

## Senate Bill 569

By: Senators Fort of the 39th, Tate of the 38th, Paul of the 40th, Scott of the 36th, James of the 35th and Price of the 56th

A BILL TO BE ENTITLED  
AN ACT

1 To repeal an Act approved March 20, 1986 (Ga. L. 1986, p. 4440), and an Act approved  
2 March 25, 1986 (Ga. L. 1986, p. 4774), which continued in force and effect as part of the  
3 Constitution of the State of Georgia that constitutional amendment duly ratified at the 1952  
4 general election (Res. Act No. 88; Senate Resolution No. 85; Ga. L. 1952, p. 514) and  
5 proclaimed by the Governor to be a part of the Constitution of the State of Georgia relating  
6 to the authority of the Fulton County Commissioners and Ex Officio Judges with respect to  
7 ad valorem taxation of real and personal property; to repeal that constitutional amendment  
8 duly ratified at the 1952 general election (Res. Act No. 88; Senate Resolution No. 85; Ga.  
9 L. 1952, p. 514) and proclaimed by the Governor to be a part of the Constitution of the State  
10 of Georgia relating to the authority of the General Assembly to provide by law the method  
11 of selection of the Tax Commissioner of Fulton County; to provide the authority for this Act;  
12 to provide for a referendum; to provide effective dates; to repeal conflicting laws; and for  
13 other purposes.

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

15 **SECTION 1.**

16 The Acts approved March 20, 1986 (Ga. L. 1986, p. 4440), and March 25, 1986 (Ga. L.  
17 1986, p. 4774), which continued in force and effect as part of the Constitution of the State  
18 of Georgia that constitutional amendment duly ratified at the 1952 general election (Res. Act  
19 No. 88; Senate Resolution No. 85; Ga. L. 1952, p. 514) and proclaimed by the Governor to  
20 be a part of the Constitution of the State of Georgia relating to the authority of the General  
21 Assembly to provide by law for the method of selection of the Tax Commissioner of Fulton  
22 County, are repealed in their entirety.

23 **SECTION 2.**

24 That constitutional amendment duly ratified at the 1952 general election (Res. Act No. 88;  
25 Senate Resolution No. 85; Ga. L. 1952, p. 514) and proclaimed by the Governor to be a part

1 of the Constitution of the State of Georgia relating to the authority of the General Assembly  
 2 to provide by law for the method of selection of the Tax Commissioner of Fulton County and  
 3 which was continued on and after July 1, 1987, as a part of the Constitution of the State of  
 4 Georgia, is repealed in its entirety.

5 **SECTION 3.**

6 This Act is passed pursuant to Article XI, Section I, Paragraph IV(b) of the Constitution of  
 7 the State of Georgia which authorizes the repeal of certain amendments to the Constitution  
 8 which were continued in force and effect after July 1, 1987.

9 **SECTION 4.**

10 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election  
 11 superintendent of Fulton County shall call and conduct an election as provided in this section  
 12 for the purpose of submitting this Act to the electors of Fulton County for approval or  
 13 rejection. The election superintendent shall conduct that election on the date of the  
 14 November, 2002, state-wide general election and shall issue the call and conduct that election  
 15 as provided by general law. The superintendent shall cause the date and purpose of the  
 16 election to be published once a week for two weeks immediately preceding the date thereof  
 17 in the official organ of Fulton County. The ballot shall have written or printed thereon the  
 18 words:

19 "( ) YES Shall the local constitutional amendment be repealed which provides for the  
 20 authority of the General Assembly to provide by law for the method of  
 21 ( ) NO selection of the Tax Commissioner of Fulton County so that those matters  
 22 may be provided for by general law?"

23 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons  
 24 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes  
 25 cast on such question are for approval of the Act, Sections 1 and 2 of this Act shall become  
 26 of full force and effect on January 1, 2003. If Sections 1 and 2 of this Act are not so  
 27 approved or if the election is not conducted as provided in this section, this Act shall be  
 28 automatically repealed on the first day of January immediately following that election date.  
 29 The expense of such election shall be borne by Fulton County. It shall be the election  
 30 superintendent's duty to certify the result thereof to the Secretary of State.

31 **SECTION 5.**

32 Except as otherwise provided in Section 4 of this Act, this Act shall become effective upon  
 33 its approval by the Governor or upon its becoming law without such approval.

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**SECTION 6.**

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