House Bill 978 (AS PASSED HOUSE AND SENATE)

By: Representatives Hamilton of the 23rd, Byrd of the 20th, Jerguson of the 22nd, and Hill of the 21st

A BILL TO BE ENTITLED

AN ACT

To amend an Act providing for the numbering of positions of membership on the Cherokee County Board of Education, approved April 17, 1973 (Ga. L. 1973, p. 3207), as amended, particularly by an Act approved March 18, 1980 (Ga. L. 1980, p. 3275), and by an Act approved April 25, 2002 (Ga. L. 2002, p. 4869), so as to revise the districts for the election of members of the board of education; to provide for definitions and inclusions; to provide for manner of election; to provide for submission of this Act for preclearance pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for related matters; 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 providing for the numbering of positions of membership on the Cherokee County Board of Education, approved April 17, 1973 (Ga. L. 1973, p. 3207), as amended, particularly by an Act approved March 18, 1980 (Ga. L. 1980, p. 3275), and by an Act approved April 25, 2002 (Ga. L. 2002, p. 4869), is amended by revising Sections 1 through 3 as follows:

"SECTION 1.

On and after January 1, 2013, the board of education of Cherokee County shall be composed of seven members. One member shall be elected by the voters of the entire Cherokee County School District at large and shall be the chairperson of the board. The other six members shall be elected by district. The chairperson may reside anywhere in the Cherokee County School District. In order to be a candidate for a district seat, a person shall be a resident of the district which he or she seeks to represent and shall remain a resident of such district while in office.

SECTION 2.

(a) For the purpose of electing the six district members to the Cherokee County Board of Education, the Cherokee County School District is divided into six education districts which shall be and correspond to those six numbered districts described in and attached to and made a part of this Act and further identified as 'Plan: chersb-2012 Plan Type: Local Administrator: Cherokee User: Gina'.

(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 the Cherokee County School District 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 the Cherokee County School District 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 3.

(a) Those members of the Board of Education of Cherokee County who are serving as such on the effective date of this section 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.

(b) Beginning January 1, 2013, the member formerly representing Education District 1 shall be deemed to be representing new Education District 6 as described in Section 2 of this Act, the member formerly representing Education District 3 shall be deemed to be

representing new Education District 3 as described in Section 2 of this Act, the member formerly representing Education District 5 shall be deemed to be representing new Education District 4 as described in Section 2 of this Act, and the member formerly representing Education District 6 shall be deemed to be representing new Education District 5 as described in Section 2 of this Act.

(c) In the 2012 elections, an election shall be held for the chairperson and for new Education Districts 1 and 2 as described in Section 2 of this Act who shall take office on January 1, 2013, for terms of four years and until their respective successors are elected and qualified.

(d) Successors to the members elected in 2012 and those members whose terms end in 2014 shall be elected at the general election immediately preceding the end of their terms of office and shall take office on January 1 immediately following such election for terms of office of four years and until their respective successors are elected and qualified.″

SECTION 2.

The Board of Education of Cherokee 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, not later than 30 days after the date on which this Act is approved by the Governor or otherwise becomes law without such approval.

SECTION 3.

This section, Section 2, and those provisions of this Act necessary to conduct elections in 2012 shall become effective upon this Act's approval by the Governor or upon its becoming law without such approval. The remaining provisions of this Act shall become effective on January 1, 2013.

SECTION 4.

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

Plan: chersb-2012
Plan Type: Local
Administrator: Cherokee
User: Gina

District 001
Cherokee County
VTD: 057009 - BRIDGEMILL
VTD: 057022 - HOLLY SPRINGS
VTD: 057024 - LIBERTY
VTD: 057034 - SIXES
VTD: 057037 - TOONIGH
VTD: 057039 - UNIVETER
090601:
2054 2055
VTD: 057042 - WILDCAT

District 002
Cherokee County
VTD: 057003 - AVERY
VTD: 057004 - BALL GROUND
VTD: 057013 - CLAYTON
VTD: 057014 - CONNS CREEK
VTD: 057018 - FREEHOME
VTD: 057020 - HIGHTOWER
VTD: 057027 - MACEDONIA
VTD: 057031 - R T JONES
090602:
1006 1034 2006
VTD: 057038 - UNION HILL
VTD: 057039 - UNIVETER
090501:
2039 2040
090602:
1000 1001 1002 1003 1004 1005 1007 1008 1009 1010 1011 1012
1028 1029 1030 1031 1032 1035 1036 1037 1038 2000 2001 2002
2003 2004 2005 2007 2008 2009 2030

District 003
Cherokee County
VTD: 057001 - AIR ACRES
VTD: 057002 - ARNOLD MILL
090901:
1000 1001 1002 1003 1004 1005 2000 2001 2002 2003 2004 2005
2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 3000 3016
VTD: 057008 - BRADSHAW
VTD: 057017 - DUPREE
VTD: 057019 - HICKORY FLAT
VTD: 057026 - LITTLE RIVER
090902:
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 1018 2010 2011 2012 2013 2020
2021 3004 3012 3015 3016 3017 3018 3019 3020 3021 3022 3023
3024 3025 3026 3027 3028 3029 3030 3031 3032 3033 3034 3035
3036 3037 3038 3039 3043 3044 3049 3050 3051 4000 4001 4002
4003 4006 4007 4025 4026 4027 4028 4029 4030 4031 4032 4033
4034 4035 4036 4037 4038 4039 4040 5000 5012 5013
VTD: 057028 - MOUNTAIN ROAD
VTD: 057043 - WOODLANDS

District 004
Cherokee County
VTD: 057005 - BASCOMB
VTD: 057006 - BELLS
VTD: 057011 - CARMEL
091003:
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1012
1013 1014 1015 1016 1017 1044 2000 2002 2006 2008 3011 3012
3013 3014 3015 3016 3017 3018 3019 3020 3021
091005:
2000 2001 2002 2003 4009
091102:
1013 1014 4013
VTD: 057023 - KELLOGG
VTD: 057029 - OAK GROVE
VTD: 057032 - ROSECREEK
VTD: 057040 - VICTORIA

District 005
Cherokee County
VTD: 057002 - ARNOLD MILL
090901:
2016 2017 2018 2019 2020 2021 2022 2023
VTD: 057007 - BOOTH
VTD: 057011 - CARMEL

091001:
2004 2011 2020 2021
091003:
1011 1021 1022 1023 1024 3000 3001 3002 3003 3004 3005 3006
3007 3008 3009 3010 3022 3023
VTD: 057012 - CHEROKEE SOUTH
VTD: 057015 - DEER RUN
VTD: 057016 - DIXIE
VTD: 057021 - HILLSIDE
VTD: 057025 - LICKSKILLET
VTD: 057026 - LITTLE RIVER
090902:
4004 4005 4008 4009 4010 4011 4012 4013 4014 4015 4016 4017
4018 4019 4020 4021 4022 4023 4024 4041 4042 4043
VTD: 057044 - WOODSTOCK

District 006
Cherokee County
VTD: 057010 - CANTON
VTD: 057030 - R M MOORE
VTD: 057031 - R T JONES
090601:
2015 2016 2017 2112 3000 3001 3002 3003 3004
090602:
1013 1014 1015 1016 1017 1019 1020 1021 1022 1023 1024 1026
1027 1033 1039 1040 2010 2011 2012 2013 2014 2015 2016 2017
2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029
2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042
2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 3000
3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011 3012
3013 3014 3015 3016 3017 3018 3019 3020 3021 3022 3023 3024
3025 3027 3028
VTD: 057033 - SALACOA
VTD: 057035 - SUTALLEE
VTD: 057036 - TEASLEY
VTD: 057039 - UNIVETER
090601:
2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
2012 2013 2014 2020 2021 2022 2023 2024 2025 2026 2027 2028
2048 2049 2050 2051 2052 2053 2061 2062 2111 2114
VTD: 057041 - WALESKA