

House Bill 937

By: Representatives O`Neal of the 146<sup>th</sup>, Sellier of the 136<sup>th</sup>, and Talton of the 145<sup>th</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 provide a limited exception to a conflict of interest provision relating to eligibility  
5 for election as a local board of education member; to provide for submission of this Act for  
6 preclearance under the federal Voting Rights Act of 1965, as amended; to provide for related  
7 matters; to repeal conflicting 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 paragraph (2) of subsection (c) as follows:

14 "(2) No person who has an immediate family member sitting on a local board of education  
15 or serving as the local school superintendent or as a principal, assistant principal, or system  
16 administrative staff in the local school system shall be eligible to serve as a member of  
17 such local board of education. As used in this paragraph, the term 'immediate family  
18 member' means a spouse, child, sibling, or parent or the spouse of a child, sibling, or  
19 parent. This paragraph shall apply only to local board of education members elected or  
20 appointed on or after July 1, 2009; provided, however, that on and after July 1, 2010, this  
21 paragraph shall not apply to local board of education members reelected or reappointed on  
22 or after July 1, 2010, if such member was in office on June 30, 2010. Nothing in this Code  
23 section shall affect the employment of any person who is employed by a local school  
24 system on or before July 1, 2009, or who is employed by a local school system when an  
25 immediate family member becomes a local board of education member for that school  
26 system."

27

**SECTION 2.**

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34 shall stand repealed in its entirety.

35

**SECTION 3.**

36 All laws and parts of laws in conflict with this Act are repealed.