

House Bill 416 (AS PASSED HOUSE AND SENATE)

By: Representatives Barnard of the 121st, Post 1 and Oliver of the 121st, Post 2

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing for the composition of the Board of Education for Evans County,
2 approved March 26, 1987 (Ga. L. 1987, p. 4782), as amended, particularly by an Act
3 approved April 5, 1995 (Ga. L. 1995, p. 4086), so as to change the description of the
4 education districts; to provide for definitions and inclusions; to provide for continuation in
5 office of current members; to provide for election and terms of office of subsequent
6 members; to provide for submission of this Act for preclearance under the federal Voting
7 Rights Act of 1965, as amended; 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 the composition of the Board of Education for Evans County, approved
11 March 26, 1987 (Ga. L. 1987, p. 4782), as amended, particularly by an Act approved April
12 5, 1995 (Ga. L. 1995, p. 4086), is amended by striking Sections 2 and 3 and inserting in lieu
13 thereof the following:

14 "SECTION 2.

15 (a) For the purpose of electing the six members of the board, other than the chairperson,
16 from education districts, Evans County shall be divided into six education districts. One
17 member of the board shall be elected from each such district. Those districts shall be and
18 correspond to those six numbered districts described in and attached to and made a part of
19 this Act and further identified as Plan Name: evansp3 Plan Type: Local User: staff
20 Administrator: Evans.

21 (b) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean
22 and describe the same geographical boundaries as provided in the report of the Bureau of
23 the Census for the United States decennial census of 2000 for the State of Georgia. The
24 separate numeric designations in a Tract description which are underneath a 'BG' heading

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

14 SECTION 3.

15 (a) The members of the board holding office on the effective date of this section and any
16 persons selected to fill vacancies in such offices shall serve out the terms of office to which
17 they were elected and until their successors are elected and qualified.

18 (b) The terms of office of the members elected from Education Districts 2, 4, and 6 shall
19 expire on the Sunday before the first Monday of January in 2005, and when their
20 successors are elected and qualified. Their successors shall be elected in the general
21 election in November, 2004, and shall take office on the first Monday in January, 2005.

22 (c) The terms of office of the chairperson of the board and members elected from
23 Education Districts 1, 3, and 5 shall expire on the Sunday before the first Monday of
24 January in 2007, and when their successors are elected and qualified. Their successors shall
25 be elected in the general election in November, 2006, and shall take office on the first
26 Monday in January, 2007.

27 (d) Successors to members elected under subsections (b) and (c) of this section shall be
28 elected at the general election next preceding the expiration of such terms of office and
29 shall take office on January 1 following their election for terms of four years and until their
30 successors are elected and qualified.

31 (e) Education Districts 1, 2, 3, 4, 5, and 6 as they exist immediately prior to the effective
32 date of this Act shall continue to be designated as Education Districts 1, 2, 3, 4, 5, and 6,
33 respectively, but as newly described under this Act, and, on and after the effective date of
34 this Act, such members of the board serving from those former education districts shall be

1 deemed to be serving from and representing their respective districts as newly described
2 under this section."

3 **SECTION 2.**

4 The Board of Education of Evans County shall through its legal counsel cause this Act to be
5 submitted for preclearance under the federal Voting Rights Act of 1965, as amended; and
6 such submission shall be made to the United States Department of Justice or filed with the
7 appropriate court no later than 45 days after the date on which this Act is approved by the
8 Governor or otherwise becomes law without such approval.

9 **SECTION 3.**

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