

House Bill 1814

By: Representative Smith of the 169<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act providing for election of the members of the Board of Education of  
2 Brantley County, approved April 17, 1975 (Ga. L. 1975, p. 3937), as amended, so as to  
3 provide for an advisory referendum election to be held in the Brantley County school district  
4 for the purpose of ascertaining if a change in the manner of electing the Board of Education  
5 of Brantley County is desired by the people of said school district; to provide for procedures,  
6 requirements, and other matters relative thereto; to repeal conflicting laws; and for other  
7 purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 An Act providing for election of the members of the Board of Education of Brantley County,  
11 approved April 17, 1975 (Ga. L. 1975, p. 3937), as amended, is amended by adding a new  
12 section immediately following Section 3, to be designated Section 3A, to read as follows:

13 **"SECTION 3A.**

14 (a) It is the purpose of this section to provide for an advisory referendum within the  
15 Brantley County school district to determine if a change in the manner of electing the  
16 Board of Education of Brantley County is preferred by the voters of said school district.

17 (b) Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election  
18 superintendent of Brantley County shall call and conduct an advisory election as provided  
19 in this section for the purpose of submitting a question to the electors of the Brantley  
20 County school district to determine the manner of electing the board of education preferred  
21 by a majority of the electors voting at said election. The superintendent shall conduct that  
22 election on the date of the 2002 state-wide general election and shall issue the call and  
23 conduct that election as provided by general law. The superintendent shall cause the date  
24 and purpose of the election to be published once a week for two weeks immediately

1 preceding the date thereof in the official organ of Brantley County. The ballot shall have  
2 printed thereon the following:

3 'Advisory Referendum Election

4 Select the form of government which you favor by placing a check mark (✓) or (x) in the  
5 appropriate space below. Choose one only:

6 \_\_\_\_\_ Continue the present method of electing the members of the  
7 board of education of Brantley County on an at-large basis from  
8 the entire school district.

9 \_\_\_\_\_ Establish a new method of electing the board of education by  
10 local Act of the General Assembly in 2003 which provides for  
11 the election of the members of said board from education  
12 districts in which such members must reside and from which  
13 such members must be elected.'

14 (c) It shall be the duty of the election superintendent of Brantley County to hold and  
15 conduct the advisory election provided for in this section and to tabulate the results of such  
16 election. It shall be the further duty of said superintendent to certify the results of said  
17 election to the Secretary of State and to each member of the General Assembly whose  
18 Senatorial or Representative District lies wholly or partially within Brantley County. The  
19 expense of such election shall be borne by Brantley County.

20 (d) It is found, determined, and declared that the holding of the advisory referendum  
21 election provided for in this section is in all respects for the benefit of the people of  
22 Brantley County and is for a public purpose and is an essential governmental function for  
23 which public funds may be expended."

24 **SECTION 2.**

25 Except as otherwise provided in Section 1 of this Act, this Act shall become effective upon  
26 its approval by the Governor or upon its becoming law without such approval.

27 **SECTION 3.**

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