

## House Resolution 125

By: Representatives Burkhalter of the 41<sup>st</sup> and Campbell of the 42<sup>nd</sup>

## A RESOLUTION

1 Proposing an amendment to the Constitution so as to provide for the creation of additional  
2 counties and the merger of any portion of one county with another county; to provide for the  
3 submission of this amendment for ratification or rejection; and for other purposes.

4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 **SECTION 1.**

6 Paragraph II of Section I of Article IX of the Constitution is amended by striking  
7 subparagraph (a) thereof and inserting in its place the following:

8 "(a) Except as provided in subparagraph (e) of this Paragraph, there ~~There~~ shall not be  
9 more than 159 counties in this state."

10 **SECTION 2.**

11 Said Paragraph is further amended by adding at the end the following new subparagraphs:

12 "(d) The General Assembly may provide by law for the merger of any portion of one  
13 county with another county which it abuts when the governing authority of the county into  
14 which that portion is to be merged approves such merger, if the county from which such  
15 portion will be removed by the merger will have a population of at least 200,000, according  
16 to the United States decennial census of 1990 or any future census, immediately following  
17 the merger, and if:

18 (1) All of the owners of property in the portion of the county to be merged, except  
19 owners of governmental property, sign a petition approving such merger; or

20 (2) A petition calling for such merger and bearing the validated signatures of at least 20  
21 percent of the electors in the portion of the county to be merged who were registered to  
22 vote in the last general election is presented to the election superintendent of the county  
23 in which such portion is located, who shall call a special election on whether such portion  
24 shall be merged as specified in the petition, to be conducted in such portion upon  
25 verification of such signatures, and a majority of the electors voting in such portion in  
26 such election approve such merger.

1 (e) Additional counties may be created from contiguous areas of the state if:

2 (1) The area which is to constitute the additional county:

3 (A) Has a population of at least 200,000, according to the United States decennial  
4 census of 1990 or any future census; or

5 (B) Includes the entirety of any county which existed at any time before 1950 but not  
6 after that date;

7 (2) The county is created pursuant to:

8 (A) General law; or

9 (B) A petition which calls for the creation of such additional county and bears the  
10 validated signatures of at least 10 percent of the electors who were registered to vote  
11 in the last general election and who reside in the area which is to constitute the new  
12 county, which petition is presented to the election superintendent of each county in  
13 which such area is located, who shall call a special election on whether such county  
14 shall be created as specified in the petition, to be conducted upon verification of such  
15 signatures, only in the area which is to be included in the new county; and

16 (3) The majority of electors voting in a special election to be conducted in the area to be  
17 included within the new county vote to approve the creation of the new county. The  
18 General Assembly may provide by general law for matters relating to the creation of new  
19 counties pursuant to and not in conflict with this subparagraph."

20 **SECTION 3.**

21 The above proposed amendment to the Constitution shall be published and submitted as  
22 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the  
23 above proposed amendment shall have written or printed thereon the following:

24 "( ) YES Shall the Constitution be amended so as to provide for the creation of  
25 additional counties and the merger of any portion of one county with

26 ( ) NO another county?"

27 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."

28 All persons desiring to vote against ratifying the proposed amendment shall vote "No."

29 If such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall  
30 become a part of the Constitution of this state.

31 **SECTION 4.**

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