

Senate Bill 499

By: Senator Mullis of the 53rd

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act to reconstitute the Board of Education of Catoosa County, approved
 2 March 30, 1993 (Ga. L. 1993, p. 4258), as amended particularly by an Act approved June 4,
 3 2003 (Ga. L. 2003, p. 4682), so as to provide for the election of members of the board in
 4 partisan elections; to provide for related matters; to provide for submission for preclearance
 5 pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for
 6 a nonbinding advisory referendum; to provide for an effective date; to repeal conflicting
 7 laws; and for other purposes.

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

9 **SECTION 1.**

10 An Act to reconstitute the Board of Education of Catoosa County, approved March 30, 1993
 11 (Ga. L. 1993, p. 4258), as amended particularly by an Act approved June 4, 2003
 12 (Ga. L. 2003, p. 4682), is amended by striking Section 4 and inserting in lieu thereof a new
 13 Section 4 to read as follows:

14 **"SECTION 4.**

15 (a) The members of the Board of Education of Catoosa County from Education Districts
 16 2 and 4 shall be elected on a partisan basis at the general election in 2006. Such members
 17 shall take office on January 1 following their election for terms of four years and until their
 18 successors are elected and qualified.

19 (b) The members of the Board of Education of Catoosa County from Education Districts
 20 1 and 3 shall be elected on a partisan basis at the general election in 2004. Such members
 21 shall take office on January 1 following their election for terms of four years and until their
 22 successors are elected and qualified.

23 (c) The member of the Board of Education of Catoosa County from Education District 5
 24 shall be elected on a partisan basis at the general election in 2004. Such member shall take
 25 office on January 1 following his or her election for a term of four years and until his or her
 26 successor is elected and qualified.

1 (d) Successors to members elected under subsections (a), (b), and (c) of this section shall
 2 be elected on a partisan basis at the general election next preceding the expiration of such
 3 terms of office and shall take office on January 1 following their election for terms of four
 4 years and until their successors are elected and qualified.

5 (e) Education Districts 1, 2, 3, and 4 as they existed on January 1, 2003, shall continue to
 6 be designated as Education Districts 1, 2, 3, and 4, respectively, but as newly described
 7 under this Act, and, on and after the effective date of this Act, such members of the board
 8 serving from those former education districts shall be deemed to be serving from and
 9 representing their respective districts as newly described under this section.

10 (f) All members of the board who are elected thereto shall be nominated and elected in
 11 partisan elections in accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia
 12 Election Code.'

13 SECTION 2.

14 Unless otherwise prohibited by the federal Voting Rights Act of 1965, as amended, the
 15 election superintendent of Catoosa County shall call and conduct an election on the date of
 16 the 2004 General Election as provided in this section for the purpose of submitting a
 17 nonbinding advisory referendum to the electors of Catoosa County concerning whether the
 18 members of the Board of Education of Catoosa County should be elected on a partisan basis.
 19 The election superintendent shall issue the call and conduct such election as provided by
 20 general law. The superintendent shall cause the date and purpose of the election to be
 21 published once a week for two weeks immediately preceding the date thereof in the official
 22 organ of Catoosa County. The ballot shall have written or printed thereon the words:

23 " YES NONBINDING ADVISORY REFERENDUM
 24 Should the members of the Board of Education of Catoosa County be
 25 NO elected on a partisan basis?"

26 All persons desiring to vote in favor of electing the members of the Board of Education of
 27 Catoosa County on a partisan basis shall vote "Yes," and all persons desiring to vote against
 28 electing the members of the Board of Education of Catoosa County on a partisan basis shall
 29 vote "No." The expense of such election shall be borne by the Board of Education of
 30 Catoosa County. It shall be the duty of the election superintendent of Catoosa County to
 31 certify the results thereof to the Secretary of State.

