

House Bill 665 (AS PASSED HOUSE AND SENATE)

By: Representatives Black of the 144th, Shaw of the 143rd, and Borders of the 142nd

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing for the number of members and for the election of members of
2 the Board of Education of Lowndes County, approved April 13, 1992 (Ga. L. 1992, p. 5827),
3 so as to revise the districts for the election of members of the board of education; to provide
4 for definitions and inclusions; to provide for method of election; to provide for submission
5 of this Act for preclearance pursuant to Section 5 of the federal Voting Rights Act of 1965,
6 as amended; to provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act providing for the number of members and for the election of members of the Board
10 of Education of Lowndes County, approved April 13, 1992 (Ga. L. 1992, p. 5827), is
11 amended by striking Section 1 and inserting a new Section 1 to read as follows:

12 "SECTION 1.

13 (a) The Board of Education of Lowndes County, referred to in this Act as the 'board,' shall
14 be composed of seven members to be elected as provided for in this Act. For the purpose
15 of electing members of the board, the Lowndes County School District shall be divided into
16 seven education districts which shall correspond to those seven numbered districts
17 described in and attached to and made a part of this Act and further identified as Plan
18 Name: lowndessb2r Plan Type: Local User: Gina Administrator: Lowndes Co.

19 (b) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean
20 and describe the same geographical boundaries as provided in the report of the Bureau of
21 the Census for the United States decennial census of 2000 for the State of Georgia. The
22 separate numeric designations in a Tract description which are underneath a 'BG' heading
23 shall mean and describe individual Blocks within a Block Group as provided in the report
24 of the Bureau of the Census for the United States decennial census of 2000 for the State of
25 Georgia. Any part of Lowndes County not included in any such district described in that

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

11 (c) No territory within the territorial boundaries of any independent school district shall
 12 be included within the boundaries of any of said educational districts."

13 SECTION 2.

14 Said Act is further amended by striking Section 3 and inserting in lieu thereof a new
 15 Section 3 to read as follows:

16 "SECTION 3.

17 (a) The first members of the reconstituted Board of Education of Lowndes County from
 18 Education Districts 1, 2, and 3 shall be elected at the nonpartisan general election held in
 19 conjunction with the state-wide general primary in 2006. Such members shall take office
 20 on January 1 following their election for terms of four years and until their successors are
 21 elected and qualified.

22 (b) The first members of the reconstituted Board of Education of Lowndes County from
 23 Education Districts 4, 5, 6, and 7 shall be elected at the nonpartisan general election held
 24 in conjunction with the state-wide general primary in 2004. Such members shall take
 25 office on January 1 following their election for terms of four years and until their
 26 successors are elected and qualified.

27 (c) Successors to members elected under subsections (a) and (b) of this section shall be
 28 elected at the nonpartisan general election held in conjunction with the state-wide general
 29 primary next preceding the expiration of such terms of office and shall take office on
 30 January 1 following their election for terms of four years and until their successors are
 31 elected and qualified.

32 (d) Education Districts 1, 2, 3, 4, 5, 6, and 7 as they existed on January 1, 2003, shall
 33 continue to be designated as Education Districts 1, 2, 3, 4, 5, 6, and 7, respectively, but as
 34 newly described under this Act, and, on and after the effective date of this Act, such
 35 members of the board serving from those former education districts shall be deemed to be

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

3 **SECTION 3.**

4 The Board of Education of Lowndes County shall through its legal counsel cause this Act
5 to be submitted for preclearance under the federal Voting Rights Act of 1965, as amended;
6 and such submission shall be made to the United States Department of Justice or filed with
7 the 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 4.**

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