

House Bill 21EX2

By: Representatives Mosley of the 171<sup>st</sup> and Byrd of the 170<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act providing for the Board of Education of Wayne County, approved January  
2 28, 1994 (Ga. L. 1994, p. 3512), so as to reconstitute and provide for the continuation of the  
3 board of education; to change the description of the education districts; to provide for  
4 definitions and inclusions; to provide for election, terms of office, and qualifications of  
5 members; to provide for submission of this Act for approval under the federal Voting Rights  
6 Act of 1965, as amended; to provide for effective dates; to repeal conflicting laws; and for  
7 other purposes.

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

9 **SECTION 1.**

10 An Act providing for the Board of Education of Wayne County, approved January 28, 1994  
11 (Ga. L. 1994, p. 3512), is amended by striking Section 1 of said Act and inserting in its place  
12 the following:

13 **"SECTION 1.**

14 (a) The Board of Education of Wayne County shall be composed of five members. The  
15 Board of Education of Wayne County which existed on December 31, 2001, is continued  
16 in existence but on and after January 1, 2003, shall be constituted as provided in this Act.  
17 The Board of Education of Wayne County so continued and constituted, sometimes  
18 referred to in this Act as the 'board,' shall continue to have the powers, duties, rights,  
19 obligations, and liabilities of that board as existed immediately prior to January 1, 2003.  
20 (b) Effective with the election of members at the November general election in 2002 and  
21 thereafter, the members of the Board of Education of Wayne County shall be elected from  
22 education districts described in subsection (c) of this section.  
23 (c) For purposes of electing members of the board of education, the Wayne County School  
24 District is divided into five education districts. One member of the board shall be elected  
25 from each such district. The five education districts shall be and correspond to those five

1 numbered districts described in and attached to and made a part of this Act and further  
2 identified as Plan Name: wayneplan4 Plan Type: LOCAL User: PaulH Administrator:  
3 Wayne CC & SB. When used in such attachment, the terms 'Tract' and 'BG' (Block Group)  
4 shall mean and describe the same geographical boundaries as provided in the report of the  
5 Bureau of the Census for the United States decennial census of 2000 for the State of  
6 Georgia. The separate numeric designations in a Tract description which are underneath  
7 a 'BG' heading shall mean and describe individual Blocks within a Block Group as  
8 provided in the report of the Bureau of the Census for the United States decennial census  
9 of 2000 for the State of Georgia. Any part of the Wayne County School District which is  
10 not included in any such district described in that attachment shall be included within that  
11 district contiguous to such part which contains the least population according to the United  
12 States decennial census of 2000 for the State of Georgia. Any part of the Wayne County  
13 School District which is described in that attachment as being in a particular district shall  
14 nevertheless not be included within such district if such part is not contiguous to such  
15 district. Such noncontiguous part shall instead be included within that district contiguous  
16 to such part which contains the least population according to the United States decennial  
17 census of 2000 for the State of Georgia. Except as otherwise provided in the description  
18 of any education district, whenever the description of such district refers to a named city,  
19 it shall mean the geographical boundaries of that city as shown on the census map for the  
20 United States decennial census of 2000 for the State of Georgia.

21 (d) In order to be elected as a member of the board from an education district, a person  
22 must receive the number of votes cast as required by general law for that office in that  
23 district only. Only electors who are residents of that education district may vote for a  
24 member of the board for that district. At the time of qualifying for election as a member  
25 of the board from an education district, each candidate for such office shall specify the  
26 education district for which that person is a candidate. A person elected or appointed as  
27 a member of the board from an education district must continue to reside in that district  
28 during that person's term of office or that office shall become vacant.

29 (e) The first members of the reconstituted Board of Education of Wayne County shall be  
30 elected at the general election on the Tuesday next following the first Monday in  
31 November 2002. The members of the board elected thereto in 2002 shall take office the  
32 first day of January immediately following that election and shall serve for initial terms of  
33 office which expire December 31, 2006, and upon the election and qualification of their  
34 respective successors. Those and all future successors to members of the board whose  
35 terms of office are to expire shall be elected at the time of the state-wide general election  
36 immediately preceding the expiration of such terms, shall take office the first day of  
37 January immediately following that election, and shall serve for terms of office of four

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

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

5 **SECTION 2.**

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

8 **SECTION 3.**

9 This section and Section 2 of this Act and those provisions of this Act necessary for the  
10 election of members of the Board of Education of Wayne County in 2002 shall become  
11 effective upon the approval of this Act by the Governor or upon its becoming law without  
12 such approval. The remaining provisions of this Act shall become effective January 1, 2003.

13 **SECTION 4.**

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