

House Bill 55EX

By: Representatives Jones of the 46th and Bruce of the 64th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing for the number of members and for the election of members of
2 the Board of Education of Fulton County, approved February 10, 1984 (Ga. L. 1984, p.
3 3591), as amended by an Act approved March 18, 1985 (Ga. L. 1985, p. 3723), and an Act
4 approved March 27, 1992 (Ga. L. 1992, p. 5078), so as to change the description of the
5 education districts; to provide for definitions and inclusions; to provide for submission of this
6 Act for preclearance under the federal Voting Rights Act of 1965, as amended; to provide
7 for an effective date; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 SECTION 1.

10 An Act providing for the number of members and for the election of members of the Board
11 of Education of Fulton County, approved February 10, 1984 (Ga. L. 1984, p. 3591), as
12 amended by an Act approved March 18, 1985 (Ga. L. 1985, p. 3723), and an Act approved
13 March 27, 1992 (Ga. L. 1992, p. 5078), is amended by striking Section 1 and substituting in
14 lieu thereof the following:

15 "SECTION 1.

16 (a) For purposes of electing members of the Board of Education of Fulton County, the
17 Fulton County School District is divided into seven education districts. One member of
18 the board shall be elected from each such district. The seven education districts shall be
19 and correspond to those seven numbered districts described in and attached to and made
20 a part of this Act and further identified as 'Plan: fultonsb-2011 Plan Type: Local User: bak'.

21 (b)(1) When used in such attachment, the term 'VTD' (voting tabulation district) shall
22 mean and describe the same geographical boundaries as provided in the report of the
23 Bureau of the Census for the United States decennial census of 2010 for the State of
24 Georgia.

25 (2) The separate numeric designations in a district description which are underneath a
26 VTD heading shall mean and describe individual Blocks within a VTD as provided in the

27 report of the Bureau of the Census for the United States decennial census of 2010 for the
 28 State of Georgia. Any part of the Fulton County School District which is not included
 29 in any such district described in that attachment shall be included within that district
 30 contiguous to such part which contains the least population according to the United States
 31 decennial census of 2010 for the State of Georgia.

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

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

41 **SECTION 2.**

42 Said Act is further amended by striking subsection (a) of Section 3 and inserting in lieu
 43 thereof the following:

44 "(a) All members of the Board of Education of Fulton County who were in office on
 45 January 1, 2012, shall serve for the remainder of their unexpired terms to which they were
 46 elected. At the election conducted as provided in subsection (b) of Section 2 of this Act in
 47 2012, members shall be elected to represent Education Districts 1, 3, and 4. The persons
 48 elected to represent Education Districts 1, 3, and 4 at such election shall take office on
 49 January 1, 2013, for terms of office of four years and until their successors are elected and
 50 qualified. At the election conducted as provided in subsection (b) of Section 2 of this Act
 51 in 2014, members shall be elected to represent Education Districts 2, 5, 6, and 7. The
 52 persons elected to represent such education districts at such election shall take office on
 53 January 1, 2015, for terms of office of four years and until their successors are elected and
 54 qualified. Thereafter, successors shall be elected at the nonpartisan elections provided for
 55 in subsection (b) of Section 2 of this Act which are held immediately preceding the
 56 expiration of the respective terms of office and shall take office on the first day of January
 57 immediately following their election for terms of four years. All members shall serve until
 58 their successors are elected and qualified."

59 **SECTION 3.**

60 The Board of Education of Fulton County shall through its legal counsel cause this Act to be
 61 submitted for preclearance under the federal Voting Rights Act of 1965, as amended; and

62 such submission shall be made to the United States Department of Justice or filed with the
63 appropriate court no later than 45 days after the date on which this Act is approved by the
64 Governor or otherwise becomes law without such approval.

65 **SECTION 4.**

66 This Act shall become effective upon its approval by the Governor or upon its becoming
67 effective without such approval.

68 **SECTION 5.**

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