

House Bill 1685

By: Representative Ray of the 128th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act reconstituting the Board of Education of Crawford County, approved
2 March 19, 1993 (Ga. L. 1993, p. 4136), as amended, so as to reconstitute the board of
3 education; to change the description of the education districts; to provide for definitions and
4 inclusions; to provide for continuation in office of current members; to provide for election
5 and terms of office of subsequent members; to provide for related matters; to provide for
6 submission of this Act for approval under the federal Voting Rights Act of 1965, as
7 amended; to provide for 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 reconstituting the Board of Education of Crawford County, approved March 19, 1993
11 (Ga. L. 1993, p. 4136), as amended, is amended by striking Sections 1 through 4 and
12 inserting in lieu thereof the following:

13 "SECTION 1.

14 The Board of Education of Crawford County which existed on December 31, 2004, is
15 continued in existence but on and after January 1, 2005, shall be constituted as provided
16 in this Act. The Board of Education of Crawford County so continued and constituted,
17 sometimes referred to in this Act as the 'board,' shall continue to have the powers, duties,
18 rights, obligations, and liabilities of that board as existed immediately prior to January 1,
19 2005.

20 **SECTION 2.**

21 (a) Those members of the Board of Education of Crawford County who are serving as
22 such on December 31, 2004, and any person selected to fill a vacancy in any such office
23 shall continue to serve as such members until the regular expiration of their respective
24 terms of office and upon the election and qualification of their respective successors. On

1 and after January 1, 2005, the Board of Education of Crawford County shall consist of five
2 members all of whom shall be elected from education districts described in subsection (b)
3 of this section.

4 (b) For purposes of electing members of the board of education, the Crawford County
5 School District is comprised of five education districts. One member of the board shall be
6 elected from each such district. Education Districts 1, 2, 4, and 5 shall be and correspond
7 to those numbered districts described in and attached to and made a part of this Act and
8 further identified as Plan Name: crawfordwk1 Plan Type: LOCAL User: P Chapman
9 Administrator: CNTY-CRAWFORD. Education District 3 shall embrace all of Crawford
10 County.

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 the Crawford County School District which is not included in any
18 such district described in that attachment shall be included within that district contiguous
19 to such part which contains the least population according to the United States decennial
20 census of 2000 for the State of Georgia. Any part of the Crawford County School District
21 which is described in that attachment as being in a particular district shall nevertheless not
22 be included within such district if such part is not contiguous to such district. Such
23 noncontiguous part shall instead be included within that district contiguous to such part
24 which contains the least population according to the United States decennial census of 2000
25 for the State of Georgia. Except as otherwise provided in the description of any education
26 district, whenever the description of such district refers to a named city, it shall mean the
27 geographical boundaries of that city as shown on the census map for the United States
28 decennial census of 2000 for the State of Georgia.

29 SECTION 3.

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

33 (b) In order to be elected as a member of the board from Education District 1, 2, 4, or 5,
34 a person must receive the number of votes cast as required by general law for that office
35 in that district only. Only electors who are residents of that education district may vote for
36 a member of the board for that district. At the time of qualifying for election as a member

1 of the board from an education district, each candidate for such office shall specify the
 2 education district for which that person is a candidate. A person elected or appointed as
 3 a member of the board from an education district must continue to reside in that district
 4 during that person's term of office or that office shall become vacant.

5 (c) The member of the board who represents Education District 3 shall be chairperson of
 6 the board and may reside anywhere within the Crawford County School District School
 7 District and, if elected, must receive the number of votes cast for that office as required by
 8 general law in the entire school district. The chairperson must continue to reside within the
 9 school district during that person's term of office or that office shall become vacant.

10 SECTION 4.

11 (a) The first members of the reconstituted Board of Education of Crawford County shall
 12 be elected at the general election on the Tuesday next following the first Monday in
 13 November 2004. Those members of the board elected thereto from Education Districts 2,
 14 3, and 4 in 2004 shall take office the first day of January immediately following that
 15 election and shall serve for initial terms of office which expire December 31, 2008, and
 16 upon the election and qualification of their respective successors. Those members of the
 17 board elected thereto from Education Districts 1 and 5 in November 2006 shall take office
 18 the first day of January immediately following that election and shall serve for initial terms
 19 of office which expire December 31, 2010, and upon the election and qualification of their
 20 respective successors. Those and all future successors to members of the board whose
 21 terms of office are to expire shall be elected at the time of the state-wide general election
 22 immediately preceding the expiration of such terms, shall take office the first day of
 23 January immediately following that election, and shall serve for terms of office of four
 24 years each. Members of the board shall serve for the terms of office specified therefor in
 25 this subsection and until their respective successors are elected and qualified.

26 (b) Education Districts 1 through 5, as they exist on December 31, 2004, shall continue to
 27 be designated as Education Districts 1 through 5, respectively, but as newly described
 28 under this Act, and on and after January 1, 2005, such members of the board serving from
 29 those former education districts shall be deemed to be serving from and representing their
 30 respective districts as newly described under this section.

31 (c) All members of the board who are elected thereto shall be nominated and elected in
 32 accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code' in
 33 nonpartisan elections as provided in Code Section 21-2-139 of the O.C.G.A."

34 SECTION 2.

35 Said Act is further amended by striking and reserving Section 7 thereof.

SECTION 3.

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2 It shall be the duty of the attorney of the Board of Education of Crawford County to submit
3 this Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965, as
4 amended.

SECTION 4.

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6 This section and Section 2 of this Act and those provisions of this Act necessary for the
7 election of members of the Board of Education of Crawford County in 2004 shall become
8 effective upon the approval of this Act by the Governor or upon its becoming law without
9 such approval. The remaining provisions of this Act shall become effective January 1, 2005.

SECTION 5.

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