

House Bill 1289 (AS PASSED HOUSE AND SENATE)

By: Representatives Mosby of the 90<sup>th</sup>, Oliver of the 83<sup>rd</sup>, Bell of the 58<sup>th</sup>, Mitchell of the 88<sup>th</sup>, Waites of the 60<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act establishing in DeKalb County districts from which members of the county  
2 board of education shall be elected, approved April 12, 1963 (Ga. L. 1963, p. 3424), as  
3 amended, so as to provide for certain terms of office; to provide for the continuation in office  
4 of current members; to provide for submission of this Act for preclearance pursuant to  
5 Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for related  
6 matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act establishing in DeKalb County districts from which members of the county board of  
10 education shall be elected, approved April 12, 1963 (Ga. L. 1963, p. 3424), as amended, is  
11 amended by revising subsections (d) and (e) and striking subsection (f) of Section 2 as  
12 follows:

13 "(d) Successors to those members serving from Education Districts 2, 4, 6, and 8 shall be  
14 elected in a nonpartisan election to be held and conducted in 2012 in accordance with Code  
15 Section 21-2-139. Such successors from Education Districts 2, 4, 6, and 8 elected in such  
16 election in 2012 shall take office on the first day of January immediately following that  
17 election and shall serve for an initial term of office that expires on December 31, 2014, and  
18 upon the election and qualification of such member's successor.

19 (e) Except as provided in subsection (d) of this section, all future successors to members  
20 of the board whose terms of office are to expire shall be elected at the nonpartisan election  
21 held and conducted immediately preceding the expiration of such terms in accordance with  
22 Code Section 21-2-139, shall take office the first day of January immediately following  
23 that election, and shall serve for terms of office of four years each and until their respective  
24 successors are elected and qualified."

25 **SECTION 2.**

26 Those members of the Board of Education of DeKalb County who are serving as such on the  
27 effective date of this Act and any person selected to fill a vacancy in any such office shall  
28 continue to serve as such members until the regular expiration of their respective terms of  
29 office and upon the election and qualification of their respective successors.

30 **SECTION 3.**

31 The Board of Education of DeKalb County shall through its legal counsel cause this Act to  
32 be submitted for preclearance under Section 5 of the federal Voting Rights Act of 1965, as  
33 amended, no later than 45 days after the date on which this Act is approved by the Governor  
34 or otherwise becomes law without such approval.

35 **SECTION 4.**

36 This Act shall become effective upon the approval of this Act by the Governor or upon its  
37 becoming law without such approval.

38 **SECTION 5.**

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