

House Bill 1228

By: Representatives Smith of the 87th, Powell of the 23rd, DeLoach of the 127th, and Boggs of the 145th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 21-2-261.1 of the Official Code of Georgia Annotated, relating to
2 boundary requirements for precincts, so as to authorize the use of the boundaries of a gated
3 community or planned unit development as the boundaries of a precinct; to provide a
4 definition; to require detail maps and certain other information to be maintained; to provide
5 for related matters; to provide an effective date; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 21-2-261.1 of the Official Code of Georgia Annotated, relating to boundary
10 requirements for precincts, is amended by striking the Code section and inserting in lieu
11 thereof a new Code Section 21-2-261.1 to read as follows:

12 "21-2-261.1.

13 (a) All voting precincts established or altered under the provisions of this article shall
14 consist of areas which are bounded on all sides only by:

15 (1) Visible features which are readily distinguishable upon the ground (such as streets,
16 railroad tracks, streams, lakes, and ridges) and which are indicated upon official
17 Department of Transportation maps, current census maps, city or county planning maps,
18 official municipal maps, official county maps, or any combination of such maps;

19 ~~(1.1)~~ (2) The boundaries of public parks;

20 ~~(1.2)~~ (3) The boundaries of public school grounds;

21 ~~(1.3)~~ (4) The boundaries of churches; ~~or~~

22 ~~(2)~~ (5) The boundaries of counties and incorporated municipalities; or

23 (6) The boundaries of a gated residential community or planned unit development. For
24 purposes of this paragraph, the term 'planned unit development' means an area under
25 single ownership or control developed in conformance with an approved development
26 plan, consisting of a map showing the development area and all improvements to the
27 development area, a text which sets forth the uses and the development standards to be

1 met, and exhibits setting forth any aspects of the development plan not fully described
 2 in the map and text. The map, exhibits, and text constitute a development plan. The uses
 3 and standards expressed in the development plan constitute the use and development
 4 regulations for the planned unit development site in lieu of the regulations for the
 5 underlying district.

6 (b) The superintendent of a county or the governing authority of a municipality shall notify
 7 the board of registrars within ten days after such changes are adopted.

8 (c) The superintendent of a county or the governing authority of a municipality shall file
 9 with the Secretary of State and the Legislative and Congressional Reapportionment Office:

10 (1) A map reflecting any changes in precincts within 20 days after the changes are made;

11 (2) A copy of any communications to or from the United States Department of Justice
 12 relating to any precincts within 20 days after such communication is sent or received;

13 (3) A copy of any pleading initiating a court action potentially affecting any precincts
 14 within 30 days after it is filed;

15 (4) A copy of any court order affecting any precincts within 20 days after it is entered;

16 **and**

17 (5) For precincts that use the boundaries of a gated residential community or planned
 18 unit development, a map clearly delineating the boundaries of the community or
 19 development and clearly depicting the streets contained within such community or
 20 development and a list of the streets within such community or development and the
 21 address ranges of such streets; and

22 (6) Any other documentation necessary to allow the Secretary of State to maintain a
 23 current listing of all precincts in the state."

24 **SECTION 2.**

25 This Act shall become effective upon its approval by the Governor or upon its becoming law
 26 without such approval.

27 **SECTION 3.**

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