

Senate Bill 631

By: Senator Hamrick of the 30th

**AS PASSED**

**A BILL TO BE ENTITLED  
AN ACT**

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

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

**SECTION 1.**

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

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

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

## **SECTION 2.**

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

"( ) YES Shall the Act be approved which requires the mayor and council of the City of Carrollton to levy the amount certified by the board of education of the independent school system of said city as the school tax as long as that amount is not more than the 20 mills per dollar limit already established for such tax?"

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

## **SECTION 3.**

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

## **SECTION 4.**

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