

House Bill 949 (AS PASSED HOUSE AND SENATE)

By: Representatives Williams of the 128th, Keen of the 146th, and DeLoach of the 127th

A BILL TO BE ENTITLED
AN ACT

To amend an Act creating the Board of Education of McIntosh County, approved March 14, 1980 (Ga. L. 1980, p. 3112), as amended, particularly by an Act approved April 14, 1997 (Ga. L. 1997, p. 4019), so as to provide new districts for the election of members; to renumber the education districts; to provide for the completion of terms; to provide that new districts and new numerical designations shall conform to those districts adopted for the board of commissioners in 1997; to provide for related matters; to provide for submission for preclearance; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating the Board of Education of McIntosh County, approved March 14, 1980 (Ga. L. 1980, p. 3112), as amended, particularly by an Act approved April 14, 1997 (Ga. L. 1997, p. 4019), is amended by striking Section 1 and inserting in lieu thereof a new section to read as follows:

"SECTION 1.

The Board of Education of McIntosh County shall be composed of five members to be elected from education districts. It is the intention of this Act that the physical boundaries and numerical designations of four of the five education districts shall become the same as the four districts for the election of members of the Board of Commissioners of McIntosh County set forth in the description attached to an Act approved April 14, 1997 (Ga. L. 1997, p. 4019) and that the members of the board shall continue to have staggered terms. The fifth education district, formerly designated as district 1, shall be composed of the entire county, and its designation shall be changed to district 5 as provided in Section 3 of this Act."

SECTION 2.

Said Act is further amended by striking subsection (a) of Section 3 and inserting in lieu thereof the following:

"(a)(1) The members in office on the effective date of this Act and any person selected to fill a vacancy in any such office shall complete their terms of office. The terms for members representing former districts 1, 3, and 5 shall expire on January 1, 2005. For the purpose of electing successors to such members in 2004, the district formerly designated as district 1 shall be redesignated as district 5 and shall continue to be composed of the entire county. For such purposes, the district formerly designated as district 3 shall be redesignated as district 2 and the boundaries of such district shall be the same as the boundaries set forth for district 2 in an Act approved April 14, 1997 (Ga. L. 1997, p. 4019). For such purposes, the district formerly designated as district 5 shall be redesignated as district 4 and the boundaries of such district shall be the same as the boundaries set forth for district 4 in an Act approved April 14, 1997 (Ga. L. 1997, p. 4019). On and after January 1, 2005, the new designations and boundaries for such districts shall continue. Successors to members representing newly designated districts 2, 4, and 5 shall be elected in 2010 and shall take office on January 1, 2011, for terms of four years. Thereafter, successors shall be elected quadrennially and shall take office on the first day of January following their election.

(2) Beginning January 1, 2005, the district formerly designated as district 2 shall be redesignated as district 1, and the boundaries of such district shall be the same as the boundaries set forth for district 1 in an Act approved April 14, 1997 (Ga. L. 1997, p. 4019). The member elected to represent the district formerly designated as district 2 shall be deemed to represent such district.

(3) Beginning January 1, 2005, the district formerly designated as district 4 shall be redesignated as district 3, and the boundaries of such district shall be the same as the boundaries set forth for district 3 in an Act approved April 14, 1997 (Ga. L. 1997, p. 4019). The member elected to represent the district formerly designated as district 4 shall be deemed to represent such district.

(4) For the purposes of electing a successor in 2006 to the member deemed to represent the district newly designated as district 1, such district shall have the same boundaries as those set forth for district 1 in an Act approved April 14, 1997 (Ga. L. 1997, p. 4019). Such designation and boundaries shall continue on and after January 1, 2007, when such successor takes office. Thereafter, successors shall be elected quadrennially and shall take office on the first day of January following their election.

(5) For the purposes of electing a successor in 2006 to the member deemed to represent the district newly designated as district 3, such district shall have the same boundaries as

1 those set forth for district 3 in an Act approved April 14, 1997 (Ga. L. 1997, p. 4019).
2 Such designation and boundaries shall continue on and after January 1, 2007, when such
3 successor takes office. Thereafter, successors shall be elected quadrennially and shall
4 take office on the first day of January following their election.

5 (6) Each member shall serve for a term of four years and until his or her successor is
6 elected and qualified."

7 **SECTION 3.**

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

13 **SECTION 4.**

14 This section and Section 3 of this Act and those provisions of this Act necessary for the
15 election of members of the Board of Education of McIntosh County in 2004 shall become
16 effective upon the approval of this Act by the Governor or upon its becoming law without
17 such approval. The remaining provisions of this Act shall become effective January 1, 2005.

18 **SECTION 5.**

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