

House Bill 555

By: Representatives Cheokas of the 138<sup>th</sup> and Black of the 174<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
2 relating to local boards of education, so as to provide that a local board of education member  
3 that does not comply with a local Act which requires the local board to make a submission  
4 under the Voting Rights Act shall be guilty of a misdemeanor; to prohibit the expenditure of  
5 public funds for defense; to require the Attorney General to take certain action; to provide  
6 for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to local  
10 boards of education, is amended by adding a new Code section to read as follows:

11 "20-2-75.

12 (a) A member of a local board of education which is required to cause a local Act relating  
13 to such local board to be submitted for preclearance under the federal Voting Rights Act  
14 of 1965 to the United States Department of Justice or filed with the appropriate court in a  
15 designated timeframe who votes against submission, votes to withdraw a submission that  
16 has already been made, or takes no action towards complying with such submission  
17 requirement within the designated timeframe shall be guilty of a misdemeanor.

18 (b) A local board of education shall not expend any public funds for attorney's fees or  
19 expenses of litigation relating to the defense of a criminal action against a local board  
20 member for a violation of subsection (a) of this Code section.

21 (c) Whenever any local board of education fails to cause a local Act relating to such local  
22 board to be submitted for preclearance under the federal Voting Rights Act of 1965 to the  
23 United States Department of Justice or filed with the appropriate court in a designated  
24 timeframe, withdraws a submission that has already been made, or takes no action towards  
25 complying with such submission requirement within the designated timeframe, the  
26 Attorney General shall either cause such submission to be made or shall bring such action

27 or actions in his or her discretion as may be appropriate to enforce compliance with such  
28 submission requirements and to seek either civil or criminal penalties or both."

29 **SECTION 2.**

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