

Senate Bill 374

By: Senators Seay of the 34th and Starr of the 44th

**AS PASSED SENATE**

**A BILL TO BE ENTITLED  
AN ACT**

1 To amend an Act relating to the composition and manner of selecting members of the Board  
2 of Education of Clayton County, approved April 12, 1982 (Ga. L. 1982, p. 4431), as  
3 amended, particularly by an Act approved March 28, 1990 (Ga. L. 1990, p. 4635), so as to  
4 provide for vacancies; to provide for certain submissions; to provide for an effective date;  
5 to repeal conflicting laws; and for other purposes.

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

7 **SECTION 1.**

8 An Act relating to the composition of and manner of selecting members of the Board of  
9 Education of Clayton County, approved April 12, 1982 (Ga. L. 1982, p. 4431), as amended,  
10 particularly by an Act approved March 28, 1990 (Ga. L. 1990, p. 4635), is amended by  
11 striking paragraph (6) of subsection (b) of Section 1 thereof in its entirety and inserting in  
12 lieu thereof the following:

13 "(6)(A) Any vacancy on the board which occurs with 180 or more days remaining in  
14 the term of office at the time of the vacancy shall be filled by special election for the  
15 remainder of the unexpired term of office. Upon the occurrence of the vacancy the  
16 county school superintendent shall notify the county election superintendent who shall  
17 call and conduct such special election as provided in Chapter 2 of Title 21 of the  
18 O.C.G.A., the 'Georgia Election Code.'

19 (B) Any vacancy on the board which occurs with less than 180 days remaining in the  
20 term of office shall be filled by the remaining members of the board appointing a  
21 person to serve for the remainder of the unexpired term of office."

22 **SECTION 2.**

23 The Board of Education of Clayton County shall through its legal counsel cause this Act to  
24 be submitted for preclearance under the federal Voting Rights Act of 1965, as amended; and  
25 such submission shall be made to the United States Department of Justice or filed with the

1 appropriate court no later than 45 days after the date on which this Act is approved by the  
2 Governor or otherwise becomes law without such approval.

3 **SECTION 3.**

4 This Act shall become effective upon its approval by the Governor or upon its becoming law  
5 without such approval.

6 **SECTION 4.**

7 All laws and parts of laws in conflict with this Act are repealed.