

Senate Bill 196

By: Senators Reed of the 35th, Thomas of the 10th, Zamarripa of the 36th, Levetan of the 40th, Fort of the 39th and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To repeal an Act approved March 20, 1986 (Ga. L. 1986, p. 4446), which continued in force
2 and effect as part of the Constitution of the State of Georgia that constitutional amendment
3 duly ratified at the 1972 general election (H.R. 799-1935; Ga. L. 1972, p. 1477) and
4 proclaimed by the Governor to be a part of the Constitution of the State of Georgia relating
5 to the authorization of Fulton County to operate recreational programs in any city lying
6 wholly or partially within such county and having a population of not more than 5,000
7 persons; to repeal that constitutional amendment duly ratified at the 1972 general election
8 (H.R. 799-1935; Ga. L. 1972, p. 1477) and proclaimed by the Governor to be a part of the
9 Constitution of the State of Georgia relating to the authorization of Fulton County to operate
10 recreational programs in any city lying wholly or partially within such county and having a
11 population of not more than 5,000 persons; to provide the authority for this Act; to provide
12 for a referendum; to provide effective dates; to repeal conflicting laws; and for other
13 purposes.

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

15 **SECTION 1.**

16 That Act approved March 20, 1986 (Ga. L. 1986, p. 4446), which continued in force and
17 effect as part of the Constitution of the State of Georgia that constitutional amendment duly
18 ratified at the 1972 general election (H.R. 799-1935; Ga. L. 1972, p. 1477) and proclaimed
19 by the Governor to be a part of the Constitution of the State of Georgia relating to the
20 authorization of Fulton County to operate recreational programs in any city lying wholly or
21 partially within such county and having a population of not more than 5,000 persons, is
22 repealed in its entirety.

23 **SECTION 2.**

24 That constitutional amendment duly ratified at the 1972 general election (H.R. 799-1935; Ga.
25 L. 1972, p. 1477) and proclaimed by the Governor to be a part of the Constitution of the State

1 of Georgia relating to the authorization of Fulton County to operate recreational programs
 2 in any city lying wholly or partially within such county and having a population of not more
 3 than 5,000 persons and which was continued on and after July 1, 1987, as a part of the
 4 Constitution of the State of 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, as soon as practicable, call and operate an election as
 12 provided in this section for the purpose of submitting this Act to the electors of Fulton
 13 County for approval or rejection. The election superintendent shall issue the call and operate
 14 that election as provided by general law. The superintendent shall cause the date and purpose
 15 of the election to be published once a week for two weeks immediately preceding the date
 16 thereof in the official organ of Fulton County. The ballot shall have written or printed
 17 thereon the words:

18 "() YES Shall the local constitutional amendment be repealed which authorizes
 19 Fulton County to operate recreational programs in any city lying wholly or
 20 () NO partially within such county and having a population of not more than 5,000
 persons?"

21 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons
 22 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes
 23 cast on such question are for approval of the Act, Sections 1 and 2 of this Act shall become
 24 of full force and effect on January 1, 2004. If Sections 1 and 2 of this Act are not so
 25 approved or if the election is not conducted as provided in this section, this Act shall be
 26 automatically repealed on the first day of January immediately following that election date.
 27 The expense of such election shall be borne by Fulton County. It shall be the election
 28 superintendent's duty to certify the result thereof to the Secretary of State.

29 **SECTION 5.**

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

- 1 **SECTION 6.**
- 2 All laws and parts of laws in conflict with this Act are repealed.