

Senate Bill 154

By: Senator Hooks of the 14th

AS PASSED

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 style="text-align:center">**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 style="text-align:center">**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

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

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

30 **SECTION 3.**

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

37 (b) At the general election in 2012 and quadrennially thereafter a total of four members of
38 the board of education shall be elected as follows: three members elected from School Board
39 Districts 1, 3, and 5 for terms of four years and one member shall be elected from Sumter
40 County at large for a term of four years, leaving the size of the school board at nine members
41 for the years 2013 and 2014. A quorum of the board shall be five members until January 1,
42 2015.

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

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

56 **SECTION 4.**

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

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

69 **SECTION 5.**

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

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

85 **SECTION 6.**

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

88 **SECTION 7.**

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

92 **SECTION 8.**

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

102 **SECTION 9.**

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

108 **SECTION 10.**

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

114 **SECTION 11.**

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

118 **SECTION 12.**

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