

House Bill 43EX (AS PASSED HOUSE AND SENATE)

By: Representatives Yates of the 73<sup>rd</sup> and Knight of the 126<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act to establish the Griffin-Spalding County School System Board of  
2 Education, approved February 25, 1953 (Ga. L. 1953, Jan-Feb. Sess., p. 2563), as amended,  
3 particularly by a local constitutional amendment (Ga. L. 1982, p. 2680) which was continued  
4 in force and effect as a part of the Constitution of the State of Georgia by an Act approved  
5 February 18, 1987 (Ga. L. 1987, p. 3545) and by an Act approved March 7, 2002 (Ga. L.  
6 2002, p. 3566), so as to reconstitute the Board of Education of Griffin-Spalding County; to  
7 change the description of the education districts; to provide for definitions and inclusions;  
8 to provide for continuation in office of certain current board members; to provide for election  
9 and terms of office of subsequent members; to repeal the former descriptions of education  
10 districts; to provide for a referendum; to provide for submission of this Act for preclearance  
11 under the federal Voting Rights Act of 1965, as amended; to provide for effective dates; to  
12 repeal conflicting laws; and for other purposes.

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

14 **SECTION 1.**

15 An Act to establish the Griffin-Spalding County School System Board of Education,  
16 approved February 25, 1953 (Ga. L. 1953, Jan-Feb. Sess., p. 2563), as amended, particularly  
17 by a local constitutional amendment (Ga. L. 1982, p. 2680) which was continued in force and  
18 effect as a part of the Constitution of the State of Georgia by an Act approved February 18,  
19 1987 (Ga. L. 1987, p. 3545), and by an Act approved March 7, 2002 (Ga. L. 2002, p. 3566),  
20 is amended by revising Sections 2 and 3 as follows:

21 **"SECTION 2.**

22 (a) The administration of the Griffin-Spalding County School System shall be vested in  
23 a board to be known and designated as the 'Griffin-Spalding County Board of Education.'  
24 Said board shall consist of five members, each of whom shall be a person of good moral  
25 character and at least 25 years of age at the time of assuming office as a member of said

26 board. Each of the five education districts hereinafter created and described shall be  
 27 represented by one member of such board who shall have been a resident of the district he  
 28 or she represents for at least six months prior to the date of his or her election or  
 29 appointment to said board. Such members shall be elected in a nonpartisan general election  
 30 held at the time of the general primary in each even-numbered year.

31 (b) For the purpose of electing members of the board from education districts, Spalding  
 32 County shall be divided into five education districts. One member of the board shall be  
 33 elected from each such district. Those districts shall be and correspond to those five  
 34 numbered districts described in and attached to and made a part of this Act and further  
 35 identified as 'Plan: spaldingccsb2011 Plan Type: Local User: admin'.

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

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

47 (3) Any part of the Griffin-Spalding County School District which is described in that  
 48 attachment as being in a particular district shall nevertheless not be included within such  
 49 district if such part is not contiguous to such district. Such noncontiguous part shall  
 50 instead be included within that district contiguous to such part which contains the least  
 51 population according to the United States decennial census of 2010 for the State of  
 52 Georgia.

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

### 57 SECTION 3.

58 (a) The members of the board who are in office on January 1, 2011, and any person  
 59 selected to fill a vacancy on such board shall continue in office until the regular expiration  
 60 of their respective terms of office and until successors are elected and qualified as provided  
 61 herein, and at that time such members' terms of office shall end.

62 (b) The first members of the reconstituted Griffin-Spalding County Board of education  
 63 from Education Districts 2 and 4 shall be elected in the nonpartisan general election held  
 64 in conjunction with the general primary in 2012. Such members shall take office on  
 65 January 1 following their election for terms of four years and until their successors are  
 66 elected and qualified. The first members of the reconstituted Griffin-Spalding County  
 67 Board of Education from Education Districts 1, 3, and 5 shall be elected in the nonpartisan  
 68 general election held in conjunction with the general primary in 2014. Such members shall  
 69 take office on January 1 following their election for a term of four years and until their  
 70 successors are elected and qualified.

71 (c) Successors to members elected under subsection (b) of this section shall be elected at  
 72 the nonpartisan general election next preceding the expiration of such terms of office and  
 73 shall take office on January 1 following their election for terms of four years and until their  
 74 successors are elected and qualified. All members of the board shall be nominated and  
 75 elected in accordance with the provisions of Chapter 2 of Title 21 of the O.C.G.A., the  
 76 'Georgia Election Code,' as now or hereafter amended, except as otherwise provided under  
 77 the local constitutional amendment found at Ga. L. 1982, p. 2680, which was continued in  
 78 force and effect as a part of the Constitution of the State of Georgia by an Act approved  
 79 February 18, 1987 (Ga. L. 1987, p. 3545).

80 (d) Education Districts 1 through 5, as they exist on December 31, 2011, shall continue to  
 81 be designated as Education Districts 1 through 5, respectively, but as newly described  
 82 under this Act, and on and after January 1, 2012, such members of the board serving from  
 83 those former education districts shall be deemed to be serving from and representing their  
 84 respective districts as newly described under this Act."

85 **SECTION 2.**

86 Said Act is further amended by repealing the attachments thereto containing the former  
 87 descriptions of education districts which are identified as 'Plan Name: spaldcc5 Plan Type:  
 88 Local User: Linda Administrator: Spalding' and 'Plan Name SPALDCCALTSBR Plan Type:  
 89 Local User: Linda Administrator: Spalding'.

90 **SECTION 3.**

91 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election  
 92 superintendent shall call and conduct an election as provided in this section for the purpose  
 93 of submitting this Act to the electors of Spalding County for approval or rejection. The  
 94 election superintendent shall conduct this election at the next presidential preference primary  
 95 in February 2012 as authorized by Code Section 21-2-540 of the O.C.G.A. The election  
 96 superintendent shall issue the call and conduct the election as provided by general law. The

97 superintendent shall cause the date and purpose of the election to be published once a week  
 98 for two weeks immediately preceding the date of the election in the official organ of  
 99 Spalding County. The ballot shall have written or printed thereon the words:

100 "( ) YES Shall the Griffin-Spalding County Board of Education be permitted to  
 101 ( ) NO change the description of the education districts in accordance with the  
 102 report of the Bureau of the Census for the United States decennial census  
 103 of 2010 so as to comply with the federal law?"

104 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring  
 105 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on  
 106 such question are for approval of the Act, Sections 1 and 2 of this Act shall become of full  
 107 force and effect as of March 1, 2012. If the Act is not so approved or if the election is not  
 108 conducted as provided in this section, Sections 1 and 2 of this Act shall not become effective,  
 109 and this Act shall be automatically repealed on the first day of March immediately following  
 110 that election date. The expense of such election shall be borne by Griffin-Spalding County.  
 111 It shall be the election superintendent's duty to certify the result thereof to the Secretary of  
 112 State.

113 **SECTION 4.**

114 The Board of Education of Griffin-Spalding County shall through its legal counsel cause this  
 115 Act to be submitted for preclearance under the federal Voting Rights Act of 1965, as  
 116 amended; and such submission shall be made to the United States Department of Justice or  
 117 filed with the appropriate court no later than 90 days after the date on which this Act is  
 118 approved by the Governor or otherwise becomes law without such approval.

119 **SECTION 5.**

120 This section and Sections 3 and 4 of this Act and those provisions of this Act necessary for  
 121 the election of members of the Board of Education of Griffin-Spalding County in 2012 shall  
 122 become effective upon the approval of this Act by the Governor or upon its becoming law  
 123 without such approval. The remaining provisions of this Act shall become effective March 1,  
 124 2012, unless otherwise repealed in accordance with the provisions of this Act.

125 **SECTION 6.**

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

Plan: spaldingccsb2011  
Plan Type: Local  
User: admin

District 001

Spalding County

VTD: 25502 - 02 FAIRMONT

VTD: 25503 - 03 LIBRARY

2016 2017 2018 2031 3009 3010 3011 3012 3013 3014 3015 3048  
3056 3066

VTD: 25504 - 04 THIRD WARD

3033 3034 3035 3036 3037 3038 3040 3041 3042 3043 3055

VTD: 25505 - 05 GA EXP STATION

1012 1025 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010  
2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022  
2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034  
2035 2036 2040 2041 2042 2043 2046 2047 2048 2049 2050 2051  
2052 2053 2054 2055 2056 2057 2060 2061 2062 2063 2064 2065  
5030

1014 1018 1037 1038 1039 1045 2014 2015 2016 2017 2018 2019  
2020 2022 2023 2024 2025 2026 2027 2028 2037 2038 2039 2040  
2041 2042

3000 3001 3002 3003 3005 3007 3057

VTD: 25516 - 16 GARY REID

1000 1001 1002 1020 1021 1036 2037 2038 2039 2044 2045 4000  
4006 5000 5001 5002 5003 5004 5005 5006 5007 5008 5009 5010  
5011 5012 5013 5014 5015 5016 5017 5018 5020 5021 5022 5023  
5024 5025 5029 5031 5032  
1034 1035 1036

VTD: 25517 - 17 AMBUCS

2023 2024 2025 2026

1000 1001 1002 1003 1006

1001 1002 1003 1004 1008 1009 1013 1014 1015 1016 1018 1020  
1021 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010  
2011 2012 2013 2014 2015 2019 2020 2021 2022 2023 2024 2025  
2026 2027 2028 2029 2030 2032 2033 2034 2035 2036 2037 2038  
2039 2040 2041 2042 2043 2044 2049 2050 2057 2058 2059 3047  
3049 3067 3069  
2013

VTD: 25518 - 18 COMMUNITY

VTD: 25521 - 21 SUN CITY

3033 3034 3039

District 002

Spalding County

VTD: 25503 - 03 LIBRARY

2045 2046 2047 2048 2053 3046 3050 3051 3052 3053 3054 3057  
3058 3059 3061 3062 3063 3064 3068  
2020

2004 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018  
2019 2020 2021 2022 2023 2024 2025 2031 2033 2034 2035 2036  
1007 1008 1020 3029

VTD: 25504 - 04 THIRD WARD

2060 2061 2062 2063 2064 2065

3039 3044 3045

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
1012 1013 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024  
1025 1026 1027 1028 1029 1030

1000 1001 1002 1003 1004 1005 1006 1009 2000 2001 2014 2015  
2022 3000 3030

VTD: 25506 - 06 CITY PARK

2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2058  
2059

2002 2003 2004 2010 2011 4006

VTD: 25507 - 07 FIRST METHODIST

VTD: 25508 - 08 BOY SCOUTS

3036 3039 4001 4002 4003 4004 4005 4016 4017 4018 4024 4025  
4026 4027 4028 4029 4030 4031 4032 4033 4034 4048 4049 4056  
4062 4064 4065 4066 4067 4068 4069 4070 4071 4072 4073 4074

VTD: 25511 - 11 FIRST PRESBYTERIAN

VTD: 25517 - 17 AMBUCS

1014

VTD: 25520 - 20 ROBERTS

District 003

Spalding County

VTD: 25501 - 01 RESA ACADEMY

VTD: 25505 - 05 GA EXP STATION

3023 3024 3025 3027 3028 3029 3030 3031 3033 3034 3036 3038  
3039 3041 3042

VTD: 25506 - 06 CITY PARK

2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011  
2012 2013 2014 2015 2016 2017 2018 2019 2020 2022 2023 2024  
3000 3001 3002 3003 3009 3010 3016 3017 3018 3045  
2049 2053 2054 2055 2056 2057 3021 3048 3049 3050 3051 3052

3053 3054 3055 3056  
2005 2006 2007 2008 2009 2012 2013 2016 2017 2018 2019 2020  
2021 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033  
3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011 3012  
3013 3014 3015 3016 3017 3018 3019 3020 3021 3022 3023 3024  
3027 3028 3033 3035 3037 3040 3041 3042 3043 4007 4008  
VTD: 25508 - 08 BOY SCOUTS  
3031 3032 4009 4014 4015 4019 4046 4047 4050 4051 4052 4053  
4054 4055 4057  
VTD: 25510 - 10 CARVER  
1002 2021 3014 3015 3032 3037 3040 3043 3044 3048 3049 3050  
3051 3052  
3025 3026 3034 4010 4011 4012 4013 4020 4039 4040 4041 4042  
4043 4044 4045 4063

District 004

Spalding County

VTD: 25505 - 05 GA EXP STATION

2032 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053  
2062 2063 2064 2065 2066 2067 2068 2069 2071 2073 2074 2075  
2091 2092

1000 1005 3006 3011 3012 3020

VTD: 25506 - 06 CITY PARK

3019 3026

VTD: 25510 - 10 CARVER

2055 2056 2057 2058 2059 2060 2083 2084 2090

2091 2092 2093 2094

1001 1003 1004 1006 1007 1008 1009 1010 1011 1012 1013 1021

1022 1030 1032 1033 1034 3021 3022 3035 3046 3047 3053 3054

4021 4022 4023 4035 4036 4037 4038 4058 4059 4060 4061

VTD: 25512 - 12 LIBERTY

VTD: 25513 - 13 COUNTY LINE

VTD: 25515 - 15 BLALOCK

VTD: 25519 - 19 FIRST ASSEMBLY

District 005

Spalding County

VTD: 25509 - 09 CABIN

VTD: 25514 - 14 SUNNYSIDE

VTD: 25516 - 16 GARY REID

1073 3080

1003 1004 1005 1006 1007 1008 1009 1010 1011 1013 1014 1015

1016 1017 1018 1019 1022 1023 1024 2000

1002 1003 1004 1007 1008 1009 1011 1012 1013 1015 1016 1017

1019 1020 1021 1022 1023 1041 1042 1044

VTD: 25517 - 17 AMBUCS

2011 2012 2016 2017 2018 2019 2020 2021 2022 2027 2028 2029

2030 2031 2032 2049 2050

1000 1017 1019

1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024

1025 1026 1027 1033 1034

VTD: 25521 - 21 SUN CITY

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

1022 1023 1024 1025 3000 3001 3002 3003 3004 3005 3006 3007

3008 3009 3010 3011 3012 3013 3014 3015 3016 3017 3018 3019

3020 3021 3022 3023 3024 3025 3026 3027 3028 3029 3030 3031

3032 3035 3036 3037 3038