

House Bill 1553

By: Representative Hudgens of the 24<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating a board of education of Madison County, approved March 24,  
2 1988 (Ga. L. 1988, p. 4698), as amended, particularly by an Act approved March 12, 1992  
3 (Ga. L. 1992, p. 4880), so as to revise the districts for the election of members of the board  
4 of education; to provide for definitions and inclusions; to provide for method of election; to  
5 provide for submission of this Act for preclearance pursuant to Section 5 of the federal  
6 Voting Rights Act of 1965, as amended; to provide for related matters; to provide effective  
7 dates; 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 board of education of Madison County, approved March 24, 1988  
11 (Ga. L. 1988, p. 4698), as amended, particularly by an Act approved March 12, 1992  
12 (Ga. L. 1992, p. 4880), is amended by striking Section 3 and inserting in lieu thereof a new  
13 Section 3 to read as follows:

14 **"SECTION 3.**

15 (a) The Board of Education of Madison County shall be composed of five members. For  
16 the purpose of electing the members of the board of education, Madison County shall be  
17 divided into five education districts which shall be and correspond to those five numbered  
18 districts described in and attached to and made a part of this Act and further identified as  
19 Plan Name: madisonsb1 Plan Type: Local User: Gina Administrator: Madison-Cnty.

20 (b) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean  
21 and describe the same geographical boundaries as provided in the report of the Bureau of  
22 the Census for the United States decennial census of 2000 for the State of Georgia. The  
23 separate numeric designations in a Tract description which are underneath a 'BG' heading  
24 shall mean and describe individual Blocks within a Block Group as provided in the report  
25 of the Bureau of the Census for the United States decennial census of 2000 for the State of

1 Georgia. Any part of Madison County which is not included in any such district described  
 2 in that attachment shall be included within that district contiguous to such part which  
 3 contains the least population according to the United States decennial census of 2000 for  
 4 the State of Georgia. Any part of Madison County which is described in that attachment  
 5 as being in a particular district shall nevertheless not be included within such district if such  
 6 part is not contiguous to such district. Such noncontiguous part shall instead be included  
 7 within that district contiguous to such part which contains the least population according  
 8 to the United States decennial census of 2000 for the State of Georgia. Except as otherwise  
 9 provided in the description of any district, whenever the description of such district refers  
 10 to a named city, it shall mean the geographical boundaries of that city as shown on the  
 11 census map for the United States decennial census of 2000 for the State of Georgia."

12 **SECTION 2.**

13 Said Act is further amended by striking Section 4 and inserting in lieu thereof a new  
 14 Section 4 to read as follows:

15 "SECTION 4.

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

22 (b) The first members of the reconstituted board of education of Madison County from  
 23 Education Districts 1 and 2 shall be elected at the nonpartisan general election held in  
 24 conjunction with the state-wide general primary in 2002. Such members shall take office  
 25 on January 1 following their election for terms of four years and until their successors are  
 26 elected and qualified.

27 (c) The first members of the reconstituted board of education of Madison County from  
 28 Education Districts 3, 4, and 5 shall be elected at the nonpartisan general election held in  
 29 conjunction with the state-wide general primary in 2004. Such members shall take office  
 30 on January 1 following their election for terms of four years and until their successors are  
 31 elected and qualified.

32 (d) Successors to members elected under subsections (b) and (c) of this section shall be  
 33 elected at the nonpartisan general election held in conjunction with the state-wide general  
 34 primary next preceding the expiration of such terms of office and shall take office on

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

3 (e) Education Districts 1, 2, 3, 4, and 5 as they existed on January 1, 2002, shall continue  
4 to be designated as Education Districts 1, 2, 3, 4, and 5, respectively, but as newly  
5 described under this Act.

6 (f) Members of the Board of Education of Madison County shall be elected in accordance  
7 with the provisions of Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code,'  
8 in nonpartisan elections as provided in Code Section 21-2-139."

9 **SECTION 3.**

10 It shall be the duty of the attorney of the board of education of Madison County to submit  
11 this Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965, as  
12 amended.

13 **SECTION 4.**

14 The provisions of this Act relating to and necessary for the regular election in 2002 of  
15 members of the board of education of Madison County shall become effective upon its  
16 approval by the Governor or upon its becoming effective without such approval; and this Act  
17 shall otherwise become effective January 1, 2003.

18 **SECTION 5.**

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