

House Bill 3EX2

By: Representatives Skipper of the 137th and Hanner of the 159th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act reconstituting the Board of Education of Lee County, approved April 9,
2 1993 (Ga. L. 1993, p. 5130), so as to reconstitute the board of education; to change the
3 description of the education districts; to provide for definitions and inclusions; to provide for
4 continuation in office of current members; to provide for election and terms of office of
5 subsequent members; to provide for submission of this Act for approval under the federal
6 Voting Rights Act of 1965, as amended; to provide an effective date; to repeal conflicting
7 laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act reconstituting the Board of Education of Lee County, approved April 9, 1993 (Ga.
11 L. 1993, p. 5130), is amended by striking Sections 1 through 4 and inserting in their place
12 new Sections 1 through 4 to read as follows:

13 "SECTION 1.

14 The Board of Education of Lee County which existed on December 31, 2001, is continued
15 in existence but on and after January 1, 2002, shall be constituted as provided in this Act.
16 The Board of Education of Lee County so continued and constituted, sometimes referred
17 to in this Act as the 'board,' shall continue to have the powers, duties, rights, obligations,
18 and liabilities of that board as existed immediately prior to January 1, 2002.

19 **SECTION 2.**

20 (a) Those members of the Board of Education of Lee County who are serving as such on
21 December 31, 2001, and any person selected to fill a vacancy in any such office shall
22 continue to serve as such members until the regular expiration of their terms of office, and
23 upon the election and qualification of their respective successors. On and after January 1,

2002, the Board of Education of Lee 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 Lee 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: leewk5 Plan Type: Local User: Angela Administrator: Lee.

(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 Lee 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 Lee 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.

SECTION 3.

(a) No person shall be a member of the board if that person is ineligible for such office pursuant to Code Sections 45-2-1 and 20-2-51 of the O.C.G.A. or any other general law applicable to that office.

(b) In order to be elected as a member of the board from an education district, a person must receive the number of votes cast as required by general law for that office in that district only. Only electors who are residents of that education district may vote for a member of the board for that district. At the time of qualifying for election as a member of the board from an education district, each candidate for such office shall specify the education district for which that person is a candidate. A person elected or appointed as

1 a member of the board from an education district must continue to reside in that district
2 during that person's term of office or that office shall become vacant.

3 SECTION 4.

4 (a) The first members of the reconstituted Board of Education of Lee County from
5 Education Districts 1 and 3 shall be elected at the general election on the Tuesday next
6 following the first Monday in November 2002. Those members of the board elected
7 thereto from Education Districts 1 and 3 in 2002 shall take office the first day of January
8 immediately following that election and shall serve for initial terms of office which expire
9 December 31, 2006, and upon the election and qualification of their respective successors.
10 The first members of the reconstituted Board of Education of Lee County from Education
11 Districts 2, 4, and 5 shall be elected at the general election on the Tuesday next following
12 the first Monday in November 2004. Those members of the board elected thereto from
13 Education Districts 2, 4, and 5 in 2004 shall take office the first day of January
14 immediately following that election and shall serve for initial terms of office which expire
15 December 31, 2008, and upon the election and qualification of their respective successors.
16 Those and all future successors to members of the board whose terms of office are to expire
17 shall be elected at the time of the state-wide general election immediately preceding the
18 expiration of such terms, shall take office the first day of January immediately following
19 that election, and shall serve for terms of office of four years each. Members of the board
20 shall serve for the terms of office specified therefor in this subsection and until their
21 respective successors are elected and qualified.

22 (b) Education Districts 1, 2, 3, 4, and 5, as they exist on December 31, 2001, shall continue
23 to be designated as Education Districts 1, 2, 3, 4, and 5, respectively, but as newly
24 described under this Act, and on and after January 1, 2002, such members of the board
25 serving from those former education districts shall be deemed to be serving from and
26 representing their respective districts as newly described under this section.

27 (c) All members of the board who are elected thereto shall be nominated and elected in
28 accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'"

29 SECTION 2.

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

32 SECTION 3.

33 This Act shall become effective on January 1, 2002.

- 1
- SECTION 4.
- 2
- All laws and parts of laws in conflict with this Act are repealed.