

House Bill 764

By: Representative Lane of the 167th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the Board of Education of McIntosh County, approved March 14,
2 1980 (Ga. L. 1980, p. 3112), as amended, particularly by an Act approved May 17, 2004
3 (Ga. L. 2004, p. 3970), so as to change the description of the education districts; to provide
4 for definitions and inclusions; to provide for the continuation in office of current members;
5 to provide for manner of election; to provide for the submission of this Act under Section 5
6 of the federal Voting Rights Act of 1965, as amended; to provide for automatic repeal under
7 certain circumstances; 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 An Act creating the Board of Education of McIntosh County, approved March 14, 1980
12 (Ga. L. 1980, p. 3112), as amended, particularly by an Act approved May 17, 2004
13 (Ga. L. 2004, p. 3970), is amended by revising Section 1 as follows:

14 "SECTION 1.

15 (a) The Board of Education of McIntosh County shall be composed of five members to be
16 elected from education districts. For purposes of electing members of the board of
17 education, the McIntosh County School District is divided into five education districts.
18 One member of the board shall be elected from each such district. Education Districts 1
19 through 4 shall be and correspond to those four numbered districts described in and
20 attached to and made a part of this Act and further identified as 'Plan: mcintoshccsb-2012
21 Plan Type: local Administrator: mcintosh User: bak'. Education District 5 shall be
22 composed of the entire territory of McIntosh County.

23 (b)(1) For the purposes of such plan:

24 (A) The term 'VTD' shall mean and describe the same geographical boundaries as
25 provided in the report of the Bureau of the Census for the United States decennial

26 census of 2010 for the State of Georgia. The separate numeric designations in a district
 27 description which are underneath a 'VTD' heading shall mean and describe individual
 28 Blocks within a VTD as provided in the report of the Bureau of the Census for the
 29 United States decennial census of 2010 for the State of Georgia; and

30 (B) Except as otherwise provided in the description of any district, whenever the
 31 description of any district refers to a named city, it shall mean the geographical
 32 boundaries of that city as shown on the census maps for the United States decennial
 33 census of 2010 for the State of Georgia.

34 (2) Any part of McIntosh County which is not included in any district described in
 35 subsection (a) of this section shall be included within that district contiguous to such part
 36 which contains the least population according to the United States decennial census of
 37 2010 for the State of Georgia.

38 (3) Any part of McIntosh County which is described in subsection (a) of this section as
 39 being included in a particular district shall nevertheless not be included within such
 40 district if such part is not contiguous to such district. Such noncontiguous part shall
 41 instead be included within that district contiguous to such part which contains the least
 42 population according to the United States decennial census of 2010 for the State of
 43 Georgia."

44

SECTION 2.

45 Said Act is further amended by revising subsection (a) of Section 3 as follows:

46 "(a)(1) Those members of the Board of Education of McIntosh County who are serving
 47 as such immediately prior to the effective date of this Act, and any person selected to fill
 48 a vacancy in any such office, shall continue to serve as such members until the regular
 49 expiration of their respective terms of office and upon the election and qualification of
 50 their respective successors. Education Districts 1 through 5, as they exist immediately
 51 prior to the effective date of this Act, shall continue to be designated as Education
 52 Districts 1 through 5, respectively, but as newly described under this Act, and on and
 53 after the effective date of this Act, such members of the board serving from those former
 54 education districts shall be deemed to be serving from and representing their respective
 55 districts as newly described under this Act.

56 (2) Successors to those members representing Districts 2, 4, and 5 shall be elected in the
 57 2012 general election and shall take office on January 1 following such election for terms
 58 of four years and until their respective successors are elected and qualified. Thereafter,
 59 successors shall be elected at the general election immediately preceding the end of their
 60 terms of office, shall take office on January 1 following such election, and shall serve for
 61 terms of four years and until their respective successors are elected and qualified.

62 (3) Successors to those members representing Districts 1 and 3 shall be elected in the
63 2014 general election and shall take office on January 1 following such election for terms
64 of four years and until their respective successors are elected and qualified. Thereafter,
65 successors shall be elected at the general election immediately preceding the end of their
66 terms of office, shall take office on January 1 following such election, and shall serve for
67 terms of four years and until their respective successors are elected and qualified."

68 **SECTION 3.**

69 The Board of Education of McIntosh County shall through its legal counsel cause this Act
70 to be submitted for preclearance under Section 5 of the federal Voting Rights Act of 1965,
71 as amended, no later than 45 days after the date on which this Act is approved by the
72 Governor or otherwise becomes law without such approval.

73 **SECTION 4.**

74 If, as of the first date upon which candidates may begin qualifying for the general primary
75 in 2012, implementation of this Act is not permissible under the federal Voting Rights Act
76 of 1965, as amended, then as of such date this Act shall be void and stand repealed in its
77 entirety.

78 **SECTION 5.**

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

Plan: mcintoshccsb-2012
Plan Type:local
Administrator: mcintosh
User: bak

District 001
McIntosh County
VTD: 1911771 - DARIEN

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VTD: 191271 - NORTH DARIEN

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District 002
McIntosh County
VTD: 1911480 - TOWNSEND

1238

VTD: 1911515 - CRESCENT

2212 3035

VTD: 1911771 - DARIEN

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VTD: 191271 - NORTH DARIEN

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District 003

McIntosh County

VTD: 1911312 - SAPELO ISLAND

VTD: 1911515 - CRESCENT

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VTD: 19122 - SOUTH NEWPORT
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VTD: 191271 - NORTH DARIEN
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District 004

McIntosh County

VTD: 1911480 - TOWNSEND

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