House Bill 391 (AS PASSED HOUSE AND SENATE)

By: Representatives Keen of the 146th, Mosley of the 129th, Post 1, Smith of the 129th, Post 2, and Williams of the 128th

A BILL TO BE ENTITLED

AN ACT

To amend an Act providing for the Board of Education of Glynn County, approved February 21, 1873 (Ga. L. 1873, p. 256), as amended, particularly by an Act approved April 17, 1992 (Ga. L. 1992, p. 6354), so as to change the composition of such board and abolish certain positions and create new positions; to provide for qualifications, terms of office, elections, and vacancies; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act providing for the Board of Education of Glynn County, approved February 21, 1873 (Ga. L. 1873, p. 256), as amended, particularly by an Act approved April 17, 1992 (Ga. L. 1992, p. 6354), is amended by striking subsections (a), (b), and (c) of Section 1 thereof and inserting in their respective places the following:

"(a) The Board of Education of Glynn County shall be composed of ten elected members, except that such board shall be composed of seven members on and after January 1, 2005, as provided in subsection (b) of this section. The members of the board who are in office on the date this Act becomes effective in 2004 shall serve until the expiration of the term of office for which they were elected.

(b)(1) For the purpose of electing five members of the board of education, Glynn County shall be divided into five education districts. Education Districts 1, 2, 3, 4, and 5 shall correspond to County Commissioner Districts 1, 2, 3, 4, and 5, respectively, as provided in an Act creating a Board of Commissioners of Glynn County, approved February 11, 1937 (Ga. L. 1937, p. 1336), as amended by an Act approved March 18, 1976 (Ga. L. 1976, p. 2949), and as may hereafter be amended. No person shall be elected to Posts 1A, 2A, 3A, 4A, or 5A, as designated in the previous provisions of this subsection, at the general election in 2004, or thereafter, and those posts are abolished effective January 1, 2005. On and after that date the board shall consist of those five members elected to Posts 1B, 2B, 3B, 4B, and 5B, and any person selected to fill a vacancy in any such post,

who shall thereafter have no post designation but only designations as Education Districts 1, 2, 3, 4, and 5, respectively, and two at-large positions on the board.

(2) Two at-large positions on the board are created and are designated at-large Post 1 and at-large Post 2. Members elected to those at-large positions shall be elected by the qualified voters of the entire Glynn County school district voting in an election therefor. Candidates for election as an at-large member shall designate the post for which they are candidates. At the general election in 2004 there shall be elected the first two members of the board to these two at-large positions. The person first elected to at-large Post 1 shall take office the first day of January immediately following that election for an initial term of office of two years and until the election and qualification of a successor, and the person first elected to at-large Post 2 shall take office the first day of January immediately following that election and serve for an initial term of office of four years and until the election and qualification of a successor.

(3) Successors to those members of the board elected in 2002 from Education Districts 1, 3, and 5, and persons selected to fill any vacancy in such positions, whose terms of office are to expire at the end of December 31, 2006, shall be elected at the general election in 2006, shall take office the first day of January immediately following that election and serve for initial terms of office of two years each and until the election and qualification of their respective successors. Successors to those members of the board elected in 2002 from Education Districts 2 and 4, and persons selected to fill any vacancy in such positions, whose terms of office are to expire at the end of December 31, 2006, shall be elected at the general election in 2006, shall take office the first day of January immediately following that election and serve for initial terms of office of four years each and until the election and qualification of their respective successors. Each candidate for election to an education district of the board of education shall be a resident of Glynn County and the respective education district which he or she seeks to represent and shall be elected only by the qualified electors of such education district.

(4) After the initial terms of office specified in paragraphs (2) and (3) of this subsection, successors to members of the board from either at-large post and any education district whose terms of office are to expire shall be elected at the general election immediately preceding the expiration of such term, shall take office the first day of January immediately following that election, and serve for terms of office of four years each and until the election and qualification of their respective successors.

(5) All elections for members of the board shall be conducted in accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code', as now or hereafter amended.

(c) In the event a vacancy occurs on the board for any reason, other than the expiration of a term of office, the remaining members of the board shall select a successor to fill such vacancy until the next general election and until the successor is duly elected and qualified. Individuals selected by the board to fill vacancies on the board shall be residents of Glynn County and, if the vacancy occurs in a position other than the at-large post, the election districts which they represent and otherwise shall have the same qualifications as required for candidates seeking election to the board."

SECTION 2.

This Act shall become effective on January 1, 2004.

SECTION 3.

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