

House Bill 1446 (AS PASSED HOUSE AND SENATE)

By: Representatives Abdul-Salaam of the 74th, Jordan of the 77th, Heckstall of the 62nd, Dodson of the 75th, Sinkfield of the 60th, and others

A BILL TO BE ENTITLED
AN ACT

1 To provide for the holding of a nonbinding referendum in Clayton County in conjunction
2 with the 2010 general primary election on the question of whether Clayton County should
3 become a full participant in MARTA (the Metropolitan Atlanta Rapid Transit Authority) and
4 should levy a sales tax in support of MARTA and Clayton County's public transportation
5 needs; to provide for related matters; to require submission of this Act for preclearance
6 pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended; to repeal
7 conflicting laws; and for other purposes.

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

9 **SECTION 1.**

10 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election
11 superintendent of Clayton County shall call and conduct an election on the date of the 2010
12 general primary election as provided in this section for the purpose of submitting to the
13 electors of Clayton County a nonbinding referendum on the question of whether Clayton
14 County should become a full participant in MARTA (the Metropolitan Atlanta Rapid Transit
15 Authority) and should levy a sales tax in support of MARTA and Clayton County's public
16 transportation needs. The election superintendent shall issue the call and conduct such
17 election as provided by general law. The superintendent shall cause the date and purpose of
18 the election to be published once a week for two weeks immediately preceding the date
19 thereof in the official organ of Clayton County. The ballot shall have written or printed
20 thereon the words:

21 **"NONBINDING REFERENDUM**

22 () YES Should Clayton County become a full participant in MARTA (the
23 () NO Metropolitan Atlanta Rapid Transit Authority) and levy a sales tax in
24 support of MARTA and Clayton County's public transportation needs?"

25 All persons desiring to vote in favor of full participation in MARTA shall vote "Yes," and
26 all persons desiring to vote against full participation in MARTA shall vote "No." The

27 election superintendent shall certify and publicize the results of the referendum. The
28 expense of such election shall be borne by Clayton County.

29 **SECTION 2.**

30 The provisions of this Act with respect to time are directory. If for any reason the
31 referendum provided for in this Act is not held on the date of the 2010 general primary
32 election, then such referendum shall be held in conjunction with the next county-wide
33 election or primary conducted in Clayton County.

34 **SECTION 3.**

35 The governing authority of Clayton County shall through its legal counsel cause this Act to
36 be submitted for preclearance under the federal Voting Rights Act of 1965, as amended; and
37 such submission shall be made to the United States Department of Justice or filed with the
38 appropriate court no later than 30 days after the date on which this Act is approved by the
39 Governor or otherwise becomes law without such approval.

40 **SECTION 4.**

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