

House Bill 1180 (AS PASSED HOUSE AND SENATE)

By: Representative Lumsden of the 12th

A BILL TO BE ENTITLED
AN ACT

1 To repeal the amendment to the Constitution of the State of Georgia for the election of
2 members of the Board of Education of Chattooga County by the people, which amendment
3 was proposed by 1959 House Resolution No. 146-432, Resolution Act No. 51 (Ga. L. 1959,
4 p. 453), as amended by 1968 House Resolution No. 675-1458, Resolution Act No. 245 (Ga.
5 L. 1968, p. 1764), and as continued in force and effect by an Act approved March 6, 1987
6 (Ga. L. 1987, p. 3821); to provide for related matters; to provide for a referendum, effective
7 dates, contingencies, and automatic repeal; to repeal conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 The purpose of this Act is to repeal the 1959 amendment to the Constitution of the State of
11 Georgia, as amended, to provide for the election of members of the Board of Education of
12 Chattooga County by the people. This Act shall have no effect on an Act to provide for the
13 election of members of the board of education of Chattooga County, (Ga. L. 2002, p. 4723),
14 as amended, and said board shall continue to be subject to and governed by said Act as
15 amended and the general laws of this state.

16 **SECTION 2.**

17 That amendment to the Constitution of the State of Georgia for the election of members of
18 the Board of Education of Chattooga County by the people, which amendment was proposed
19 by 1959 House Resolution No. 146-432, Resolution Act No. 51 (Ga. L. 1959, p. 453), as
20 amended by 1968 House Resolution No. 675-1458, Resolution Act No. 245 (Ga. L. 1968,
21 p. 1764), and as continued in force and effect by an Act approved March 6, 1987 (Ga. L.
22 1987, p. 3821), is repealed.

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SECTION 3.

24 The election superintendent of Chattooga County shall call and conduct an election as
 25 provided in this section for the purpose of submitting this Act to the electors of Chattooga
 26 County for approval or rejection. The election superintendent shall conduct that election on
 27 the Tuesday after the first Monday in November, 2020, and shall issue the call and conduct
 28 that election as provided by general law. The superintendent shall cause the date and purpose
 29 of the election to be published once a week for two weeks immediately preceding the date
 30 thereof in the official organ of Chattooga County. The ballot shall have written or printed
 31 thereon the words:

32 "() YES Shall the Act repealing the amendments to the Constitution of Georgia,
 33 () NO which provided for the election of members of the Chattooga County Board
 34 of Education and the filling of vacancies by the Board of Education, be
 35 approved?"

36 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons
 37 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes
 38 cast on such question are for approval of the Act, Sections 1 and 2 of this Act shall become
 39 of full force and effect on January 1, 2021. If the Act is not so approved or if the election is
 40 not conducted as provided in this section, then Sections 1 and 2 of this Act shall not become
 41 effective, and this Act shall be automatically repealed on the first day of January immediately
 42 following that election date. The expense of such election shall be borne by Chattooga
 43 County. It shall be the election superintendent's duty to certify the result thereof to the
 44 Secretary of State.

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SECTION 4.

46 This section and Sections 3 and 5 of this Act shall become effective upon the approval of this
 47 Act by the Governor or upon its becoming law without such approval. Except as otherwise
 48 provided in Section 3 of this Act, the remaining sections of this Act shall become effective
 49 on January 1, 2021.

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SECTION 5.

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