

House Bill 839 (AS PASSED HOUSE AND SENATE)

By: Representatives Fleming of the 117th, Harbin of the 118th, and Burmeister of the 119th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing for the election of the Board of Education of Columbia County,
2 approved March 21, 1968 (Ga. L. 1968, p. 2708), as amended, particularly by an Act
3 approved September 21, 1995 (Ga. L. 1995, Ex. Sess., p. 336), and by an Act approved April
4 25, 2002 (Ga. L. 2002, p. 4528), so as to change provisions relating to education districts for
5 the board; to define certain terms; to provide for the manner and dates of election of members
6 of the board; to provide for related matters; to provide for the submission of this Act to the
7 United States Department of Justice; to provide effective dates; to repeal conflicting laws;
8 and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 An Act providing for the election of the Board of Education of Columbia County, approved
12 March 21, 1968 (Ga. L. 1968, p. 2708), as amended, particularly by an Act approved
13 September 21, 1995 (Ga. L. 1995, Ex. Sess., p. 336), and by an Act approved April 25, 2002
14 (Ga. L. 2002, p. 4528), is amended by striking Sections 1, 2, and 3 of the Act and inserting
15 in lieu thereof new Sections 1, 2, and 3 to read as follows:

16 "SECTION 1.

17 (a) The Board of Education of Columbia County shall be composed of five members to
18 be elected as provided in this Act. For the purposes of electing members of the board of
19 education, Columbia County is divided into four education districts. The four education
20 districts shall be and correspond to those four numbered districts described in and attached
21 to and made a part of this Act and further identified as Plan Name: colcc02 Plan Type:
22 Local User: staff Administrator: Columbia. The chairperson of the board shall be elected
23 by the electors of the entire county.

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

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

17 SECTION 2.

18 (a) The members of the board of education in office on the effective date of this Act shall
19 serve out the terms to which they were elected and shall continue to represent the districts
20 from which they were elected until December 31, 2006.

21 (b) On and after January 1, 2007, the member of the board of education representing
22 former Education District 2 shall represent Education District 1, the member of the board
23 of education representing former Education District 5 shall represent Education District 3;
24 and the member of the board of education representing former Education District 3 shall
25 represent Education District 4 as such districts are described in this Act.

26 (c) The member representing former Education District 1 shall serve out the term to which
27 such member was elected which shall end on December 31, 2006, and no successor shall
28 be elected for such member.

29 (d) In the 2006 nonpartisan general election, a successor to the member representing
30 former Education District 4 shall be elected to represent Education District 2 as such
31 district is described under this Act.

32 (e) In the 2006 nonpartisan general election, a person shall be elected by the electors of the
33 entire Columbia County School District to serve as chairperson of the board of education.

34 (f) The person elected as chairperson in the 2006 nonpartisan general election shall serve
35 a term of office of two years beginning on January 1, 2007, and until his or her successor
36 is elected and qualified. At the 2008 nonpartisan general election, a successor shall be

1 elected for such chairperson to serve a term of office of four years beginning on January
2 1, 2009, and until a successor is elected and qualified. Thereafter, an election for a
3 successor to such chairperson shall be held at the nonpartisan general election in the year
4 immediately preceding the end of such chairperson's term of office for a term of office of
5 four years and until a successor is elected and qualified. Such chairperson shall take office
6 on the first day of January immediately following his or her election.

7 (g) At the 2006 nonpartisan general election, a member of the board of education shall be
8 elected to represent Education District 2 as described in this Act. Such member shall be
9 elected to serve a term of office of four years beginning January 1, 2007, and until his or
10 her successor is elected and qualified. Thereafter, an election for a successor to such
11 member shall be held at the nonpartisan general election in the year immediately preceding
12 the end of such member's term of office for a term of office of four years and until a
13 successor is elected and qualified. Such member shall take office on the first day of
14 January immediately following his or her election.

15 (h)(1) At the 2008 nonpartisan general election, an election shall be held to elect
16 successors to the members representing Education Districts 1, 3, and 4.

17 (2) Successors to the members representing Education Districts 1 and 4 shall be elected
18 to serve a term of office of four years beginning January 1, 2009, and until their
19 successors are elected and qualified. Thereafter, successors to such members shall be
20 elected at the nonpartisan general election in the year immediately preceding the end of
21 such members' terms of office for a term of office of four years and until their successors
22 are elected and qualified. Such members shall take office on the first day of January
23 immediately following their election.

24 (3) The successor to the member representing Education District 3 elected in the 2008
25 nonpartisan general election shall be elected to serve a two year term of office beginning
26 January 1, 2009, and until his or her successor is elected and qualified. A successor to
27 such member representing Education District 3 shall be elected in the 2010 nonpartisan
28 general election for a term of office of four years beginning January 1, 2011, and until his
29 or her successor is elected and qualified. Thereafter, a successor to such member shall
30 be elected at the nonpartisan general election in the year immediately preceding the end
31 of such member's term of office for a term of office of four years and until his or her
32 successor is elected and qualified. Such member shall take office on the first day of
33 January immediately following his or her election.

34 (i) The chairperson shall be elected by the vote of electors of the Columbia County School
35 District at large. The members representing Districts 1, 2, 3, and 4 shall be elected only
36 by the electors of the education district which the members seek to represent.

1 (j) No person shall be eligible to represent a district unless he or she has been a resident
2 of such district from which he or she is a candidate for at least one year immediately
3 preceding the date of the election. In the event that a member moves his or her residence
4 from the district the member represents, his or her seat on the board shall immediately
5 become vacant.

6 **SECTION 3.**

7 The chairperson and each member of the board of education shall be elected in a
8 nonpartisan election as authorized in Code Section 21-2-139 and other applicable
9 provisions of Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'

10 **SECTION 2.**

11 The Board of Education of Columbia County shall through its legal counsel cause this Act
12 to be submitted for preclearance under the federal Voting Rights Act of 1965, as amended,
13 not later than 45 days after the date on which this Act is approved by the Governor or
14 otherwise becomes law without such approval.

15 **SECTION 3.**

16 For the purposes of electing a member from Education District 2 and the chairperson in the
17 2006 nonpartisan general election, this Act shall become effective upon its approval by the
18 Governor or its becoming law without such approval. The Act shall become effective for all
19 other purposes on January 1, 2007.

20 **SECTION 4.**

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