House Bill 1144 (AS PASSED HOUSE AND SENATE)

By: Representatives Knight of the 126th, Maddox of the 127th, Dickey of the 136th, and Holmes of the 125th

A BILL TO BE ENTITLED
AN ACT

To amend an Act providing for the election of members of the Lamar County Board of Education, approved March 30, 1971 (Ga. L. 1971, p. 2710), as amended, particularly by an Act approved July 26, 2001 (Ga. L. 2001, Ex. Sess., p. 763), so as to reconstitute the board of education; to change the description of the education districts; to provide for definitions and inclusions; to provide for continuation in office of current members; to provide for election and terms of office of subsequent members; to provide for submission of this Act for preclearance under 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 election of members of the Lamar County Board of Education, approved March 30, 1971 (Ga. L. 1971, p. 2710), as amended, particularly by an Act approved July 26, 2001 (Ga. L. 2001, Ex. Sess., p. 763), is amended by revising Sections 1 through 3A as follows:

"SECTION 1.

The Board of Education of Lamar County which existed on December 31, 2012, is continued in existence but on and after January 1, 2013, shall be constituted as provided in this Act. The Board of Education of Lamar County so continued and constituted, sometimes referred to in this Act as the 'board,' shall continue to have the powers, duties, rights, obligations, and liabilities of that board as existed immediately prior to January 1, 2013.

SECTION 2.

(a) Those members of the Board of Education of Lamar County who are serving as such on December 31, 2012, 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. On and after January 1, 2013, the Board of Education of Lamar County shall consist of five members all of whom shall be elected from education districts described in subsection (b) of this section except for the member who is elected at large as provided in Section 3 of this Act.

(b) For purposes of electing members of the board of education, other than the member elected at large, the Lamar County School District is divided into four education districts. One member of the board shall be elected from each such district. The four education districts 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: lamarccsb-2012 Plan Type: Local Administrator: Lamar User: Gina'.

(c)(1) As used in such attachment, the term 'VTD' (voting tabulation district) 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.

(2) 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. Any part of the Lamar County School District which is not included in any such district described in that attachment 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 Lamar County School District which is described in that attachment as being 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.

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

SECTION 3.

(a) No person shall be a member of the board if that person is ineligible for such office pursuant to Code Sections 45-2-1 and 20-2-51 of the O.C.G.A. or any other general law applicable to that office.

(b) In order to be elected as a member of the board from an education district, a person must receive the number of votes cast as required by general law for that office in that district only. Only electors who are residents of that education district may vote for a member of the board for that district. At the time of qualifying for election as a member of the board from an education district, each candidate for such office shall specify the education district for which that person is a candidate. A person elected or appointed as a member of the board from an education district shall continue to reside in that district during that person's term of office, or that office shall become vacant.

(c) The member of the board who is elected at large may reside anywhere within the Lamar County School District and, if elected, must receive the number of votes cast for that office as required by general law in the entire school district. The member of the board elected at large shall continue to reside within the school district during that person's term of office, or that office shall become vacant.

SECTION 3A.

(a) The first members of the reconstituted Board of Education of Lamar County shall be elected at the general election on the Tuesday next following the first Monday in November, 2012. Those members of the board elected thereto from Education Districts 1 and 3 in 2012 shall take office the first day of January immediately following that election and shall serve for initial terms of office which expire December 31, 2016, and until the election and qualification of their respective successors. The member of the board elected at large and those members of the board elected thereto from Education Districts 2 and 4 in 2014 shall take office the first day of January immediately following that election and shall serve for initial terms of office which expire December 31, 2018, and until the election and qualification of their respective successors. Those and all future successors to members of the board whose terms of office are to expire shall be elected at the time of the state-wide general election immediately preceding the expiration of such terms, shall take office the first day of January immediately following that election, and shall serve for terms of office of four years each. Members of the board shall serve for the terms of office specified therefor in this subsection and until their respective successors are elected and qualified.

(b) Education Districts 1 through 4, as they exist on December 31, 2012, shall continue to be designated as Education Districts 1 through 4, respectively, but as newly described under this Act, and on and after January 1, 2013, 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.

(c) All members of the board who are elected thereto shall be nominated and elected in accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'"

SECTION 2.

The Board of Education of Lamar 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.

This section and Section 2 of this Act and those provisions of this Act necessary for the election of members of the Board of Education of Lamar County in 2012 shall become effective upon the approval of this Act by the Governor or upon its becoming law without such approval. The remaining provisions of this Act shall become effective January 1, 2013.

SECTION 4.

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

Plan: lamarccsb-2012
Plan Type: Local
Administrator: Lamar
User: Gina

District 001
Lamar County
VTD: 1711711 - BARNESVILLE FBC
VTD: 1711712B - SENIOR CITIZEN
970200:
1026 1027 1028 1029 1031 1033 1035 1036 1037 1040 1057 1058
1075 1076 1082 1083 1087 5006

District 002
Lamar County
VTD: 1711712A - CHAPPELL MILL
VTD: 1711712B - SENIOR CITIZEN
970200:
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024
1025 1038 1039 1041 1042 1043 1044 1045 1046 1047 1048 1051
1052 1053 1054 1056 1066 1074 1077 1078 1079 1080 1081 1084
1085 1086 3006 3007 3008 3009 5002 5004 5005 5008 5009 5010
5011 5012
VTD: 1711712C - REDBONE
VTD: 1711714 - MILNER
970100:
1018 1019 1020 1104 1108 1109 1110 1112 1113 1114 2000 2001
2021
970200:
1012 1030 5000 5001

District 003
Lamar County
VTD: 1711713 - L C S C

District 004
Lamar County
VTD: 1711714 - MILNER
970100:
1077 1078 1085 1086 1087 1088 1089 1090 1091 1092 1099 1100
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970300:
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2005 4000 4001 4002 4003 4004 4005 4006 4007 4008 4013 4016