

House Bill 983 (AS PASSED HOUSE AND SENATE)

By: Representatives Rogers of the 20th, Reece of the 21st, and Amerson of the 9th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating a new charter for the City of Gainesville, approved April 11, 1979
2 (Ga. L. 1979, p. 3302), as amended, particularly by an Act approved March 4, 1993
3 (Ga. L. 1993, p. 3981), so as to revise the districts for the election of members of the board
4 of education; to provide for definitions and inclusions; to provide for method of election; to
5 modernize and correct certain references; to repeal term limitations; to provide for
6 submission of this Act for preclearance pursuant to Section 5 of the federal Voting Rights
7 Act of 1965, as amended; to provide for related matters; to repeal conflicting laws; and for
8 other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 An Act creating a new charter for the City of Gainesville, approved April 11, 1979
12 (Ga. L. 1979, p. 3302), as amended, particularly by an Act approved March 4, 1993
13 (Ga. L. 1993, p. 3981), is amended by striking Section 9.20 and inserting in lieu thereof a
14 new Section 9.20 to read as follows:

15 "Section 9.20. Education Wards Created. (a) For purposes of electing the five board
16 members, the School District of the City of Gainesville shall be divided into five education
17 wards, to be designated respectively as Education Wards 1 through 5. One member of the
18 board shall be elected from each of the five education wards, with the member from each
19 education ward elected by a plurality vote of the voters voting within that respective ward.
20 The boundaries of the five education wards of the Gainesville School District shall be and
21 correspond to those five numbered districts described in and attached to and made a part
22 of this Act and further identified as Plan Name: gain1 Plan Type: Local User: Gina
23 Administrator: Gainesville.

24 (b) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean
25 and describe the same geographical boundaries as provided in the report of the Bureau of
26 the Census for the United States decennial census of 2000 for the State of Georgia. The

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

16 (c) Education Wards 1, 2, 3, 4, and 5 as they existed on January 1, 2003, shall continue to
 17 be designated as Education Wards 1, 2, 3, 4, and 5, respectively, but as newly described
 18 under this Act, and, on and after the effective date of this Act, such members of the board
 19 serving from those former education wards shall be deemed to be serving from and
 20 representing their respective wards as newly described under this section."

21 **SECTION 2.**

22 Said Act is further amended by striking subsections (a) and (b) of Section 9.30 and inserting
 23 in lieu thereof new subsections (a) and (b) to read as follows:

24 "(a) Qualification Fee. No candidate shall be listed on the ballot at an election for the
 25 office of board member unless the candidate shall pay a qualification fee as provided in
 26 Code Section 21-2-131 of the O.C.G.A., as amended.

27 (b) Nonpartisan Elections. All members of the board who are elected thereto shall be
 28 elected in accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election
 29 Code,' in nonpartisan elections as provided in Code Section 21-2-139 of the O.C.G.A., as
 30 amended."

31 **SECTION 3.**

32 Said Act is further amended by repealing Section 9.41 in its entirety.

