

House Bill 36EX (AS PASSED HOUSE AND SENATE)

By: Representatives Channell of the 116th and Anderson of the 117th

A BILL TO BE ENTITLED
AN ACT

To amend an Act providing for the election of members of the Board of Education of Wilkes County, approved March 18, 1986 (Ga. L. 1986, p. 4091), as amended specifically by an Act approved February 4, 1993 (Ga. L. 1993, p. 3630), and by an Act approved February 18, 1993 (Ga. L. 1993, p. 3827), and by an Act approved April 1, 1996 (Ga. L. 1996, p. 3754), so as to reconstitute the board of education; to change the description of the education districts; to provide for continuation in office of certain current board 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 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 Board of Education of Wilkes County, approved March 18, 1986 (Ga. L. 1986, p. 4091), as amended specifically by an Act approved February 4, 1993 (Ga. L. 1993, p. 3630), and by an Act approved February 18, 1993 (Ga. L. 1993, p. 3827), and by an Act approved April 1, 1996 (Ga. L. 1996, p. 3754), is amended by revising Sections 1 and 3 as follows:

"SECTION 1.

(a) The Board of Education of Wilkes County which existed on December 31, 2011, is continued in existence, but on and after January 1, 2012, shall be reconstituted as provided in this Act. The Board of Education of Wilkes County so continued and reconstituted, 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, 2012.

(b) Those members of the Board of Education of Wilkes County who are serving as such on December 31, 2011, and any person selected to fill a vacancy in any such office shall

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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, 2012, the Board of Education of Wilkes County shall consist of five members, all of whom shall be elected from education districts described in this section, except for the member who is chairperson and who is elected at large as provided in Section 2.

(c) For purposes of electing members of the board of education, other than the chairperson, the Wilkes 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: wilkesccsb-2011 Plan Type: wilkes User: bak'.

(d)(1) When 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 Wilkes 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 Wilkes 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) The members of the reconstituted Board of Education of Wilkes County shall be elected as provided in this subsection. The first members from education districts shall be elected at the general election on the Tuesday next following the first Monday in November, 2012. The chairperson and those members of the board elected thereto from Education Districts 3 and 4 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 upon the election and qualification of their respective successors. The first members from Education Districts 1 and 2 shall be elected at the general election on the Tuesday next following the first Monday in November, 2014. Those members of the board elected thereto from Education Districts 1 and 2 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 upon 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.

(c) Education Districts 1 through 4, as they exist on December 31, 2011, 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, 2012, 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."

SECTION 2.

The Board of Education of Wilkes 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 Wilkes 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, 2012.

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SECTION 4.

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

Plan: wilkesccsb-2011
Plan Type: Wilkes
User: bak

District 001
Wilkes County
VTD: 3171 - SENIOR CITIZEN
VTD: 3172A - YOUNG FARMER'S
3026 3027 3048 3049 3055 3056 3057 3058 3059 3067 3068 3069
3070 4015

District 002
Wilkes County
VTD: 3172A - YOUNG FARMER'S
2048 2052 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063
2064 2065 2086 2087 2088
1000 1001 1002 1003 1004 1005 1006 1008 1009 1010 1011 1013
1014 1015 1022 1023 1035 1036 1038 1039 1040 1041 1055 1062
2010 2014 2015 2019 2020 2021 2022 2023 2024 2025 2026 2027
2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039
2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051
2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063
2064 2065 2066 2067 2082 2083 2084 2085 2086 2087 2088 2089
2090 2091 2092 2097 2098 2099 2100 2101 2102
2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020
2021 2039 2040 2041 2042 2055 2056 2057 2058 2059 2060 2061
2062 2063 2064 2065 2066 2067 2068 2069 2070 2075 2078 3029
3034 3035 3043 3060 3061 3062 3063 3064 3065 3066 3074 3075
3076 3077 3078 4016 4017 4024 4025 4026 4027 4028 4029 4030
4031 4032 4033 4034 4035 4036 4037 4038 4039 4040 4041 4042
4043 4044 4045 4046 4047
VTD: 3172B - METASVILLE FIRE

District 003
Wilkes County
VTD: 3173A - EDWARD B POPE
VTD: 3173B - RAYLE CITY HALL
1047 1048 1049 1050 1051 1052 1053 1054 1055 1056 1057 1058
1059 1060 1061 1062 1063 1064 1065 1066 1067 1068 1069 1070
1075 1076 1077 1078 1081 1082 1083 1084 1085 1086 1087 1088
1089 1090 1091 1092 1093 1094 1095 1096 1097 1098 1099 1100
1101 1102 1103 1104 1105 1106 1107 1108 1109 1110 1111 1112
1113 1114 1115 1116 1117 1118 1119 1120 1121 1124 1126 1127
1128 2000 2001 2002 2015 2016 2017 2018 2019 2020 2021 2022
2023 2024 2025 2034 2075 2077
1000

District 004
Wilkes County
VTD: 3173B - RAYLE CITY HALL
1037 1038 1039 1040 1043 1071 1072 1073 1074
VTD: 3174A - COURTHOUSE
VTD: 3174B - TIGNALL SCHOOL