

Senate Bill 154

By: Senator Hooks of the 14th

A BILL TO BE ENTITLED
AN ACT

1 To revise and restate the law relating to the Sumter County board of education and school
2 superintendent; to provide for a change in the number of members of the board and the
3 districts from which they are elected; to provide for eligibility, manner of election, and filling
4 of vacancies; to provide for a chairperson and vice chairperson; to provide for compensation;
5 to provide for appointment of the school superintendent; to provide for submission of this
6 Act for preclearance under the Voting Rights Act; to repeal a specific former Act and Acts
7 amendatory thereto; to provide for related matters; to repeal conflicting laws; and for other
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 The purpose of this Act is to revise and restate the law relating to the Sumter County board
12 of education and school superintendent. Provisions relating to the school superintendent and
13 the compensation of members of the board of education are restated from prior law without
14 substantial change. The number of members of the board of education will be reduced from
15 nine at the current time to seven for the year 2015 and future years. Over a phased schedule
16 five members will be elected from the same districts from which members of the Sumter
17 County board of commissioners are elected and according to the same schedule and two
18 members of the board will be elected from Sumter County at large.

19 **SECTION 2.**

20 (a) The members of the Sumter County board of education in office on the effective date of
21 this Act shall serve out the remainder of the terms for which they were elected, such terms
22 expiring according to the following schedule:

23 (1) The four current members representing Districts 1, 2, 4, and 6 are serving for terms
24 expiring at the end of 2012; and

(2) The five members representing Districts 3, 5, 7, 8, and 9 are serving for terms expiring at the end of 2014.

(b) In the event of any vacancy in the term of office of one of the current board members referred to in this section, such vacancy shall be filled for the remainder of the unexpired terms in the manner provided by the law in effect prior to this Act.

SECTION 3.

(a) Each Sumter County Commissioner District provided for in an Act to created a board of commissioners of Roads and Revenues in the Counties of Floyd, Berrien, Effingham, Schley, Sumter, and Greene, approved December 13, 1871 (Ga. L. 1871, p. 665), as amended, particularly by an Act approved February 25, 1993 (Ga. L. 1993, p. 3831) shall also constitute a Sumter County School Board District. The five school board districts shall be numbered one to five in the same manner as the five commissioner districts.

(b) At the general election in 2012 and quadrennially thereafter a total of four members of the board of education shall be elected as follows: three members elected from School Board Districts 1, 3, and 5 for terms of four years and one member shall be elected from Sumter County at large for a term of four years, leaving the size of the school board at nine members for the years 2013 and 2014. A quorum of the board shall be five members until January 1, 2015.

(c) At the general election in 2014 and quadrennially thereafter a total of three members of the board of education shall be elected as follows: two members elected from School Board Districts 2 and 4 and one member elected from Sumter County at large, leaving the size of the school board at seven members for the year 2015 and all future years. A quorum of the board shall be four members on and after January 1, 2015.

(d) The reference to county commissioner districts in this Act shall specifically incorporate any future changes in such county commissioner districts for so long as the Sumter County commission continues to be elected from five single member districts, with any changes in the county commissioner districts taking effect for the board of education at the same election at which they take effect for the board of commissioners. If at any time the Sumter County commission ceases to be elected from five single member districts, the most recent such districts shall remain in effect for election of the board of education until otherwise provided by law.

SECTION 4.

(a) No person shall be a member of the board of education if he or she is ineligible for such office pursuant to the provisions of Code Sections 20-2-51 or 45-2-1 or any other provision contained in the O.C.G.A.

(b) In order to be elected as a member of the board from a commissioner district, a person must have resided in that district for at least six months prior to the date such person qualifies as a candidate for election from such district and must receive a majority of the votes cast for that office in that district only and not at large. Only electors who are residents of that district may vote for a member of the board from that district. At the time of qualifying for election as a member of the board from a district, each candidate for such office shall specify the district for which that person is a candidate. A person elected as a member of the board from a district must continue to reside in that district during that person's term of office or that office shall thereupon become vacant.

SECTION 5.

In the event a vacancy occurs in the membership of the board of education for any reason, such vacancy shall be filled as follows:

- (1) If the vacancy occurs more than 90 days prior to the date of a general election preceding the general election at which a successor would be elected to a new full term of office, then such vacancy shall be filled for the unexpired term of office at a special election to be held on the same date as said general election preceding the general election at which a successor would be elected to a new full term of office; and in this case the remaining members of the board of education shall, by majority vote, select a qualified person to fill the vacancy until the person elected at such special election takes office; and
- (2) If the vacancy does not occur more than 90 days prior to the date of a general election preceding the general election at which a successor would be elected for a new full term of office, then the remaining members of the board of education shall, by majority vote, select a qualified person to serve for the remainder of the unexpired term. The individual so selected must meet the residency requirements as specified in subsection (b) of this section.

SECTION 6.

Members of the board of education shall be elected in nonpartisan elections as authorized by Code Section 21-2-139 of the O.C.G.A.

SECTION 7.

At the first meeting of the board of education in January of each year, the board shall elect a chairperson and a vice chairperson, each of whom shall be eligible to succeed himself or herself.

SECTION 8.

Each member of the board of education shall be compensated in the amount of \$200.00 per month. In addition, each member of the board shall be entitled to reimbursement for actual expenses necessarily incurred in connection with travel outside of the county on official business of the board of education, including, but not limited to, attending training sessions or state-wide meetings; provided, however, that such travel is authorized by a majority vote of the members of the board of education prior thereto. All expenses shall be approved and verified prior to reimbursement in such manner as may be specified by the board. Each board member shall be entitled to participate in any school district group insurance plan to the extent authorized in Code Section 20-2-55 of the O.C.G.A.

SECTION 9.

The board shall appoint a superintendent of the Sumter County School System as provided by Code Section 20-2-101 of the O.C.G.A. The superintendent shall possess the qualifications prescribed by the laws of this state for county school superintendents and shall be compensated in an amount to be determined by the board. The present superintendent shall remain in office until his or her successor is appointed.

SECTION 10.

The Sumter County board of education shall through its legal counsel cause this Act to be submitted for preclearance under the federal Voting Rights Act of 1965, as amended; and such submission shall be made to the United States Department of Justice or filed with the appropriate court no later than 90 days after the date on which this Act is approved by the Governor or otherwise becomes law without such approval.

SECTION 11.

An Act relating to the Sumter County board of education and school superintendent, approved February 29, 1968 (Ga. L. 1968, p. 3065), as amended, and the several Acts amendatory thereto are repealed in their entirety.

SECTION 12.

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