

House Bill 21EX1

By: Representatives Purcell of the 147<sup>th</sup> and Barnard of the 154<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act providing for the election of the members of the Board of Education of  
2 Bryan County, approved March 16, 1978 (Ga. L. 1978, p. 3774), as amended, so as to  
3 reconstitute the board of education; to provide for an additional member of the board; to  
4 change the description of the education districts and posts; to provide for definitions and  
5 inclusions; to provide for continuation in office of current members; to provide for election  
6 and terms of office of subsequent members; to provide for submission of this Act for  
7 approval under the federal Voting Rights Act of 1965, as amended; to provide for effective  
8 dates; to repeal conflicting laws; and for other purposes.

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

10 **SECTION 1.**

11 Act providing for the election of the members of the Board of Education of Bryan County,  
12 approved March 16, 1978 (Ga. L. 1978, p. 3774), as amended, is amended by striking  
13 subsections (a), (b), (c), and (d) of Section 1 of said Act and inserting in their place the  
14 following:

15 "(a) The six-member Board of Education of Bryan County which existed on December 31,  
16 2001, is continued in existence but shall be constituted as provided in this Act. The Board  
17 of Education of Bryan County so continued and constituted, sometimes referred to in this  
18 Act as the 'board,' shall continue to have the powers, duties, rights, obligations, and  
19 liabilities of that board as they existed immediately prior to January 1, 2002. Those  
20 members of the Board of Education of Bryan County who are serving as such on December  
21 31, 2001, and any person selected to fill a vacancy in any such office shall continue to  
22 serve as such members until the regular expiration of their respective terms of office and  
23 upon the election and qualification of their respective successors. On and after January 1,  
24 2003, the Board of Education of Bryan County shall consist of seven members who shall  
25 be elected in the manner described in subsection (b) of this section.

1 (b) For the purpose of electing the members of the board of education, there shall be seven  
2 member posts on the board. The member elected to Post 1 shall be the chairperson of the  
3 board and shall be elected from the county at large by the qualified voters of the entire  
4 county. The member elected to Post 2 shall be the vice chairperson of the board and shall  
5 be elected from the county at large by the qualified voters of the entire county. The member  
6 elected to Post 3 shall be a resident of Education District 1 and shall be elected by the  
7 qualified voters residing within Education District 1. The member elected to Post 4 shall  
8 be a resident of Education District 2 and shall be elected by the qualified voters residing  
9 within Education District 2. The member elected to Post 5 shall be a resident of Education  
10 District 5 and shall be elected by the qualified voters residing within Education District 5.  
11 The member elected to Post 6 shall be a resident of Education District 3 and shall be  
12 elected by the qualified voters residing within Education District 3. The member elected  
13 to Post 7 shall be a resident of Education District 4 and shall be elected by the qualified  
14 voters residing within Education District 4. Candidates for election to the board shall  
15 designate the numbered post on the board for which they offer as a candidate.

16 (c) The five education districts shall be and correspond to those five numbered districts  
17 described in and attached to and made a part of this Act and further identified as Plan  
18 Name: bryanccsbwk6 Plan Type: LOCAL User: PaulH Administrator: Bryan. When  
19 used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean and describe  
20 the same geographical boundaries as provided in the report of the Bureau of the Census for  
21 the United States decennial census of 2000 for the State of Georgia. The separate numeric  
22 designations in a Tract description which are underneath a 'BG' heading shall mean and  
23 describe individual Blocks within a Block Group as provided in the report of the Bureau  
24 of the Census for the United States decennial census of 2000 for the State of Georgia. Any  
25 part of the Bryan County School District which is not included in any such district  
26 described in that attachment shall be included within that district contiguous to such part  
27 which contains the least population according to the United States decennial census of 2000  
28 for the State of Georgia. Any part of the Bryan County School District which is described  
29 in that attachment as being in a particular district shall nevertheless not be included within  
30 such district if such part is not contiguous to such district. Such noncontiguous part shall  
31 instead be included within that district contiguous to such part which contains the least  
32 population according to the United States decennial census of 2000 for the State of  
33 Georgia. Except as otherwise provided in the description of any education district,  
34 whenever the description of such district refers to a named city, it shall mean the  
35 geographical boundaries of that city as shown on the census map for the United States  
36 decennial census of 2000 for the State of Georgia.

1 (c) In order to be elected as a member of the board from an education district, a person  
2 must receive the number of votes cast as required by general law for that office in that  
3 district only. Only electors who are residents of that education district may vote for a  
4 member of the board for that district. At the time of qualifying for election as a member  
5 of the board from a post, each candidate for such office shall specify the post and education  
6 district, where applicable, for which that person is a candidate. A person elected or  
7 appointed as a member of the board from an education district must continue to reside in  
8 that district during that person's term of office or that office shall become vacant.

9 (d) Posts 1 through 6, as they exist on December 31, 2001, shall continue to be designated  
10 as Posts 1 through 6, respectively, but as newly described under this Act, and on and after  
11 January 1, 2002, such members of the board serving from those former posts shall be  
12 deemed to be serving from and representing their respective posts as newly described under  
13 this section. The members serving from Posts 1, 3, and 5 on December 31, 2001, shall  
14 serve the remainder of their respective terms which shall expire December 31, 2002, and  
15 until their respective successors are duly elected and qualified. The members serving from  
16 Posts 2, 4, and 6 on December 31, 2001, shall serve the remainder of their respective terms  
17 which shall expire December 31, 2004, and until their respective successors are duly  
18 elected and qualified. The new seventh member to be elected from Post 7 shall be elected  
19 at the general election of 2002 for a term of four years and until such member's successor  
20 is duly elected and qualified. Thereafter, all members shall be elected in the November  
21 general election immediately preceding the expiration of their respective terms of office  
22 and shall take office on the first day of January following their election for a term of office  
23 of four years each and until their respective successors are duly elected and qualified. All  
24 members of the board who are elected thereto shall be nominated and elected in accordance  
25 with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'

## 26 SECTION 2.

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

## 29 SECTION 3.

30 This section and Section 2 of this Act and those provisions of this Act necessary for the  
31 election of members of the Board of Education of Bryan County in 2002 shall become  
32 effective upon the approval of this Act by the Governor or upon its becoming law without  
33 such approval. The remaining provisions of this Act shall become effective January 1, 2002.

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**SECTION 4.**

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