

House Bill 702 (AS PASSED HOUSE AND SENATE)

By: Representatives Manning of the 32nd, Ehrhart of the 28th, Parsons of the 29th, Hines of the 35th, Noel of the 44th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing for the election of members of the Board of Education of Cobb
2 County, approved March 28, 1974 (Ga. L. 1974, p. 3516), as amended, particularly by an Act
3 approved April 16, 1999 (Ga. L. 1999, p. 4356), so as to change the description of the
4 education districts of such board; to provide for definitions and inclusions; to provide for
5 qualifications, compensation, and chairpersons and vice chairpersons; to provide for
6 elections; to provide for terms; to provide for submissions; to provide an effective date; to
7 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 election of members of the Board of Education of Cobb County,
11 approved March 28, 1974 (Ga. L. 1974, p. 3516), as amended, particularly by an Act
12 approved April 16, 1999 (Ga. L. 1999, p. 4356), is amended by striking Section 2 thereof and
13 inserting in its place a new Section 2 to read as follows:

14 "SECTION 2.

15 (a)(1) For the purpose of electing members of the Board of Education of Cobb County,
16 the Cobb County School District is divided into seven education districts. The seven
17 education districts shall be composed of and correspond to those seven numbered districts
18 described in and attached to and made a part of this Act and further identified as Plan
19 Name:cobbsb03-1 Plan Type: Local User: Linda Administrator: Cobb Co.

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

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

13 (3) Education Districts 1, 2, 3, 4, 5, 6, and 7, as those districts existed immediately prior
14 to the date this subsection becomes effective in 2003, shall continue to be designated as
15 Education Districts 1, 2, 3, 4, 5, 6, and 7, respectively, but as newly described under this
16 subsection. On and after the date this subsection becomes effective in 2003, those
17 members of the board of education serving from those education districts shall be deemed
18 to be serving from and representing their respective districts as newly described under
19 this subsection.

20 (4) Those members of the board representing Education Districts 1, 3, 5, and 7 on the
21 date this paragraph becomes effective in 2003, and any person selected to fill a vacancy
22 in such position, shall continue to serve out their respective terms of office, which shall
23 expire December 31, 2004, and until their respective successors are elected from newly
24 described districts as provided in subsection (c) of this section and are qualified. Those
25 members of the board representing Education Districts 2, 4, and 6 on the date this
26 paragraph becomes effective in 2003, and any person selected to fill a vacancy in such
27 position, shall continue to serve out their respective terms of office, which shall expire
28 December 31, 2006, and until their respective successors are elected from newly
29 described districts as provided in subsection (c) of this section and are qualified.

30 (b) There shall be elected to the Board of Education of Cobb County one member from
31 each of said education districts. To be eligible for membership on the board to represent
32 an education district, a person must reside in the education district which he or she
33 represents. There shall be one member of the board from each education district and that
34 member shall be elected only by the voters of that education district voting for such office
35 and not by the voters of the entire county. No person residing within the territory embraced
36 within an independent school system shall be eligible to vote in an election for members
37 of the board, nor shall any such person be eligible to serve on the board. In order to be

1 eligible as a member of the Cobb County Board of Education, a candidate must be a
2 resident from the education district from which they offer, must be a citizen of the United
3 States of America, must have been a resident of the Cobb County School District for at
4 least 12 months immediately preceding the date of the election, and a qualified elector of
5 Cobb County.

6 (c) The first general election at which members of the board of education are elected from
7 Education Districts 1, 3, 5, and 7, as newly described in subsection (a) of this section, shall
8 be that election conducted in 2004. The first general election at which members of the
9 board of education are elected from Education Districts 2, 4, and 6, as newly described in
10 subsection (a) of this section, shall be that election conducted in 2006. Successors to
11 members of the board whose terms of office are to expire shall be elected at the general
12 election immediately preceding the expiration of such terms and shall take office the first
13 day of January immediately following that election for terms of four years and until their
14 successors are elected and qualified.

15 (d) Each member of the Board of Education of Cobb County, except for the chairperson,
16 shall receive an annual salary of \$19,000.00, to be paid in equal monthly installments from
17 funds of the board of education. The chairperson shall receive an annual salary of
18 \$22,800.00, to be paid in equal monthly installments from the funds of the board of
19 education.

20 (e) At the first meeting of the board in each year, the members thereof shall elect from
21 their membership a chairperson and a vice chairperson who shall serve as such for that
22 year."

23 SECTION 2.

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

29 SECTION 3.

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

32 SECTION 4.

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