

House Bill 262 (AS PASSED HOUSE AND SENATE)

By: Representatives Carter of the 159th, Bryant of the 160th, Bordeaux of the 162nd, Day of the 163rd, Stephens of the 164th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act relating to the school system of the City of Savannah and Chatham County,
2 approved March 21, 1968 (Ga. L. 1968, p. 2636), as amended, so as to provide for
3 nonpartisan election of the members of the board of education; to provide for submission of
4 this Act under the federal Voting Rights Act of 1965, as amended; to repeal conflicting laws;
5 and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act relating to the school system of the City of Savannah and Chatham County, approved
9 March 21, 1968 (Ga. L. 1968, p. 2636), as amended, is amended by striking Section 2 and
10 inserting in lieu thereof the following:

11 "(a) All elections for members of the Board of Education of the City of Savannah and the
12 County of Chatham conducted after January 1, 2006, shall be nonpartisan elections as
13 provided for in Code Section 21-2-139 of the O.C.G.A. Such nonpartisan elections shall
14 be held in conjunction with the November general election immediately preceding
15 expiration of the term of office and conducted as provided in Chapter 2 of Title 21 of the
16 O.C.G.A., the 'Georgia Election Code.' Those members of the board of education in office
17 on January 1, 2006, shall serve out the terms of office for which they were elected and shall
18 be eligible to succeed themselves as provided in this subsection.

19 (b) Vacancies which occur on the board, other than by the regular expiration of a term of
20 office, shall be filled by the remaining members of the board electing a successor from the
21 district in which the vacant member resided to serve until the next general election, at
22 which time there shall be elected by the electors of the respective education district a
23 successor to serve out the unexpired term of office in which the vacancy shall occur;
24 provided, however, that if the vacancy occurs in a post for which the term of office would
25 regularly expire within 60 days subsequent to the next general election which falls after the
26 vacancy occurs, then the successor who has been named by the remaining members of the

1 board to fill said vacancy shall serve out the remainder of the unexpired term of office in
2 which the vacancy shall occur and until his or her successor shall be duly elected and
3 qualified; and provided, further, that in the event a vacancy occurs after the qualifying date
4 of the first general election held following the vacancy, the successor who has been named
5 by the remaining members of the board shall hold office until his or her successor is
6 regularly elected and qualified as set forth in this Act. In the event a person moves his or
7 her residence from his or her district, a vacancy shall exist from such district and shall be
8 filled in the same manner as other vacancies."

9 **SECTION 2.**

10 The Board of Education of the City of Savannah and the County of Chatham shall through
11 its legal counsel cause this Act to be submitted for preclearance under the federal Voting
12 Rights Act of 1965, as amended; and such submission shall be made to the United States
13 Department of Justice or filed with the appropriate court no later than 60 days after the date
14 on which this Act is approved by the Governor or otherwise becomes law without such
15 approval.

16 **SECTION 3.**

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