

House Bill 979 (AS PASSED HOUSE AND SENATE)

By: Representatives Jacobs of the 80<sup>th</sup>, Oliver of the 82<sup>nd</sup>, Taylor of the 79<sup>th</sup>, and Holcomb of the 81<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 20-2-52.1 of the Official Code of Georgia Annotated, relating to  
2 composition and election of county boards of education in counties in which there is a  
3 homestead option sales and use tax and a county sales and use tax for educational purposes  
4 and terms of service, so as to provide for membership of certain boards of education in the  
5 event that local legislation is not passed during the 2014 regular session of the General  
6 Assembly conforming the size of such boards to the requirements of law; to provide for  
7 terms of office for such members; to provide for related matters; to provide for an effective  
8 date; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 SECTION 1.

11 Code Section 20-2-52.1 of the Official Code of Georgia Annotated, relating to composition  
12 and election of county boards of education in counties in which there is a homestead option  
13 sales and use tax and a county sales and use tax for educational purposes and terms of  
14 service, is amended by revising subsection (a) and by adding a new subsection to read as  
15 follows:

16 "(a) On and after January 1, 2015, in counties in which there is being collected a  
17 homestead option sales and use tax pursuant to Article 2A of Chapter 8 of Title 48 and a  
18 county sales and use tax for educational purposes pursuant to Part 2 of Article 3 of Chapter  
19 8 of Title 48 and the county board of education consists of more than seven members, such  
20 county boards of education shall comply with this Code section. Such county boards of  
21 education shall consist of seven members elected from separate single-member districts of  
22 approximately equal population. The number of members may be reduced to less than  
23 seven members by local legislation, but such members shall be elected from separate  
24 single-member districts of approximately equal population."

25 "(d) In the event that a local law is not enacted prior to the qualifying period for the 2014  
26 elections to conform the provisions of law regarding boards of education subject to this

27 Code section to the size requirements of this Code section and if the election structure of  
28 such local board of education contains a plan for seven members from separate  
29 single-member districts encompassing all of the school district in addition to any other  
30 election provisions, then on January 1, 2015, the board of education shall consist only of  
31 seven members elected from such separate single-member districts and all other positions  
32 in excess of those seven shall be eliminated. In such case, those persons serving from  
33 odd-numbered districts shall serve for an initial term of two years and until their respective  
34 successors are elected and qualified. Those persons serving from even-numbered districts  
35 shall serve for an initial term of four years and until their respective successors are elected  
36 and qualified. Thereafter, successors to such members shall be elected at the general  
37 election immediately prior to the end of their respective terms of office to take office on  
38 January 1 immediately following such election for terms of four years and until their  
39 respective successors are elected and qualified. After January 1, 2015, the composition of  
40 such districts, number of districts, and staggering of terms may be changed by local law  
41 consistent with the provisions of this Code section, but shall not be changed prior to such  
42 date."

43 **SECTION 2.**

44 This Act shall become effective upon its approval by the Governor or upon its becoming law  
45 without such approval.

46 **SECTION 3.**

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