House Bill 764 (AS PASSED HOUSE AND SENATE)

By: Representative Lane of the 167th

A BILL TO BE ENTITLED

AN ACT

To amend an Act creating the Board of Education of McIntosh County, approved March 14, 1980 (Ga. L. 1980, p. 3112), as amended, particularly by an Act approved May 17, 2004 (Ga. L. 2004, p. 3970), so as to change the description of the education districts; to provide for definitions and inclusions; to provide for the continuation in office of current members; to provide for manner of election; to provide for the submission of this Act under Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for automatic repeal under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating the Board of Education of McIntosh County, approved March 14, 1980 (Ga. L. 1980, p. 3112), as amended, particularly by an Act approved May 17, 2004 (Ga. L. 2004, p. 3970), is amended by revising Section 1 as follows:

"SECTION 1.

(a) The Board of Education of McIntosh County shall be composed of five members to be elected from education districts. For purposes of electing members of the board of education, the McIntosh County School District is divided into five education districts. One member of the board shall be elected from each such district. Education Districts 1 through 4 shall be and correspond to those four numbered districts described in and attached to and made a part of this Act and further identified as 'Plan: mcintoshccsbR-2012 Plan Type: Local Administrator: McIntosh User: Gina'. Education District 5 shall be composed of the entire territory of McIntosh County.

(b)(1) For the purposes of such plan:

(A) The term 'VTD' 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 2010 for the State of Georgia. The separate numeric designations in a district description which are underneath a 'VTD' heading shall mean and describe individual Blocks within a VTD as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia; and

(B) Except as otherwise provided in the description of any district, whenever the description of any district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census maps for the United States decennial census of 2010 for the State of Georgia.

(2) Any part of McIntosh County which is not included in any 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 2010 for the State of Georgia.

(3) Any part of McIntosh County which is described in subsection (a) of this section as being included 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 2010 for the State of Georgia.″

SECTION 2.

Said Act is further amended by revising subsection (a) of Section 3 as follows:

″(a)(1) Those members of the Board of Education of McIntosh County who are serving as such immediately prior to the effective date of this Act, 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. Education Districts 1 through 5, as they exist immediately prior to the effective date of this Act, shall continue to be designated as Education Districts 1 through 5, respectively, but as newly described under this Act, and on and after the effective date of this Act, 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 Act.

(2) Successors to those members representing Districts 2, 4, and 5 shall be elected in the 2012 general election and shall take office on January 1 following such election for terms of four years and until their respective successors are elected and qualified. Thereafter, successors shall be elected at the general election immediately preceding the end of their terms of office, shall take office on January 1 following such election, and shall serve for terms of four years and until their respective successors are elected and qualified.

(3) Successors to those members representing Districts 1 and 3 shall be elected in the 2014 general election and shall take office on January 1 following such election for terms of four years and until their respective successors are elected and qualified. Thereafter, successors shall be elected at the general election immediately preceding the end of their terms of office, shall take office on January 1 following such election, and shall serve for terms of four years and until their respective successors are elected and qualified."

SECTION 3.

The Board of Education of McIntosh County shall through its legal counsel cause this Act to be submitted for preclearance under Section 5 of the federal Voting Rights Act of 1965, as amended, 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 4.

If, as of the first date upon which candidates may begin qualifying for the general primary in 2012, implementation of this Act is not permissible under the federal Voting Rights Act of 1965, as amended, then as of such date this Act shall be void and stand repealed in its entirety.

SECTION 5.

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

Plan: mcintoshccsbR-2012
Plan Type: Local
Administrator: McIntosh
User: Gina

District 001
McIntosh County
VTD: 1911771 - DARIEN
110100:
1125 1126 1131 1132 1133 1134 1135 1136 1137 1138 1139 1140
1141 1142 1143 1144 1145 1146 1147 1148 1149 1150 1151 1152
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980000:
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VTD: 191271 - NORTH DARIEN
110100:
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110300:
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District 002
McIntosh County
VTD: 1911515 - CRESCENT
110200:
2212 3035
VTD: 1911771 - DARIEN
110300:
2110 2111 2136 2137 2138 2202 2203 2204 2205 2206 2207 2208
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VTD: 191271 - NORTH DARIEN
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District 003
McIntosh County
VTD: 1911312 - SAPELO ISLAND
VTD: 1911515 - CRESCENT
110100:
1313 1314 1315 1316 1317 1318 1319 1320 1322 1323 1324 1325
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110200:
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990000:
0006 0007

District 004
McIntosh County
VTD: 1911480 - TOWNSEND
VTD: 19122 - SOUTH NEWPORT