

House Bill 1300 (COMMITTEE SUBSTITUTE)

By: Representative Pruett of the 144th

A BILL TO BE ENTITLED
AN ACT

1 To revise and restate the law relating to the Bleckley County board of education and school
2 superintendent; to provide for the number of members of the board and the districts from
3 which they are elected; to provide for eligibility, manner of election, and filling of vacancies;
4 to provide for a chairperson and vice chairperson; to provide for reimbursement of expenses;
5 to provide for appointment of the school superintendent; to provide for related matters; to
6 provide for submission of this Act for preclearance under the Voting Rights Act; to provide
7 for effective dates; to repeal conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 The purpose of this Act is to revise and restate the law relating to the Bleckley County board
11 of education by virtue of the authority contained in Article VIII, Section V, Paragraph II of
12 the Constitution of Georgia.

13 **SECTION 2.**

14 (a) At the general election in 2012 and quadrennially thereafter a total of three members of
15 the Bleckley County board of education shall be elected. One member each shall be elected
16 from School Board Districts 1, 2, and 3 for terms of four years. At the general election in
17 2014 and quadrennially thereafter two members of the board of education shall be elected.
18 One member each shall be elected from School Board Districts 4 and 5 for terms of four
19 years. A quorum of the board shall be three members.

20 (b) For the purpose of electing members of the board of education of Bleckley County, the
21 Bleckley County School District is divided into five districts. Such districts shall be and
22 correspond to those five numbered districts described in and attached to and made a part of
23 this Act and further identified as 'Plan: bleckleysb-2012 Plan Type: local Administrator:
24 bleckley User: bak'.

25 (c)(1) When used in such attachment, the term 'VTD' (voting tabulation district) shall
26 mean and describe the same geographical boundaries as provided in the report of the
27 Bureau of the Census for the United States decennial census of 2010 for the State of
28 Georgia.

29 (2) The separate numeric designations in a district description which are underneath a
30 VTD heading shall mean and describe individual Blocks within a VTD as provided in the
31 report of the Bureau of the Census for the United States decennial census of 2010 for the
32 State of Georgia. Any part of the Bleckley County School District which is not included
33 in any such district described in that attachment shall be included within that district
34 contiguous to such part which contains the least population according to the United States
35 decennial census of 2010 for the State of Georgia.

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

42 (4) Except as otherwise provided in the description of any district, whenever the
43 description of such district refers to a named city, it shall mean the geographical
44 boundaries of that city as shown on the census map for the United States decennial census
45 of 2010 for the State of Georgia.

46 SECTION 3.

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

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

59 **SECTION 4.**

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

62 (1) If the vacancy occurs more than 90 days prior to the date of a general election
63 preceding the general election at which a successor would be elected for a new full term
64 of office, then such vacancy shall be filled for the unexpired term of office at a special
65 election to be held on the same date as said general election preceding the general
66 election at which a successor would be elected to a new full term of office; and in this
67 case the remaining members of the board of education shall, by majority vote, select a
68 qualified person to fill the vacancy until the person elected at such special election takes
69 office; and

70 (2) If the vacancy does not occur more than 90 days prior to the date of a general election
71 preceding the general election at which a successor would be elected for a new full term
72 of office, then the remaining members of the board of education shall, by majority vote,
73 select a qualified person to serve for the remainder of the unexpired term. The individual
74 so selected must meet the residency requirements as specified in subsection (b) of
75 Section 3 of this Act.

76 **SECTION 5.**

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

79 **SECTION 6.**

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

83 **SECTION 7.**

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

92 **SECTION 8.**

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

98 **SECTION 9.**

99 The Board of Education of Bleckley County which existed on December 31, 2012, is
100 continued in existence but on and after January 1, 2013, shall be constituted as provided in
101 this Act. The Board of Education of Bleckley County so continued and constituted,
102 sometimes referred to in this Act as the "board," shall continue to have the powers, duties,
103 rights, obligations, and liabilities of that board as existed immediately prior to January 1,
104 2013.

105 **SECTION 10.**

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

110 **SECTION 11.**

111 The provisions of this Act relating to and necessary for the regular election in 2012 of
112 members of the Board of Education of Bleckley County shall become effective upon its
113 approval by the Governor or upon its becoming effective without such approval; and this Act
114 shall otherwise become effective January 1, 2013.

115 **SECTION 12.**

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

Plan: bleckleysb-2012
Plan Type: local
Administrator: bleckley
User: bak

District 001
Bleckley County
VTD: 0231 - FAIRGROUND

790200:
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 1034 1035
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2066 2067 2068 2069 2070 2071 2072

790300:
1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018
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2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020
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District 002
Bleckley County
VTD: 0231 - FAIRGROUND

790100:
2073 2075 2076 2077 2079 2097
790200:
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790300:
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3012 3013 3014 3016 3020 3021 3022 3023 3024 3025 3026 3027
3028 3029 3030 3033 3034 3038 3063 3064 3065 3066 3067 3068
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District 003
Bleckley County
VTD: 0231 - FAIRGROUND

790100:
2065 2066 2067 2068 2069 2070 2074 2078 2080 2081 2090 2095
2096 2102 2103 2104 2105 2106 2114 2119

790300:
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3041 3042 3043 3044 3045 3046 3047 3048 3049 3050 3051 3052
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District 004
Bleckley County
VTD: 0231 - FAIRGROUND

790100:
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790300:
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District 005

Bleckley County

VTD: 0231 - FAIRGROUND

790100:

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790200:

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