House Bill 23EX2

By: Representative Sims of the 167th

A BILL TO BE ENTITLED

AN ACT

To amend an Act establishing a board of education of Coffee County, approved March 10, 1970 (Ga. L. 1970, p. 2441), as amended, particularly by an Act approved March 15, 1994 (Ga. L. 1994, p. 3672), so as to reconstitute the board of education; to change the description of the education districts; 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 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 establishing a board of education of Coffee County, approved March 10, 1970 (Ga. L. 1970, p. 2441), as amended, particularly by an Act approved March 15, 1994 (Ga. L. 1994, p. 3672), is amended by striking Sections 1 and 2 and inserting in lieu thereof the following:

″SECTION 1.

The Board of Education of Coffee County which existed on December 31, 2001, is continued in existence but on and after January 1, 2002, shall be constituted as provided in this Act. The Board of Education of Coffee 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 January 1, 2002.

SECTION 2.

(a) Those members of the Board of Education of Coffee County who are serving as such on December 31, 2001, 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 January 1, 2002, the Board of Education of Coffee 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 Coffee 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: coffeewk3 Plan Type: LOCAL User: Buck Administrator: CNTY-COFFEE.

(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 Coffee 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 Coffee 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 2A.

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

SECTION 2B.

(a) The first members of the reconstituted Board of Education of Coffee County shall be elected at the general election on the Tuesday next following the first Monday in November, 2002. Those members of the board elected thereto from Education Districts 1, 2, and 4 in November, 2002, shall take office the first day of January immediately following that election and shall serve for initial terms of office which expire December 31, 2006, and upon the election and qualification of their respective successors. Those members of the board elected thereto from Education Districts 3 and 5 in November, 2004, shall take office the first day of January immediately following that election and shall serve for initial terms of office which expire December 31, 2008, and upon the election and qualification of their respective successors. Those and all future successors to members of the board whose terms of office 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. Members of the board shall serve for the terms of office specified therefor in this subsection and until their respective successors are elected and qualified.

(b) Education Districts 1 through 5, as they exist on December 31, 2001, shall continue to be designated as Education Districts 1 through 5, respectively, but as newly described under this Act, and on and after January 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.

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

SECTION 2.

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

SECTION 3.

This section and Section 2 of this Act and those provisions of this Act necessary for the election of members of the Board of Education of Coffee County in 2002 shall become effective upon the approval of this Act by the Governor or upon its becoming law without such approval. The remaining provisions of this Act shall become effective January 1, 2002.

SECTION 4.

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