

House Bill 1531 (AS PASSED HOUSE AND SENATE)

By: Representative Birdsong of the 104th

A BILL TO BE ENTITLED
AN ACT

To amend an Act providing for the election of members of the Board of Education of Twiggs County, approved March 26, 1982 (Ga. L. 1982, p. 3627), as amended, particularly by an Act approved March 12, 1984 (Ga. L. 1984, p. 3994), so as to change the method of filling vacancies in the offices of chairperson and board members; to provide for the submission of this Act for preclearance under the federal Voting Rights Act; 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 members of the Board of Education of Twiggs County, approved March 26, 1982 (Ga. L. 1982, p. 3627), as amended, particularly by an Act approved March 12, 1984 (Ga. L. 1984, p. 3994), is amended by striking in its entirety Section 5 and inserting in lieu thereof the following:

"SECTION 5.

(a) In case of a vacancy on the board by death, resignation, or any cause other than the expiration of term of office, such vacancy shall be filled as follows:

(1) If there are more than six months remaining before the expiration of the term of such office, a special election to fill such vacancy shall be conducted as soon as permissible under general law, except that if fewer than six months remain before the next general election, the special election shall be held at the time of the general election. Upon being notified of such a vacancy, the election superintendent of Twiggs County shall call and conduct a special election as provided by general law.

(A) If the vacancy occurs in the office of chairperson, the vice chairperson shall serve as chairperson until the successor is duly elected and qualified, and the remaining board members shall appoint a person to serve in the office of vice chairperson during such time.

(B) If the vacancy occurs in the office of a member other than the chairperson, the remaining members shall appoint a person to serve in the vacated office until a successor is duly elected and qualified; or

(2) If there are fewer than six months remaining before the expiration of the term of such office, and the vacancy occurs:

(A) In the office of chairperson, the vice chairperson shall fill the remainder of the term and the remaining members shall appoint a person to serve the remainder of the term of the vice chairperson; or

(B) In the office of a member other than the chairperson, the remaining members shall appoint a person to serve the remaining term of office.

(b) A person filling a vacancy on the board shall be required to be a resident of the education district from which his or her predecessor was elected and shall meet all other qualifications of office provided by this Act."

SECTION 2.

The Board of Education of Twiggs County shall through its legal counsel cause this Act to be submitted for preclearance under the federal Voting Rights Act of 1965, as amended; and such submission shall be made to the United States Department of Justice or filed with the appropriate court no later than 45 days after the date on which this Act is approved by the Governor or otherwise becomes law without such approval.

SECTION 3.

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