

House Bill 924

By: Representatives Benton of the 31<sup>st</sup>, England of the 108<sup>th</sup>, Maxwell of the 17<sup>th</sup>, Morris of the 155<sup>th</sup>, and Keown of the 173<sup>rd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 20-2-51 of the Official Code of Georgia Annotated, relating to  
2 election of county board of education members, persons ineligible to be members or  
3 superintendent, ineligibility for local boards of education, and ineligibility for other offices,  
4 so as to remove the nepotism restriction relating to eligibility for election as a local board of  
5 education member; to provide for submission of this Act for preclearance under the federal  
6 Voting Rights Act of 1965, as amended; to provide for related matters; to repeal conflicting  
7 laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Code Section 20-2-51 of the Official Code of Georgia Annotated, relating to election of  
11 county board of education members, persons ineligible to be members or superintendent,  
12 ineligibility for local boards of education, and ineligibility for other offices, is amended by  
13 revising subsection (c) as follows:

14 "~~(c)(1)~~ No person employed by or serving on the governing body of a private educational  
15 institution shall be eligible to serve as a member of a local board of education. No person  
16 employed by a local board of education shall be eligible to serve as a member of that board  
17 of education. No person employed by the Department of Education or serving as a member  
18 of the State Board of Education shall be eligible to serve as a member of a local board of  
19 education. This ~~paragraph~~ subsection shall not apply to institutions above the high school  
20 level.

21 ~~(2) No person who has an immediate family member sitting on a local board of education~~  
22 ~~or serving as the local school superintendent or as a principal, assistant principal, or~~  
23 ~~system administrative staff in the local school system shall be eligible to serve as a~~  
24 ~~member of such local board of education. As used in this paragraph, the term 'immediate~~  
25 ~~family member' means a spouse, child, sibling, or parent or the spouse of a child, sibling,~~  
26 ~~or parent. This paragraph shall apply only to local board of education members elected~~

27 ~~or appointed on or after July 1, 2009. Nothing in this Code section shall affect the~~  
28 ~~employment of any person who is employed by a local school system on or before July~~  
29 ~~1, 2009, or who is employed by a local school system when an immediate family member~~  
30 ~~becomes a local board of education member for that school system."~~

31 **SECTION 2.**

32 The Attorney General of Georgia shall cause this Act to be submitted for preclearance under  
33 the federal Voting Rights Act of 1965, as amended, and such submission shall be made to  
34 the United States Department of Justice or filed with the appropriate court no later than 45  
35 days after the date on which this Act is approved by the Governor or becomes law without  
36 such approval. If, as of June 30, 2010, implementation of this Act is not permissible under  
37 the Voting Rights Act of 1965, as amended, then as of such date, this Act shall be void and  
38 shall stand repealed in its entirety.

39 **SECTION 3.**

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