

Senate Resolution 295

By: Senator Zamarripa of the 36th

A RESOLUTION

1 Proposing an amendment to the Constitution so as to provide for the division of Fulton  
2 County into two new counties to be known as Milton County and Atlanta County; to provide  
3 that such counties shall each be governed by a consolidated governing authority; to provide  
4 that the General Assembly shall provide by law for all matters relating to this amendment;  
5 to provide for the submission of this amendment for ratification or rejection; and for other  
6 purposes.

7 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article IX, Section I of the Constitution is amended by striking Paragraph II and inserting  
10 in lieu thereof the following:

11 "*Paragraph II. **Number of counties limited; county boundaries and county sites; county***  
12 ***consolidation.*** (a) There shall not be more than ~~159~~ 160 counties in this state.

13 (b) ~~The~~ Except as provided in subparagraph (d) of this Paragraph, metes and bounds of  
14 the several counties and the county sites shall remain as prescribed by law on June 30,  
15 1983, unless changed under the operation of a general law.

16 (c) The General Assembly may provide by law for the consolidation of two or more  
17 counties into one or the division of a county and the merger of portions thereof into other  
18 counties under such terms and conditions as it may prescribe; but no such consolidation,  
19 division, or merger shall become effective unless approved by a majority of the qualified  
20 voters voting thereon in each of the counties proposed to be consolidated, divided, or  
21 merged.

22 (d) Effective July 1, 2008, Fulton County shall be divided into two counties, with the  
23 division being the northernmost boundary of the City of Atlanta as the same existed on  
24 January 1, 2005. The northern portion of said divided county shall be a new county to be  
25 known as Milton County. The southern portion of said divided county shall include also  
26 the portion of the City of Atlanta located in DeKalb County as of January 1, 2005, and shall  
27 be a new county known as Atlanta County. No municipal corporation shall be authorized

1 in either such county, and each county shall be governed by one governing authority. The  
 2 General Assembly shall provide by law for all matters relative to the creation of such  
 3 counties. "

4 **SECTION 3.**

5 The above proposed amendment to the Constitution shall be published and submitted as  
 6 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the  
 7 above proposed amendment shall have written or printed thereon the following:

8 "( ) YES Shall the Constitution of Georgia be amended so as to provide for the division  
 9 of Fulton County into two new counties to be known as Milton County and  
 10 ( ) NO Atlanta County; to provide that the whole of each county shall be governed  
 11 by one governing authority; and to provide that the General Assembly shall  
 12 provide by law for all matters relating to the creation of such counties?"

13 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."

14 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If  
 15 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall  
 16 become a part of the Constitution of this state.