

Senate Bill 631

By: Senator Hamrick of the 30th

**AS PASSED SENATE**

**A BILL TO BE ENTITLED  
AN ACT**

1 To amend an Act creating a charter for the City of Carrollton, approved September 9, 1891  
2 (Ga. L. 1890-91, Vol. II, p. 474), as amended, particularly by an Act approved April 6, 1981  
3 (Ga. L. 1981, p. 4172), so as to provide for the levy of a school tax by the mayor and council  
4 of the City of Carrollton for that city's independent school system and for limitations relating  
5 thereto; to provide for a referendum, effective dates, and automatic repeal; to repeal  
6 conflicting laws; and for other purposes.

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

8 **SECTION 1.**

9 An Act creating a charter for the City of Carrollton, approved September 9, 1891 (Ga. L.  
10 1890-91, Vol. II, p. 474), as amended, particularly by an Act approved April 6, 1981 (Ga. L.  
11 1981, p. 4172), is amended by striking the quoted material in Section 1 of said amendatory  
12 Act of 1981 and inserting in its place the following:

13 "The board of education of the independent school system of the City of Carrollton shall  
14 annually certify to the mayor and council of said city a school tax not greater than 20 mills  
15 per dollar for the support and maintenance of education. The mayor and council of the City  
16 of Carrollton shall in its discretion proceed to levy and collect such amount as it may deem  
17 necessary for school purposes by levy and collection of same as other taxes are collected,  
18 but on and after July 1, 2005, that mayor and council shall annually levy the amount  
19 certified by the board of education of the independent school system of the City of  
20 Carrollton as the school tax for the support and maintenance of education upon the assessed  
21 value of all taxable property within the City of Carrollton school district as long as the  
22 amount so certified does not exceed 20 mills per dollar. That mayor and council, through  
23 its collection officer, shall be required to pay the same over to the treasurer of the board of  
24 education of said city from time to time as necessary for the operation of said schools  
25 which shall then constitute a fund to be expended by said board in payment of all legitimate  
26 expenses in running, operation and maintenance of said schools. If these provisions of this

1 2004 Act become effective in 2004, those provisions of HB 1752 enacted in 2004 as  
 2 paragraph (2) of subsection (a) of Section 4-101 and subsection (b) of Section 4-101, which  
 3 require referendum approval of certain tax levies by the mayor and council of the City of  
 4 Carrollton, are automatically repealed upon the date the provisions of this 2004 Act  
 5 become effective in 2004."

6 **SECTION 2.**

7 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election  
 8 superintendent of the City of Carrollton shall call and conduct an election as provided in this  
 9 section for the purpose of submitting this Act to the electors of the City of Carrollton school  
 10 district for approval or rejection. The election superintendent shall conduct that election on  
 11 the date of the November general election in 2004 and shall issue the call and conduct that  
 12 election as provided by general law. The election superintendent shall cause the date and  
 13 purpose of the election to be published once a week for two weeks immediately preceding  
 14 the date thereof in the official organ of Carroll County. The ballot shall have written or  
 15 printed thereon the words:

16 "( ) YES Shall the Act be approved which requires the mayor and council of the City  
 17 of Carrollton to levy the amount certified by the board of education of the  
 18 ( ) NO independent school system of said city as the school tax as long as that  
 19 amount is not more than the 20 mills per dollar limit already established for  
 20 such tax?"

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

29 **SECTION 3.**

30 Except for Section 1 of this Act, this Act shall become effective upon its approval by the  
 31 Governor or upon its becoming law without such approval. Section 1 of this Act shall  
 32 become effective as provided in Section 2 of this Act.

33 **SECTION 4.**

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