

House Bill 1712

By: Representatives Hudson of the 120<sup>th</sup> and Jackson of the 112<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act providing for a seven-member Board of Education of McDuffie County,  
2 approved March 27, 1972 (Ga. L. 1972, p. 2538), as amended, particularly by an Act  
3 approved March 13, 1978 (Ga. L. 1978, p. 3666), so as to revise the districts for the election  
4 of members of the board of education; to provide for definitions and inclusions; to provide  
5 for manner of election; to provide for submission of this Act for preclearance pursuant to  
6 Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for related  
7 matters; to provide 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 a seven-member Board of Education of McDuffie County, approved  
11 March 27, 1972 (Ga. L. 1972, p. 2538), as amended, particularly by an Act approved  
12 March 13, 1978 (Ga. L. 1978, p. 3666), is amended by striking Section 1 and inserting in lieu  
13 thereof a new Section 1 to read as follows:

14 "SECTION 1.

15 (a) The Board of Education of McDuffie County shall be composed of seven members to  
16 be elected as hereinafter provided. For the purpose of electing members of the Board of  
17 Education of McDuffie County, said county is divided into seven districts. Districts 1  
18 and 2 shall be and correspond to those two numbered districts described in and attached to  
19 and made a part of this Act and further identified as Plan Name: mcduffsup-prop Plan  
20 Type: Local User: Gina Administrator: McDuffie Co. Districts 3 through 7 shall be and  
21 correspond to those five numbered districts described in and attached to and made a part  
22 of this Act and further identified as Plan Name: mcduffieprop Plan Type: Local  
23 User: Gina Administrator: McDuffie Co.

24 (b) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean  
25 and describe the same geographical boundaries as provided in the report of the Bureau of

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

## 16 SECTION 2.

17 Said Act is further amended by striking subsections (a) and (b) of Section 3 and inserting in  
18 lieu thereof new subsections (a) and (b) to read as follows:

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

25 (b)(1) The first members of the reconstituted Board of Education of McDuffie County  
26 from Education Districts 2, 4, 5, and 6 shall be elected at the November general election  
27 in 2004. Such members shall take office on January 1 following their election for terms  
28 of four years and until their successors are elected and qualified.

29 (2) The first members of the reconstituted Board of Education of McDuffie County from  
30 Education Districts 1, 3, and 7 shall be elected at the November general election in 2002.  
31 Such members shall take office on January 1 following their election for terms of four  
32 years and until their successors are elected and qualified.

33 (3) Successors to members elected under paragraphs (1) and (2) of this subsection shall  
34 be elected at the November general election next preceding the expiration of such terms  
35 of office and shall take office on January 1 following their election for terms of four years  
36 and until their successors are elected and qualified.

1 (4) Education Districts 1, 2, 3, 4, 5, 6, and 7 as they existed on January 1, 2002, shall  
2 continue to be designated as Education Districts 1, 2, 3, 4, 5, 6, and 7, respectively, but  
3 as newly described under this Act, and, on and after the effective date of this Act, such  
4 members of the board serving from those former education districts shall be deemed to  
5 be serving from and representing their respective education districts as newly described  
6 under this Act."

7 **SECTION 3.**

8 It shall be the duty of the attorney for the Board of Education of McDuffie County to submit  
9 this Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965, as  
10 amended.

11 **SECTION 4.**

12 The provisions of this Act relating to and necessary for the regular election in 2002 of  
13 members of the Board of Education of McDuffie County shall become effective upon its  
14 approval by the Governor or upon its becoming effective without such approval; and this Act  
15 shall otherwise become effective January 1, 2003.

16 **SECTION 5.**

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