

House Bill 1177

By: Representatives Lunsford of the 109<sup>th</sup>, Cash of the 108<sup>th</sup>, Sanders of the 107<sup>th</sup> and Yates of the 106<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

To amend an Act providing for the election of the members of the Board of Education of Henry County from districts, approved March 28, 1985 (Ga. L. 1985, p. 4938), as amended, so as to reconstitute the board of education; to change the description of the districts from which members of the Board of Education of Henry County are elected; to provide for definitions and inclusions; to provide for continuation in office of current members; to provide for election and terms of office of subsequent members; to provide for a statement of intent; to provide for submission of this Act for approval under the federal Voting Rights Act of 1965, as amended; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

An Act providing for the election of the members of the Board of Education of Henry County from districts, approved March 28, 1985 (Ga. L. 1985, p. 4938), as amended, is amended by striking Section 3 of said Act and inserting in its place the following:

"SECTION 3.

(a) The Board of Education of Henry County which existed on May 31, 2002, is continued in existence but on and after June 1, 2002, shall be constituted as provided in this Act. The Board of Education of Henry County so continued and constituted, sometimes referred to in this Act as the 'board,' shall continue to have the powers, duties, rights, obligations, and liabilities of that board as existed immediately prior to June 1, 2002. Those members of the Board of Education of Henry County who are serving as such on May 31, 2002, and any person selected to fill a vacancy in any such office shall continue to serve as such members until the regular expiration of their respective terms of office and upon the election and qualification of their respective successors. On and after June 1, 2002, the

Board of Education of Henry County shall consist of five members all of whom shall be elected from education districts described in subsection (b) of this section.

(b) For purposes of electing members of the board of education, the Henry County School District is divided into five education districts. One member of the board shall be elected from each such district. The five education districts shall be and correspond to those five numbered districts described in and attached to and made a part of this Act and further identified as Plan Name: henryp2 Plan Type: LOCAL User: PaulH Administrator: Henry County.

(c) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2000 for the State of Georgia. The separate numeric designations in a Tract description which are underneath a 'BG' heading shall mean and describe individual Blocks within a Block Group as provided in the report of the Bureau of the Census for the United States decennial census of 2000 for the State of Georgia. Any part of the Henry County School District which is not included in any such district described in that attachment shall be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2000 for the State of Georgia. Any part of the Henry County School District which is described in that attachment as being in a particular district shall nevertheless not be included within such district if such part is not contiguous to such district. Such noncontiguous part shall instead be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2000 for the State of Georgia. Except as otherwise provided in the description of any education district, whenever the description of such district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census map for the United States decennial census of 2000 for the State of Georgia.

(d) Education Districts 1, 2, 3, 4, and 5, as they exist on May 31, 2002, shall continue to be designated as Education Districts 1, 2, 3, 4, and 5, respectively, but as newly described under this Act, and on and after June 1, 2002, such members of the board serving from those former education districts shall be deemed to be serving from and representing their respective districts as newly described under this section."

## SECTION 2.

It is the purpose of this Act to reapportion the districts from which members of the Board of Education of Henry County are to be elected in the November, 2002, general election and in subsequent general elections and results from changes in population based on the United States decennial census of 2000. Except as provided in this Act, it is not the intention of the

1 General Assembly to affect the membership of current members of the board, their terms of  
2 office, or the manner in which their successors shall be elected and such matters shall remain  
3 as provided by law on the effective date of this Act until otherwise amended by law.

4 **SECTION 3.**

5 It shall be the duty of the attorney of the Board of Education of Henry County to submit this  
6 Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended.

7 **SECTION 4.**

8 This section and Section 3 of this Act shall become effective upon the approval of this Act  
9 by the Governor or upon its becoming law without such approval. The remaining provisions  
10 of this Act shall become effective June 1, 2002.

11 **SECTION 5.**

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