

House Bill 27EX

By: Representatives Welch of the 110th and Knight of the 126th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing for the election of the members of the Board of Education of
2 Butts County, approved March 30, 1987 (Ga. L. 1987, p. 4919), as amended, so as to
3 reconstitute the board of education; to change the description of the education districts; to
4 provide for definitions and inclusions; to provide for continuation in office of current
5 members; to provide for submission of this Act for approval under the federal Voting Rights
6 Act of 1965, as amended; to provide for effective dates; 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 providing for the election of the members of the Board of Education of Butts County,
11 approved March 30, 1987 (Ga. L. 1987, p. 4919), as amended, is amended by striking
12 Section 1 of said Act and inserting in its place the following:

13 "SECTION 1.

14 (a) The Board of Education of Butts County which existed on December 31, 2012, is
15 continued in existence but on and after the first Monday in January, 2013, shall be
16 constituted as provided in this Act. The Board of Education of Butts County so continued
17 and constituted, sometimes referred to in this Act as the 'board,' shall continue to have the
18 powers, duties, rights, obligations, and liabilities of that board as existed immediately prior
19 to the first Monday in January, 2013.

20 (b) Those members of the Board of Education of Butts County who are serving as such on
21 December 31, 2012, and any person selected to fill a vacancy in any such office shall
22 continue to serve as such members until the regular expiration of their respective terms of
23 office and upon the election and qualification of their respective successors. On and after
24 the first Monday in January, 2013, the Board of Education of Butts County shall consist

25 of five members all of whom shall be elected from education districts described in this
26 section.

27 (c) For purposes of electing members of the board of education, the Butts County School
28 District is divided into five education districts. One member of the board shall be elected
29 from each such district. The five education districts shall be and correspond to those five
30 numbered districts described in and attached to and made a part of this Act and further
31 identified as 'Plan: buttsccsb-2011 Plan Type:Local User: bak'.

32 (d)(1) When used in such attachment, the term 'VTD' (voting tabulation district) shall
33 mean and describe the same geographical boundaries as provided in the report of the
34 Bureau of the Census for the United States decennial census of 2010 for the State of
35 Georgia.

36 (2) The separate numeric designations in a district description which are underneath a
37 VTD heading shall mean and describe individual Blocks within a VTD as provided in the
38 report of the Bureau of the Census for the United States decennial census of 2010 for the
39 State of Georgia. Any part of the Butts County School District which is not included in
40 any such district described in that attachment shall be included within that district
41 contiguous to such part which contains the least population according to the United States
42 decennial census of 2010 for the State of Georgia.

43 (3) Any part of the Butts County School District which is described in that attachment
44 as being in a particular district shall nevertheless not be included within such district if
45 such part is not contiguous to such district. Such noncontiguous part shall instead be
46 included within that district contiguous to such part which contains the least population
47 according to the United States decennial census of 2010 for the State of Georgia.

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

52 (e) No person shall be a member of the board if that person is ineligible for such office
53 pursuant to Code Sections 45-2-1 and 20-2-51 of the O.C.G.A. or any other general law
54 applicable to that office."

55 **SECTION 2.**

56 The Board of Education of Butts County which existed on December 31, 2012, is continued
57 in existence but on and after January 1, 2013, shall be constituted as provided in this Act.
58 The Board of Education of Butts County so continued and constituted, sometimes referred
59 to in this Act as the "board," shall continue to have the powers, duties, rights, obligations, and
60 liabilities of that board as existed immediately prior to January 1, 2013.

61 **SECTION 3.**

62 It shall be the duty of the board of education of Butts County to require the attorney therefor
63 to submit this Act for approval pursuant to Section 5 of the federal Voting Rights Act of
64 1965, as amended. If, as of the first date upon which candidates may begin qualifying for
65 the general primary in 2012, implementation of this Act is not permissible under the federal
66 Voting Rights Act of 1965, as amended, then as of such date this Act shall be void and stand
67 repealed in its entirety.

68 **SECTION 4.**

69 The provisions of this section and Section 3 of this Act relating to and necessary for the
70 regular election in 2012 of members of the Board of Education of Butts County shall become
71 effective upon its approval by the Governor or upon its becoming effective without such
72 approval; and this Act shall otherwise become effective January 1, 2013.

73 **SECTION 5.**

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