

House Bill 876 (AS PASSED HOUSE AND SENATE)

By: Representatives Massey of the 24<sup>th</sup> and Elrod of the 25<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act providing authority for members of the Board of Education of Barrow  
2 County, approved April 19, 1971 (Ga. L. 1971, p. 3919), as amended, particularly by an Act  
3 approved April 18, 2002 (Ga. L. 2002, p. 3958), so as to provide for technical corrections  
4 with respect to reapportionment of districts for the election of members of the board of  
5 education; to define certain terms; to provide for continuation in office of persons serving as  
6 members of the board on a certain date; to provide for the election and terms of members of  
7 the board; to provide for related matters; to provide for preclearance under Section 5 of the  
8 federal Voting Rights Act of 1965, as amended; to repeal conflicting laws; and for other  
9 purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 An Act providing authority for members of the Board of Education of Barrow County,  
13 approved April 19, 1971 (Ga. L. 1971, p. 3919), as amended, particularly by an Act approved  
14 April 18, 2002 (Ga. L. 2002, p. 3958), is amended by striking subsection (b) of Section 2  
15 and inserting in lieu thereof the following:

16 "(b)(1)(A) For purposes of electing members of the Board of Education of Barrow  
17 County under this section, the Barrow County School District shall be divided into nine  
18 education districts.

19 (B) Education Districts 1, 2, 3, 4, 5, and 6 shall consist of the described territory of the  
20 Barrow County School District attached to this Act and made a part hereof and further  
21 identified as Plan Name: BARROW03 Plan Type: Local User: Linda Administrator:  
22 Barrow Co. Each member representing any such district shall be elected by the  
23 qualified electors residing in that district only.

24 (C) Education Districts 7, 8, and 9 shall each be an at-large district composed of the  
25 entire territory within the Barrow County School District. Each member representing  
26 any such district shall be elected by the qualified electors of the entire school district.

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

## 20 SECTION 2.

21 Said Act is further amended by striking subsection (d) of Section 2 and inserting a new  
 22 subsection to read as follows:

23 "(d)(1) The members of the board serving in office on January 1, 2003, and any person  
 24 selected to fill a vacancy in any such office shall continue to serve until the expiration  
 25 of the term for which they were elected and until their successors are elected and  
 26 qualified.

27 (2) All members of the board shall be elected from the education districts described in  
 28 subsection (b) of this section.

29 (3)(A) Randall Holland, the member of the board elected at the November, 2002,  
 30 general election, shall be designated to be serving from and representing Education  
 31 District 1, but as newly described under this Act.

32 (B) Bill Bramlett, the member of the board elected at the November, 2000, general  
 33 election shall be designated to be serving from and representing Education District 2,  
 34 but as newly described under this Act.

1 (C) Connie Wehunt, the member of the board elected at the November, 2002, general  
2 election, shall be designated to be serving from and representing Education District 3,  
3 but as newly described under this Act.

4 (D) Beverly Kelley, the member of the board elected at the November, 2002, general  
5 election, shall be designated to be serving from and representing Education District 4,  
6 but as newly described under this Act.

7 (E) Lynn Stevens, the member of the board elected at the November, 2000, general  
8 election shall be designated to be serving from and representing Education District 5,  
9 but as newly described under this Act.

10 (F) Rickey Bailey, the member of the board elected at the November, 2000, general  
11 election shall be designated to be serving from and representing Education District 6,  
12 but as newly described under this Act.

13 (G) Danny Rampey, the member of the board elected at the November, 2002, general  
14 election, shall be designated to be serving from and representing Education District 7,  
15 but as newly described under this Act.

16 (H) Robert Wimberly, the member of the board elected at the November, 2000, general  
17 election shall be designated to be serving from and representing Education District 8,  
18 but as newly described under this Act.

19 (I) Doug Garrison, the member of the board elected at the November, 2002, general  
20 election, shall be designated to be serving from and representing Education District 9,  
21 but as newly described under this Act.

22 (4) Members of the board representing Education Districts 1, 3, 4, 7, and 9 shall be  
23 elected at the general election in 2002 and quadrennially thereafter and shall take office  
24 on the first day of January immediately following their election for terms of four years  
25 and until their successors are elected and qualified.

26 (5) Members of the board representing Education Districts 2, 5, 6, and 8 shall be elected  
27 at the general election in 2004 and quadrennially thereafter and shall take office on the  
28 first day of January immediately following their election for terms of four years and until  
29 their successors are elected and qualified."

### 30 SECTION 3.

31 Said Act is further amended by striking in its entirety the attachment thereto containing the  
32 descriptions of education districts which is identified as Plan Name: barrccsb1 Plan Type:  
33 Local User: staff Administrator: Barrow Co.

1                                   **SECTION 4.**

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

7                                   **SECTION 5.**

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