House Bill 941 (AS PASSED HOUSE AND SENATE)

By: Representatives O`Neal of the 146th, Talton of the 145th, Harden of the 147th, and Dickey of the 136th

A BILL TO BE ENTITLED

AN ACT

To amend an Act reconstituting the Board of Education of Houston County, approved March 31, 1994 (Ga. L. 1994, p. 4435), as amended, particularly by an Act approved May 1, 2002 (Ga. L. 2002, p. 5590), so as to change the description of the education districts; to provide definitions and inclusions; to provide for the continuance in office for current members; to provide for the submission of this Act pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended; 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 reconstituting the Board of Education of Houston County, approved March 31, 1994 (Ga. L. 1994, p. 4435), as amended, particularly by an Act approved May 1, 2002 (Ga. L. 2002, p. 5590), is amended by revising Section 3 as follows:

"SECTION 3.

(a) For the purpose of electing members of the board of education, the Houston County School District shall be divided into five education districts. Education Districts 1 through 5 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: houstonsbR-2012 Plan Type: Local Administrator: Houston 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 Houston 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 Houston 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 2.

Said Act is further amended by revising Section 4 as follows:

"SECTION 4.

(a) All members of the board of education serving in office on the effective date of this section shall continue to serve until the expiration of the terms for which they were elected and until their respective successors are elected and qualified unless otherwise removed from office as provided by the Constitution and laws of this state.

(b) The at-large offices of the reconstituted Board of Education of Houston County shall be designated as Post 6 and Post 7. The member of the board of education from at-large Post 6 shall be elected at the nonpartisan general election in 2014. The member of the board of education from at-large Post 7 shall be elected at the nonpartisan general election in 2012. The members of the reconstituted board of education shall be elected to Posts 6 and 7 by the electors of the entire school district. Such members shall take office on January 1 following their election for terms of four years and until their successors are elected and qualified.

(c) The members of the reconstituted Board of Education of Houston County from Education Districts 2 and 4 shall be elected at the nonpartisan general election in 2014. Each candidate for membership on the board from such education district shall be elected by a majority vote of only the qualified voters of such district voting in such election. Such members shall take office on January 1 following their election for terms of four years and until their successors are elected and qualified.

(d) The members of the reconstituted Board of Education of Houston County from Education Districts 1, 3, and 5 shall be elected at the nonpartisan general election in 2012. Each candidate for membership on the board from such education district shall be elected by a majority vote of only the qualified voters of such district voting in such election. Such members shall take office on January 1 following their election for terms of four years and until their successors are elected and qualified.

(e) Successors to members elected under subsections (b), (c), and (d) of this section shall be elected at the nonpartisan general election next preceding the expiration of terms of office and shall take office on January 1 following their election for terms of four years and until their successors are elected and qualified.

(f) All members of the board shall be nominated and elected in accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code,' in nonpartisan elections as provided in Code Section 21-2-139 of the O.C.G.A.

(g) Those members of the Board of Education of Houston County who are serving as such immediately prior to 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. Education Districts 1 through 5, as they exist immediately prior to the effective date of this section, shall continue to be designated as Education Districts 1 through 5, respectively, but as newly described under Section 3 of this Act, and on and after the effective date of this section, 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 Section 3 of this Act.

(h) At the first meeting of the board in January of each year, the members of the board shall elect their chairperson and other officers to serve for a term of one year as provided by the policy and rules of the board. The board shall provide in its rules for filling a vacancy in the chairperson's office. The vice chairperson selected by the board shall preside at board meetings in the absence of the chairperson and shall have the same right to vote while so presiding as any other member but shall have no other powers of the chairperson.

(i) A majority of the board of education shall constitute a quorum for the transaction of business."

SECTION 3.

The Board of Education of Houston 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: houstonsbR-2012
Plan Type: Local
Administrator: Houston
User: Gina

District 001
Houston County
VTD: 153CENT - CENT
VTD: 153ELBC - ELBC
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1105 1106 1107 1108 1109 1110 1111 1112
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3029 3035 3036 3042
VTD: 153MALL - MALL
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VTD: 153NSMS - NSMS
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4027
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1002
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District 002
Houston County
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VTD: 153QRUN - QRUN
VTD: 153TWPK - TWPK

District 003
Houston County
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VTD: 153HCHS - HCHS
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VTD: 153ROZ2 - ROZ2

District 004
Houston County
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District 005
Houston County
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VTD: 153HCHS - HCHS
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VTD: 153RECR - RECR
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