

House Bill 1752

By: Representative Hanner of the 159th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act reconstituting the board of education of Webster County, approved April
2 9, 1993 (Ga. L. 1993, p. 5075), as amended, so as to change the description of the education
3 districts; to provide for definitions and inclusions; to provide for continuation in office of
4 current members; to provide for election and terms of office of subsequent members; to
5 provide for compensation and expenses; to provide for submission of this Act for approval
6 under the federal Voting Rights Act of 1965, as amended; to provide effective dates; to
7 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 Webster County, approved April 9, 1993
11 (Ga. L. 1993, p. 5075), as amended, is amended by striking Sections 2, 3, and 4 and inserting
12 in their place new Sections 2, 3, and 4 to read as follows:

13 **"SECTION 2.**

14 (a) Those members of the board of education of Webster County who are serving
15 immediately prior to the effective date of this Act and any person selected to fill a vacancy
16 in any such office shall continue to serve as such members until the regular expiration of
17 their respective terms of office and upon the election and qualification of their respective
18 successors. On and after the effective date of this Act, the board of education of Webster
19 County shall consist of five members, four of whom shall be elected from education
20 districts described in subsection (b) of this section and the chairperson who shall be elected
21 at large as provided in this Act.

22 (b) For purposes of electing members of the board of education, other than the chairperson,
23 the Webster County School District is divided into four education districts. One member
24 of the board shall be elected from each such district. The four education districts shall be
25 and correspond to those four numbered districts described in and attached to and made a

1 part of this Act and further identified as Plan Name: websterccsb1 Plan Type: Local User:
2 Angela Administrator: Webster.

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

21 SECTION 3.

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

25 (b) In order to be elected as a member of the board from an education district, a person
26 must have a high school education, be at least 21 years of age, and have resided in that
27 education district for at least 12 months prior to election thereto and must receive the
28 number of votes cast as required by general law for that office in that district only. Only
29 electors who are residents of that education district may vote for a member of the board for
30 that district. At the time of qualifying for election as a member of the board from an
31 education district, each candidate for such office shall specify the education district for
32 which that person is a candidate. A person elected or appointed as a member of the board
33 from an education district must continue to reside in that district during that person's term
34 of office or that office shall become vacant.

35 (c) The chairperson of the board may reside anywhere within the Webster County School
36 District and, if elected, must receive the number of votes cast for that office as required by

1 general law in the entire school district and must have a high school education, be at least
2 21 years of age, and have resided in the Webster County School District for at least 12
3 months prior to election thereto. The chairperson must continue to reside within the school
4 district during that person's term of office or that office shall become vacant. In the event
5 of a vacancy, the board shall appoint a member to serve as chairperson for the remainder
6 of that year.

7 SECTION 4.

8 (a)(1) The members of the board of education of Webster County shall be elected as
9 provided in this subsection.

10 (2) The first chairperson shall be elected at the general election on the Tuesday next
11 following the first Monday in November, 2002. Such chairperson of the board elected in
12 2002 shall take office the first day of January immediately following that election and
13 shall serve for an initial term of office which expires December 31, 2004, and upon the
14 election and qualification of such person's successor.

15 (3) The first member from Education District 3 shall be elected at the general election
16 on the Tuesday next following the first Monday in November, 2002. Such member of
17 the board elected thereto from Education District 3 in 2002 shall take office the first day
18 of January immediately following that election and shall serve for an initial term of office
19 which expires December 31, 2006, and upon the election and qualification of such
20 person's successor.

21 (4) The first members from Education Districts 1 and 4 shall be elected at the general
22 election on the Tuesday next following the first Monday in November, 2004. Those
23 members of the board elected thereto from Education Districts 1 and 4 in 2004 shall take
24 office the first day of January immediately following that election and shall serve for
25 initial terms of office which expire December 31, 2008, and upon the election and
26 qualification of their respective successors.

27 (5) The first member from Education District 2 shall be elected at the general election
28 on the Tuesday next following the first Monday in November, 2006. Such member of
29 the board elected thereto from Education District 2 in 2006 shall take office the first day
30 of January immediately following that election and shall serve for an initial term of office
31 which expires December 31, 2010, and upon the election and qualification of such
32 person's successor.

33 (6) All future successors to the chairperson and the members of the board whose terms
34 of office are to expire shall be elected at the time of the state-wide general election
35 immediately preceding the expiration of such terms, shall take office the first day of
36 January immediately following that election, and shall serve for terms of office of four

1 years each. The chairperson and the members of the board shall serve for the terms of
 2 office specified therefor in this subsection and until their respective successors are elected
 3 and qualified.

4 (b) On and after the effective date of this Act, former Education District 4 shall be
 5 designated the chairperson elected at large, former Education District 1 shall be designated
 6 and redesignated as Education District 3, former Education District 2 shall be designated
 7 and redesignated as Education District 2, former Education District 3 shall be designated
 8 and redesignated as Education District 4, and former Education District 5 shall be
 9 designated and redesignated as Education District 1. Such members of the board serving
 10 from those former education districts shall be deemed to be serving from and representing
 11 their respective districts as newly described under this Act.

12 (c) All members of the board who are elected thereto shall be nominated and elected in
 13 accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'"

14 **SECTION 2.**

15 Said Act is further amended by striking Sections 6 and 7 and inserting in their place new
 16 Sections 6 and 7 to read as follows:

17 "SECTION 6.

18 Members of the board of education of Webster County other than the chairperson shall be
 19 compensated in the amount of \$200.00 per month and, for attending regular and called
 20 meetings, shall receive the additional sum of \$200.00 per day while meeting and traveling
 21 within or outside the state as a member of the board or a member of a committee of the
 22 board on official business authorized by the board; and the chairperson shall be
 23 compensated in the amount of \$400.00 per month and, for attending regular and called
 24 meetings, shall receive the additional sum of \$200.00 per day while meeting and traveling
 25 within or outside the state as a member of the board or a member of a committee of the
 26 board on official business authorized by the board; and, for attending meetings held out of
 27 the county, all shall be reimbursed the actual and necessary expenses incurred in attending
 28 such meetings.

29 **SECTION 7.**

30 Reserved."

SECTION 3.

1

2 Said Act is further amended by striking in its entirety the attachment thereto containing the
3 descriptions of education districts which is identified as Operator: local Client: webster
4 Plan: websb2.

SECTION 4.

5

6 It shall be the duty of the attorney of the board of education of Webster County to submit this
7 Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended.

SECTION 5.

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9 This section and Section 4 of this Act and those provisions of this Act necessary for the
10 election of the chairperson and the members of the board of education of Webster County
11 in 2002 shall become effective upon the approval of this Act by the Governor or upon its
12 becoming law without such approval. The remaining provisions of this Act shall become
13 effective January 1, 2003.

SECTION 6.

14

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