

House Bill 1596

By: Representative Ashe of the 46<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act providing for the number of members and for the election of members of  
2 the Board of Education of Fulton County, approved February 10, 1984 (Ga. L. 1984, p.  
3 3591), as amended, so as to change the description of the education districts; to provide for  
4 definitions and inclusions; to provide for continuation in office of current members; to  
5 change certain provisions regarding residency and election; to provide for submission of this  
6 Act for approval under the federal Voting Rights Act of 1965, as amended; to provide for  
7 effective 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 providing for the number of members and for the election of members of the Board  
11 of Education of Fulton County, approved February 10, 1984 (Ga. L. 1984, p. 3591), as  
12 amended, is amended by striking Section 1 and inserting in its place a new Section 1 to read  
13 as follows:

14 "SECTION 1.

15 (a) For purposes of electing members of the board of education, the Fulton County School  
16 District is divided into seven education districts. One member of the board shall reside in  
17 each such district. All members shall be elected at large. The seven education districts  
18 shall be and correspond to those seven numbered districts described in and attached to and  
19 made a part of this Act and further identified as Plan Name: fulsbwk4 Plan Type: LOCAL  
20 User: P Chapman Administrator: CNTY-FULTON.

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

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

14 (c) Education Districts 1 through 7, as they exist immediately prior to the effective date  
 15 of this Act, shall continue to be designated as Education Districts 1 through 7, respectively,  
 16 but as newly described under this Act, and on and after the effective date of this Act, such  
 17 members of the board serving from those former education districts shall be deemed to be  
 18 serving from and representing their respective districts as newly described under this  
 19 section."

## 20 SECTION 2.

21 Said Act is further amended by striking subsection (a) of Section 2 and inserting in its place  
 22 a new subsection (a) to read as follows:

23 "(a)(1) No person shall be a member of the board if that person is ineligible for such  
 24 office pursuant to Code Sections 45-2-1 and 20-2-51 of the O.C.G.A. or any other general  
 25 law applicable to that office.

26 (2) In order to be elected as a member of the board, a person must receive the number  
 27 of votes cast as required by general law for that office in the entire school district. At the  
 28 time of qualifying for election as a member of the board from an education district, each  
 29 candidate for such office shall specify the education district from which that person is a  
 30 candidate. A person elected or appointed as a member of the board from an education  
 31 district must continue to reside in that district during that person's term of office or that  
 32 office shall become vacant."

## 33 SECTION 3.

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

1 **SECTION 4.**

2 This section and Section 3 of this Act shall become effective upon the approval of this Act  
3 by the Governor or upon its becoming law without such approval. The remaining provisions  
4 of this Act shall become effective January 1, 2003.

5 **SECTION 5.**

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