide for the manner  
5 of election; to provide for qualifications; to provide for submission of this Act for  
6 preclearance pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended; to  
7 provide for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act creating a new board of education of Lanier County, approved March 13, 1970 (Ga.  
11 L. 1970, p. 2709), as amended, particularly by an Act approved March 20, 1985 (Ga. L.  
12 1985, p. 3966), is amended by striking Section 2 in its entirety and inserting in lieu thereof  
13 a new Section 2 to read as follows:

14 "SECTION 2.

15 (a) Those members of the board of education of Lanier County who are serving as such  
16 on the effective date of this Act and any person selected to fill a vacancy in any such  
17 offices shall continue to serve as such members for the remainder of the terms of office to  
18 which they were elected and until their successors are elected and qualified.

19 (b) For the purpose of electing members of the board of education of Lanier County,  
20 Lanier County shall be divided into four education districts. One member of the board  
21 shall be elected from each such district. Those districts shall be and correspond to those  
22 four numbered districts described in and attached to and made a part of this Act and further  
23 identified as Plan Name: lanierccsbp1 Plan Type: Local User: Tara Administrator: Lanier  
24 Co.

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

18       (d) The members of the board of education who were elected at the general election in  
19 November 1998 shall continue in office for the terms to which they were elected and until  
20 successors are elected and qualified as provided in this section. The members of the board  
21 of education who were elected at the general election in November 2000 shall continue in  
22 office for the terms to which they were elected and until successors are elected and  
23 qualified as provided in this section.

24       (e) The first members of the reconstituted board of education of Lanier County from  
25 Education Districts 1, 3, and 4 shall be elected in the state-wide general election in  
26 November 2002. Such members shall take office on January 1 following their election for  
27 terms of four years and until their successors are elected and qualified.

28       (f) The first member of the reconstituted board of education of Lanier County from  
29 Education District 2 shall be elected in the state-wide general election in November 2004.  
30 Such member shall take office on January 1 following his or her election for a term of four  
31 years and until his or her successor is elected and qualified.

32       (g) The first chairperson of the reconstituted board of education of Lanier County shall be  
33 by all of the qualified voters of Lanier County voting in the state-wide general election in  
34 November 2004. Such chairperson shall take office on January 1 following his or her  
35 election for a term of four years and until his or her successor is elected and qualified.

36       (h) Successors to members elected under subsections (e), (f), and (g) of this section shall  
37 be elected at the state-wide general election next preceding the expiration of such terms of

1 office and shall take office on January 1 following their election for terms of four years and  
2 until their successors are elected and qualified.

3 (i) The members of the board of education shall be residents of the education districts they  
4 represent and shall be elected by the qualified voters voting within their respective  
5 education districts. The chairperson shall be a resident of Lanier County and shall be  
6 elected by the qualified voters of the entire county.

7 (j) In the event that any member elected from a district ceases to be a resident of his or her  
8 respective education district during his or her term of office, a vacancy shall be created and  
9 shall be filled in the manner provided in Section 3 of this Act. In all elections conducted  
10 pursuant to this Act, each candidate shall designate, at the time of qualifying, the district  
11 or chairperson post for which he or she offers as a candidate. All members shall be  
12 nominated and elected in accordance with the provisions of Chapter 2 of Title 21 of the  
13 O.C.G.A., the 'Georgia Election Code,' as now or hereafter amended.

14 (k) Education Districts 1, 2, 3, and 4 as they exist immediately prior to the effective date  
15 of this Act shall continue to be designated as Education Districts 1, 2, 3, and 4,  
16 respectively, but as newly described under this Act, and, on and after the effective date of  
17 this Act, such members of the board serving from those former education districts shall be  
18 deemed to be serving from and representing their respective districts as newly described  
19 under this section."

20 **SECTION 2.**

21 It shall be the duty of the attorney of the board of education of Lanier County to submit this  
22 Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended.

23 **SECTION 3.**

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