

House Bill 922

By: Representatives McBee of the 74<sup>th</sup>, Heard of the 75<sup>th</sup>, and Smith of the 76<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act providing a charter for the unified government of Athens-Clark County,  
2 approved March 2, 1990 (Ga. L. 1990, p. 3560), as amended, so as to provide for nonpartisan  
3 elections for certain officers thereof; to provide for a special election; to provide for effective  
4 dates; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 An Act providing a charter for the unified government of Athens-Clark County, approved  
8 March 2, 1990 (Ga. L. 1990, p. 3560), as amended, is amended by adding immediately  
9 following Section 6-103 a new section to read as follows:

10 "SECTION 6-104  
11 Nonpartisan elections.

12 All regular elections for the elective public officers of the unified government of  
13 Athens-Clarke County, Georgia, and all special elections for such officers shall be  
14 nonpartisan elections without a prior nonpartisan primary, as provided in Code Section  
15 21-2-139 of the O.C.G.A."

16 **SECTION 2.**

17 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election  
18 superintendent of the unified government of Athens-Clarke County, Georgia, shall call and  
19 conduct an election as provided in this section for the purpose of submitting this Act to the  
20 electors of the unified government of Athens-Clarke County, Georgia, for approval or  
21 rejection. The election superintendent shall conduct that election on the date of the  
22 presidential preference primary in 2004 and shall issue the call and conduct that election as  
23 provided by general law. The superintendent shall cause the date and purpose of the election

1 to be published once a week for two weeks immediately preceding the date thereof in the  
2 official organ of Athens-Clarke County. The ballot shall have written or printed thereon the  
3 words:

4 " YES Shall the Act be approved which provides for nonpartisan elections for the  
5 elective public officers of the unified government of Athens-Clarke County,  
6  NO Georgia?"

7 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons  
8 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes  
9 cast on such question are for approval of the Act, then Section 1 of this Act shall become of  
10 full force and effect immediately. If Section 1 of this Act is not so approved or if the election  
11 is not conducted as provided in this section, Section 1 of this Act shall not become effective  
12 and this Act shall be automatically repealed on the first day of January immediately  
13 following that election date. The expense of such election shall be borne by the unified  
14 government of Athens-Clarke County, Georgia. It shall be the election superintendent's duty  
15 to certify the result thereof to the Secretary of State.

16 **SECTION 3.**

17 Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon  
18 its approval by the Governor or upon its becoming law without such approval.

19 **SECTION 4.**

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