

House Bill 1535

By: Representatives Yates of the 106th and Sanders of the 107th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act entitled "Griffin-Spalding County School System," approved February 25,
2 1953 (Ga. L. 1953, Jan-Feb. Sess., p. 2563), as amended, particularly by a local
3 constitutional amendment (Ga. L. 1982, p. 2680), which was continued in force and effect
4 as a part of the Constitution of the State of Georgia by an Act approved February 18, 1987
5 (Ga. L. 1987, p. 3545), and by an Act approved April 9, 1993 (Ga. L. 1993, p. 5192), so as
6 to revise the districts for the election of members of the board of education; to provide for
7 definitions and inclusions; to provide for the manner of election; to provide for
8 qualifications; to provide for legislative authority; to provide for a referendum; to provide
9 for submission of this Act for preclearance pursuant to Section 5 of the federal Voting Rights
10 Act of 1965, as amended; to provide for related matters; to provide for effective dates; to
11 repeal conflicting laws; and for other purposes.

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

13 **SECTION 1A.**

14 An Act entitled "Griffin-Spalding County School System," approved February 25, 1953
15 (Ga. L. 1953, Jan-Feb. Sess., p. 2563), as amended, particularly by a local constitutional
16 amendment (Ga. L. 1982, p. 2680), which was continued in force and effect as a part of the
17 Constitution of the State of Georgia by an Act approved February 18, 1987 (Ga. L. 1987,
18 p. 3545), and by an Act approved April 9, 1993 (Ga. L. 1993, p. 5192), is amended by
19 striking Sections 2 and 3 and inserting in lieu thereof new Sections 2 and 3 to read as
20 follows:

21 **"SECTION 2.**

22 (a) The administration of the Griffin-Spalding County School System shall be vested in
23 a board to be known and designated as the 'Griffin-Spalding County Board of Education.'
24 Said board shall consist of five members, each of whom shall be a person of good moral
25 character and at least 25 years of age at the time of assuming office as a member of said

1 board. Each of the five education districts hereinafter created and described shall be
2 represented by one member of such board who shall have been a resident of the district he
3 or she represents for at least six months prior to the date of his or her election or
4 appointment to said board. Such members shall be elected in a nonpartisan general election
5 held at the time of the general primary in each even-numbered year.

6 (b) For the purpose of electing members of the board from education districts, Spalding
7 County shall be divided into five education districts. One member of the board shall be
8 elected from each such district. Those districts shall be and correspond to those five
9 numbered districts described in and attached to and made a part of this Act and further
10 identified as Plan Name: spaldcc5 Plan Type: Local User: Linda Administrator: Spalding.

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

28 29 SECTION 3.

30 (a) The members of the board who are in office on January 1, 2002, and any person
31 selected to fill a vacancy on such board shall continue in office until December 31, 2002,
32 and until successors are elected and qualified as provided herein and at that time such
33 members' terms of office shall end.

34 (b) The first members of the reconstituted Griffin-Spalding County Board of Education
35 from Education Districts 2 and 4 shall be elected in the nonpartisan general election held
36 in conjunction with the general primary in 2002. Such members shall take office on
37 January 1 following their election for terms of two years and until their successors are

1 elected and qualified. The first members of the reconstituted Griffin-Spalding County
 2 Board of Education from Education Districts 1, 3, and 5 shall be elected in the nonpartisan
 3 general election held in conjunction with the general primary in 2002. Such members shall
 4 take office on January 1 following their election for a term of four years and until their
 5 successors are elected and qualified.

6 (c) Successors to members elected under subsection (b) of this section shall be elected at
 7 the nonpartisan general election next preceding the expiration of such terms of office and
 8 shall take office on January 1 following their election for terms of four years and until their
 9 successors are elected and qualified. All members of the board shall be nominated and
 10 elected in accordance with the provisions of Chapter 2 of Title 21 of the O.C.G.A., the
 11 'Georgia Election Code,' as now or hereafter amended."

12 **SECTION 1B.**

13 An Act entitled "Griffin-Spalding County School System," approved February 25, 1953
 14 (Ga. L. 1953, Jan-Feb. Sess., p. 2563), as amended, particularly by a local constitutional
 15 amendment (Ga. L. 1982, p. 2680), which was continued in force and effect as a part of the
 16 Constitution of the State of Georgia by an Act approved February 18, 1987 (Ga. L. 1987,
 17 p. 3545), and by an Act approved April 9, 1993 (Ga. L. 1993, p. 5192), is amended by
 18 striking Sections 2 and 3 and inserting in lieu thereof new Sections 2 and 3 to read as
 19 follows:

20 "SECTION 2.

21 (a) The administration of the Griffin-Spalding County School System shall be vested in
 22 a board to be known and designated as the 'Griffin-Spalding County Board of Education.'
 23 Said board shall consist of seven members, each of whom shall be a person of good moral
 24 character and at least 25 years of age at the time of assuming office as a member of said
 25 board. Each of the seven education districts hereinafter created and described shall be
 26 represented by one member of such board who shall have been a resident of the district he
 27 or she represents for at least six months prior to the date of his or her election or
 28 appointment to said board. Such members shall be elected in a nonpartisan general election
 29 held at the time of the general primary in each even-numbered year.

30 (b) For the purpose of electing members of the board from education districts, Spalding
 31 County shall be divided into seven education districts. One member of the board shall be
 32 elected from each such district. Education Districts 1 through 5, respectively, shall be and
 33 correspond to those five numbered districts described in and attached to and made a part
 34 of this Act and further identified as Plan Name: spaldcc5 Plan Type: Local User: Linda
 35 Administrator: Spalding. Education Districts 6 and 7 shall be and correspond to those two

1 districts numbered 001 and 002, respectively, described in and attached to and made a part
2 of this Act and further identified as Plan Name: SPALDCCALTSBR Plan Type: Local
3 User: Linda Administrator: Spalding.

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 Spalding 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 Spalding 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 3.

22 (a) The members of the board who are in office on January 1, 2002, and any person
23 selected to fill a vacancy on such board shall continue in office until December 31, 2002,
24 and until successors are elected and qualified as provided herein and at that time such
25 members' terms of office shall end.

26 (b) The first members of the reconstituted Griffin-Spalding County Board of Education
27 from Education Districts 2, 4, and 6 shall be elected in the nonpartisan general election held
28 in conjunction with the general primary in 2002. Such members shall take office on
29 January 1 following their election for terms of two years and until their successors are
30 elected and qualified. The first members of the reconstituted Griffin-Spalding County
31 Board of Education from Education Districts 1, 3, 5, and 7 shall be elected in the
32 nonpartisan general election held in conjunction with the general primary in 2002. Such
33 members shall take office on January 1 following their election for a term of four years and
34 until their successors are elected and qualified.

35 (c) Successors to members elected under subsections (b) of this section shall be elected at
36 the nonpartisan general election next preceding the expiration of such terms of office and

1 shall take office on January 1 following their election for terms of four years and until their
 2 successors are elected and qualified. All members of the board shall be nominated and
 3 elected in accordance with the provisions of Chapter 2 of Title 21 of the O.C.G.A., the
 4 'Georgia Election Code,' as now or hereafter amended."

5 **SECTION 2.**

6 This Act is passed pursuant to that local constitutional amendment (Ga. L. 1982, p. 2680)
 7 which was ratified in 1982 and which was continued as a part of the Constitution of the State
 8 of Georgia by an Act approved February 18, 1987 (Ga. L. 1987, p. 3545), and the
 9 amendments herein shall supercede those provisions of such local constitutional amendment
 10 to the extent that such provisions of such local constitutional amendment are inconsistent
 11 with the provisions of this Act.

12 **SECTION 3.**

13 It shall be the duty of the attorney of the Griffin-Spalding County Board of Education to
 14 submit this Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965,
 15 as amended.

16 **SECTION 4.**

17 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election
 18 superintendent of Spalding County shall call and conduct an election as provided in this
 19 section for the purpose of submitting this Act to the electors of Spalding County for approval
 20 or rejection. The election superintendent shall conduct this election on the first available
 21 special election date authorized by Code Section 21-2-540 of the O.C.G.A. following the
 22 effective date of this Act. The election superintendent shall issue the call and conduct the
 23 election as provided by general law. The superintendent shall cause the date and purpose of
 24 the election to be published once a week for two weeks immediately preceding the date of
 25 the election in the official organ of Spalding County. The ballot shall have written or printed
 26 thereon the words:

27 "QUESTION NO. 1

28 () YES Shall the Griffin-Spalding County Board of Education be reduced from a
 29 () NO ten-member board to a five-member or seven-member board?

30 QUESTION NO. 2

31 If a majority of the votes cast on Question No. 1 are in favor of reducing the
 32 number of members of the Griffin-Spalding County Board of Education, select
 33 the type of board which you favor by placing a check (✓) mark or (X) in the
 34 appropriate space below. Vote for only one of the options below:

1

SECTION 6.

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