

House Bill 608

By: Representatives Reese of the 140<sup>th</sup>, Hugley of the 141<sup>st</sup>, Rice of the 139<sup>th</sup>, Buckner of the 137<sup>th</sup>, and Smith of the 138<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating the Muscogee County School District, approved  
2 February 25, 1949 (Ga. L. 1949, p. 1086), as amended, so as to revise how vacancies on said  
3 board are filled; to provide for related matters; to repeal conflicting laws; and for other  
4 purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 An Act creating the Muscogee County School District, approved February 25, 1949  
8 (Ga. L. 1949, p. 1086), as amended, is amended by revising subsection (g) of Section 5 as  
9 follows:

10 "(g)(1) A vacancy on the board of education occurring for any reason shall be filled as  
11 follows:

12 (A) If the vacancy occurs more than 90 days before to the date of a general election  
13 preceding the general election at which a successor will be elected to a new full term  
14 of office, then such vacancy shall be filled for the unexpired term of office at a special  
15 election to be held on the same date as said general election preceding the general  
16 election at which a successor will be elected to a new full term of office; and in this

17 case the remaining members of the board of education shall, by majority vote, select a  
18 qualified person to fill the vacancy until the person elected at such special election takes  
19 office; and

20 (B) If the vacancy occurs 90 days or fewer before the date of a general election  
21 preceding the general election at which a successor will be elected to a new full term  
22 of office, then the remaining members of the local board of education shall, by majority  
23 vote, select a qualified person to serve for the remainder of the unexpired term.

24 (2) Any person elected or appointed to fill a vacancy pursuant to this subsection shall  
25 possess the same qualifications required for election to a full term of office as provided  
26 by law applicable to the office wherein the vacancy occurred. As applied to special  
27 elections, if the office wherein the vacancy occurred is filled by election of voters within  
28 a portion of the local school district, then the special election shall be held within that  
29 portion of the local school district; provided, however, that, if the office wherein the  
30 vacancy occurred is filled by the voters within the entire school district, then the special  
31 election shall be held within the entire school district.

32 (3) The election superintendent of Muscogee County shall issue the call for a special  
33 election to fill a vacancy as required by this subsection. The call for a special election  
34 shall be issued within 30 days after the existence of a vacancy has been established. A  
35 special election to fill vacancies shall be held and conducted in accordance with the  
36 applicable provisions of Chapter 2 of Title 21 of the O.C.G.A., known as the 'Georgia  
37 Election Code.'"

38 **SECTION 2.**

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