

House Bill 1121 (AS PASSED HOUSE AND SENATE)

By: Representative Parrish of the 102nd

A BILL TO BE ENTITLED
AN ACT

1 To provide for reapportionment or redistricting of the districts from and by which members
2 of the board of education of Johnson County are elected; to provide for intent, history,
3 procedures, terms, and other matters relative to the foregoing; to provide for submission
4 under the federal Voting Rights Act; to provide an effective date; to repeal conflicting laws;
5 and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 It is the purpose of this Act to reapportion the districts from which members of the board of
9 education of Johnson County are to be elected in the November, 2004, general election and
10 in subsequent general elections, and this Act results from changes in population based on the
11 United States decennial census of 2000. It is not the intention of the General Assembly to
12 affect the membership of current members of the board, their terms of office, or the manner
13 in which their successors shall be elected, and such matters shall remain as provided by law
14 immediately prior to this Act until otherwise amended by law, except to the extent of
15 reapportioning the districts represented by such members.

16 **SECTION 2.**

17 As an aid to the interpretation of this Act and the research of the laws relating to the board
18 of education of Johnson County, it should be noted that the membership of the board of
19 education was last reconstituted pursuant to an order of the United States District Court for
20 the Southern District of Georgia, Dublin Division, entered on September 16, 1992, in Civil
21 Action File No. CV 392-026.

22 **SECTION 3.**

23 (a) Those members of the board of education of Johnson County who are serving as such
24 immediately prior to the effective date of this Act shall continue to serve as such members

1 until the regular expiration of their respective terms of office and the election and
2 qualification of their respective successors. Future members of the board shall be elected as
3 described in subsection (b) of this section.

4 (b) For purposes of electing members of the board of education, Johnson County is divided
5 into five education districts. One member of the board shall be elected from each such
6 district. The five education districts shall be and correspond to those five numbered districts
7 described in the Redistricting Plan Components Report attached to and made a part of this
8 Act and further identified as Plan Name: johnson3 Plan Type: Local User: staff
9 Administrator: Johnson Co.

10 (c) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean and
11 describe the same geographical boundaries as provided in the report of the Bureau of the
12 Census for the United States decennial census of 2000 for the State of Georgia. The separate
13 numeric designations in a Tract description which are underneath a 'BG' heading shall mean
14 and describe individual Blocks within a Block Group as provided in the report of the Bureau
15 of the Census for the United States decennial census of 2000 for the State of Georgia. Any
16 part of Johnson County which is not included in any such district described in that
17 attachment shall be included within that district contiguous to such part which contains the
18 least population according to the United States decennial census of 2000 for the State of
19 Georgia. Any part of Johnson County which is described in that attachment as being in a
20 particular district shall nevertheless not be included within such district if such part is not
21 contiguous to such district. Such noncontiguous part shall instead be included within that
22 district contiguous to such part which contains the least population according to the United
23 States decennial census of 2000 for the State of Georgia.

24 **SECTION 4.**

25 (a) No person shall be a member of the board if that person is ineligible for such office
26 pursuant to any general law applicable to that office.

27 (b) In order to be elected as a member of the board from an education district, a person must
28 receive the number of votes cast as required by general law for that office in that district
29 only. Only electors who are residents of that education district may vote for a member of the
30 board for that district. At the time of qualifying for election as a member of the board from
31 an education district, each candidate for such office shall specify the education district for
32 which that person is a candidate. A person elected or appointed as a member of the board
33 from an education district must attain residency in the district the person seeks to represent
34 at least by the time the person qualifies as a candidate for the position and must continue to
35 reside in that district during that person's term of office or that office shall become vacant.

SECTION 5.

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2 All successors to members of the board whose terms of office are to expire shall be elected
3 at the November general election immediately preceding the expiration of such terms, take
4 office the first day of January immediately following that election, and serve for terms of
5 office of four years and until their respective successors are elected and qualified. In
6 accordance with the existing schedule of terms, members of the board shall be elected in
7 2004 and quadrennially thereafter to represent Districts 1, 3, and 5; and members of the
8 board shall be elected in 2006 and quadrennially thereafter to represent Districts 2 and 4.

SECTION 6.

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

SECTION 7.

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13 The board of education of Johnson County shall through its legal counsel cause this Act to
14 be submitted for preclearance under the federal Voting Rights Act of 1965, as amended; and
15 such submission shall be made to the United States Department of Justice or filed with the
16 appropriate court no later than 20 days after the date on which this Act is approved by the
17 Governor or otherwise becomes law without such approval.

SECTION 8.

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

SECTION 9.

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