

House Bill 1356 (COMMITTEE SUBSTITUTE)

By: Representative Barnard of the 154th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing for election of members of the board of education of Tattnall
2 County, approved February 29, 1968 (Ga. L. 1968, p. 2077), as amended, particularly by an
3 Act approved March 28, 1985 (Ga. L. 1985, p. 4760) and an Act approved February 28, 1992
4 (Ga. L. 1992, p. 4833) and automatically repealed in April, 1992, so as to provide for new
5 districts for members of the board; to implement the consent order entered in *Windgate, et*
6 *al. v. Tattnall County, Georgia v. Williams, et al.*, Civil Action CV600-070, ___ Fed. Supp.
7 ___ (S. D. Ga.) 2000; to provide for a special election in July, 2002, to elect members of the
8 board in accordance with new districts adopted in this Act; to provide for terms of office of
9 the chairperson and members of the board; to provide for definitions and inclusions; to
10 provide for submission of this Act for approval under the federal Voting Rights Act of 1965,
11 as amended; to provide for an effective date; to repeal conflicting laws; and for other
12 purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 **SECTION 1.**

15 An Act providing for election of members of the board of education of Tattnall County,
16 approved February 29, 1968 (Ga. L. 1968, p. 2077), as amended, particularly by an Act
17 approved March 28, 1985 (Ga. L. 1985, p. 4760) and an Act approved February 28, 1992
18 (Ga. L. 1992, p. 4833) and automatically repealed in April, 1992, is amended by striking
19 subsection (c) of Section 1 and inserting in lieu thereof the following:

20 "(c)(1) The term of office of the chairperson of the board elected in the November
21 general election in 2000, who took office on January 1, 2001, shall end December 31,
22 2004. A successor shall be elected in the state-wide general election in 2004 and shall
23 take office on January 1, 2005.

24 (2) The provisions of paragraphs (3) and (4) of this subsection are intended to implement
25 the consent order entered in *Windgate, et al. v. Tattnall County, Georgia v. Williams, et*
26 *al.*, Civil Action CV600-070, ___ Fed. Supp. ___ (S. D. Ga.) 2000.

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(3) A special election shall be held at the time of and in conjunction with the general primary election in July, 2002, to elect the five members of the board of education from the districts described in Section 2 and enacted at the same time as this section. The term of office of the members of the board of education elected in the November general election in 2001, who took office on January 1, 2002, shall end when their successors are elected in the special election provided for in this paragraph and qualified.

(4) The terms of office of the members of the board of education elected in July, 2002, in accordance with paragraph (2) of this subsection shall end December 31, 2004. Their successors shall be nominated and elected in the state-wide general election in 2004 and shall take office on January 1, 2005.

(5) Thereafter, successors to the chairperson and members of the board of education whose terms are to expire shall be elected at the time of the state-wide general election immediately preceding the expiration of such terms, shall take office the first day of January immediately following that election, and shall serve for terms of office of four years each. The chairperson and members of the board shall serve for the terms of office specified in this subsection and until their respective successors are elected and qualified.

(6) The chairperson and all members of the board shall be nominated and elected in accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code,' in nonpartisan primaries and elections as provided in Code Section 21-2-139."

SECTION 2.

Said Act is further amended by striking Section 2 and inserting in lieu thereof the following:

"SECTION 2.

(a) For the purpose of electing the five members of the board other than the chairperson of the board, Tattnall County is divided into the following districts:

District 1

Beginning at the point where U.S. 280 intersects the Tattnall - Evans County line; west along U.S. 280 to the Reidsville City Limit; northwest along the Reidsville City Limit, then southwest along the Reidsville City Limit to S.R. 23/57; north along S.R. 23/57 to C.R. 172; west along C.R. 172 to C.R. 173; southwest along C.R. 173 to C.R. 164; northwest along C.R. 164 to C.R. 444; southwest along C.R. 444, then south along C.R. 444, then west along C.R. 444 to U.S. 280; west northwest along U.S. 280 to the Ochoopee River; north west along the Ochoopee River to the point where the Ochoopee River intersects the Tattnall - Toombs County line; and northwest, east and southeast along the Tattnall County Line to the point of beginning.

District 2

Beginning at the point where U.S. 280 intersects the Tattnall - Evans County line; west along U.S. 280 to the Reidsville City Limit; northwest along the Reidsville City Limit, then southwest along the Reidsville City Limit to S.R. 23/57; north along S.R. 23/57 to C.R. 172; west along C.R. 172 to C.R. 173; southwest along C.R. 173 to C.R. 164; northwest along C.R. 164 to C.R. 444; southwest along C.R. 444, then south along C.R. 444, then west along C.R. 444 to U.S. 280; west northwest along U.S. 280 to the Ohoopsee River; northwest along the Ohoopsee River to the point where the Ohoopsee River intersects the Tattnall - Toombs County line; southeast along the Tattnall County Line to Rocky Creek; east along Rocky Creek to Buck Branch; south along Buck Branch to C.R. 180; southeast along the Georgia State Prison boundary, then east along the Georgia State Prison boundary, then north along the Georgia State Prison boundary, then east along the Georgia State Prison boundary to the Ohoopsee River; southeast along the Ohoopsee River to S.R. 147; northeast along S.R. 147 3/4 mile to private road; southeast along private road to C.R. 196; northeast along C.R. 196 to C.R. 259; east along C.R. 259 to Thomas Creek; south and south west along Thomas Creek to the Ohoopsee River; easterly along the north bank of the Ohoopsee River to Put Drive; northeasterly along Put Drive to C.R. 266; northeast along C.R. 266 to C.R. 264; southeast, east and south along C.R. 264 to C.R. 267; east along C.R. 267 to S.R. 121; north along S.R. 121 to S.R. 23/57; north on C.R. 236 to C.R. 235; northwest on C.R. 235 to C.R. 476; east on C.R. 476 to where C.R. 476 intersects the Tattnall - Evans County line; and north along the Tattnall County Line to the point of beginning.

District 3

Beginning at the point where U.S. 301 intersects the Tattnall - Evans County line; south on U.S. 301 to C.R. 382; west on C.R. 382 to C.R. 425; southwest on C.R. 425 to C.R. 385; southeast on C.R. 385 to Mill Creek; east on Mill Creek to U.S. 301; south on U.S. 301 to C.R. 337; east and southeast on C.R. 337 to C.R. 340; northeast on C.R. 340 to S.R. 196; southeast on S.R. 196 to where S.R. 196 intersects the Tattnall - Long County line; and northeast then west along the Tattnall County Line to the point of beginning.

District 4

Beginning at the point where C.R. 476 intersects the Tattnall - Evans County line; west along C.R. 476 to C.R. 235; southeast on C.R. 235 to C.R. 236 south along C.R. 236 to S.R. 23/57; south and then southeast on S.R. 121 to S.R. 144; east on S.R. 144 to C.R. 417; north along C.R. 417 to the Glennville City Limit at C.R. 418; east then south then southeast along the Glennville City Limit to U.S. 301; north on U.S. 301 to Mill Creek; west on Mill Creek to C.R. 385; northwest on C.R. 385 to C.R. 425; northeast on C.R. 425 to C.R. 382; east on C.R. 382 to U.S. 301; north on U.S. 301 to where U.S. 301

intersects the Tattnall - Evans County line; and northwest along the Tattnall County Line to the point of beginning.

District 5

Beginning at the point where Rocky Creek intersects the Tattnall - Toombs County line; east along Rocky Creek to Buck Branch; south along Buck Branch to C.R. 180; southeast along the Georgia State Prison boundary, then east along the Georgia State Prison boundary, then north along the Georgia State Prison boundary, then east along the Georgia State Prison boundary to the Ohooppee River; southeast along the Ohooppee River to S.R. 147; northeast along S.R. 147 3/4 mile to private road; southeast along private road to C.R. 196; northeast along C.R. 196 to C.R. 259; east along C.R. 259 to Thomas Creek; south and south west along Thomas Creek to the Ohooppee River; easterly along the north bank of the Ohooppee River to Put Drive; northeasterly along Put Drive to C.R. 266; northeast along C.R. 266 to C.R. 264; southeast, east and south along C.R. 264 to C.R. 267; east along C.R. 267 to S.R. 121; south and then southeast on S.R. 121 to S.R. 144; east on S.R. 144 to C.R. 417; north along C.R. 417 to the Glennville City Limit at C.R. 418; east then south then southeast along the Glennville City Limit to U.S. 301; south on U.S. 301 to C.R. 337; east and southeast on C.R. 337 to C.R. 340; northeast on C.R. 340 to S.R. 196; southeast on S.R. 196 to where S.R. 196 intersects the Tattnall - Long County line; and southwest then northwest then north along the Tattnall County Line to the point of beginning.

(b) Any part of Tattnall County which is not included in any such district described in subsection (a) of this section 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 Tattnall County which is described in subsection (a) of this section 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 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."

SECTION 3.

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

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