

House Bill 1183 (AS PASSED HOUSE AND SENATE)

By: Representative Morris of the 155th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act relating to the Montgomery County Board of Education, approved
2 March 21, 1979 (Ga. L. 1979, p. 3151), as amended, so as to change the description of the
3 education districts; to provide for the manner of election; to provide for definitions and
4 inclusions; to provide for the continuation in office of current members; to provide for the
5 submission of this Act for preclearance pursuant to Section 5 of the federal Voting Rights
6 Act of 1965, as amended; to provide for related matters; to repeal conflicting laws; and for
7 other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act relating to the Montgomery County Board of Education, approved March 21, 1979
11 (Ga. L. 1979, p. 3151), as amended, is amended by revising Section 1 of Article II as
12 follows:

13 "SECTION 1.

14 (a) For purposes of electing members of the board, the Montgomery County School
15 District is divided into four education districts, and those districts shall be and correspond
16 to those four districts described in and attached to this Act and made a part hereof and
17 further identified as 'Plan: montgomeryccsb-2012 Plan Type: local Administrator:
18 montgomery User: bak'.

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

20 (A) The term 'VTD' shall mean and describe the same geographical boundaries as
21 provided in the report of the Bureau of the Census for the United States decennial
22 census of 2010 for the State of Georgia. The separate numeric designations in a district
23 description which are underneath a VTD heading shall mean and describe individual
24 Blocks within a VTD as provided in the report of the Bureau of the Census for the
25 United States decennial census of 2010 for the State of Georgia; and

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

30 (2) Any part of the Montgomery County School District which is not included in any
 31 district described in subsection (a) of this section shall be included within that district
 32 contiguous to such part which contains the least population according to the United States
 33 decennial census of 2010 for the State of Georgia.

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

40 **SECTION 2.**

41 Said Act is further amended by revising Section 2 of Article II as follows:

42 "SECTION 2.

43 (a) One commissioner each shall be elected from Commissioner Districts 1, 2, and 4 by
 44 the electors of such districts, and two commissioners shall be elected from Commissioner
 45 District 3 by the electors of such district. The two commissioners elected from District 3
 46 shall be designated as holding Post 1 and Post 2, respectively.

47 (b) Any person qualifying as a candidate shall designate the education district for which
 48 he or she desires to qualify. A person shall not offer as a candidate for election to the board
 49 from any education district other than the education district in which he or she is a legal
 50 resident."

51 **SECTION 3.**

52 Said Act is further amended by revising Section 4 of Article II as follows:

53 "SECTION 4.

54 (a) Those members of the Board of Education of Montgomery County who are serving as
 55 such on the effective date of this section and any person selected to fill a vacancy in any
 56 such office shall continue to serve as such members until the regular expiration of their
 57 respective terms of office and upon the election and qualification of their respective
 58 successors.

59 (b) On the effective date of this section, the member of the board of education representing
60 former Education District 1 shall be deemed to represent new Education District 1, the
61 member of the board of education representing former Education District 2 shall be deemed
62 to represent new Education District 2, the member of the board of education representing
63 former Education District 3 shall be deemed to represent Post 1 of new Education
64 District 3, the member of the board of education representing former Education District 4
65 shall be deemed to represent Post 2 of new Education District 3, and the member of the
66 board representing former Education District 5 shall be deemed to represent new Education
67 District 4.

68 (c) At the general election in 2012, successors shall be elected to those members
69 representing new Education Districts 1 and 2 and Education District 3, Post 1. Such
70 successors shall take office on January 1 following such election for a term of four years
71 and until their respective successors are elected and qualified. At the general election in
72 2014, successors shall be elected to those members representing new Education District 3,
73 Post 2, and Education District 4. Such successors shall take office on January 1 following
74 such election for a term of four years and until their respective successors are elected and
75 qualified.

76 (d) Thereafter, successors to all members shall be elected to terms of four years and until
77 their respective successors are elected and qualified. Successors shall be elected in the
78 general election in the year in which their respective terms of office expire and shall take
79 office on the first day of January immediately following their election."

80 **SECTION 4.**

81 The Board of Education of Montgomery County shall through its legal counsel cause this Act
82 to be submitted for preclearance under Section 5 of the federal Voting Rights Act of 1965,
83 as amended, not later than 45 days after the date on which this Act is approved by the
84 Governor or otherwise becomes law without such approval.

85 **SECTION 5.**

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

Plan: montgomeryccsb-2012
Plan Type: local
Administrator: montgomery
User: bak

District 001

Montgomery County

VTD: 20901 - AILEY

2077 2078 2079 2080 2091 2092 2114 2115

VTD: 20903 - HIGGSTON

1060 1061 1062 1063 1064 1065 1066 1067 1068 1069 1070 1072

1073 1074 1075 1076 1082 1083 1084 1085 1102 2093 2094 2095

2101 2102 2107 2108 2109

1034 1035 1037 1074

VTD: 20904 - KIBBEE

VTD: 20905 - MOUNT VERNON

2058 2067 2069 2074 2120

VTD: 20906 - TARRYTOWN

District 002

Montgomery County

VTD: 20902 - ALSTON

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011

1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023

1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1046 1047

1048 1049 1050 1051 1052 1053 1054 1055 1056 1057 1058 1059

1060 1061 1062 1063 1064 1065 1066 1067 1068 1069 1070 1071

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VTD: 20903 - HIGGSTON

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1076 1077

District 003

Montgomery County

VTD: 20901 - AILEY

2076 2105 2106 2116

2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2012 2013

2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025

2026 2027 2028 2029 2048 2070 2071 2072 2073 2074 2079 2082

2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096

2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2135 2136

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3002 3003 3004 3005 3006 3011 3012 3093

VTD: 20905 - MOUNT VERNON

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2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064

2065 2066 2067 2068 2069 2075 2076 2077 2078 2080 2081 2083

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3092 3094

District 004

Montgomery County

VTD: 20902 - ALSTON

1034 1035 1036 1044 1045

VTD: 20905 - MOUNT VERNON

3013 3057 3059 3060 3061 3062 3063 3064 3066 3079 3095

VTD: 20907 - UVALDA