

House Bill 420

By: Representative Lane of the 167<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 5 of Title 36 of the Official Code of Georgia Annotated,  
2 which is reserved, so as to authorize county governing authorities under certain conditions  
3 to redistrict themselves by ordinance or resolution following each decennial census; to  
4 provide for procedures; to provide for limitations; to provide for related matters; to provide  
5 an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 5 of Title 36 of the Official Code of Georgia Annotated, which is  
9 reserved, is amended by adding a new Code section to read as follows:

10 "36-5-1.

11 (a) Subject to the limitations provided by this Code section, the governing authority of any  
12 county is authorized to adjust the election districts from which members of the county  
13 governing authority are elected following publication of the United States decennial census  
14 of 2010 or any future such census. Such adjustment of districts shall be effective for the  
15 election of members to the county governing authority at the next regular general election  
16 following the publication of the decennial census.

17 (b) The county governing authority shall by ordinance or resolution amend its charter  
18 pursuant to Article IX, Section II of the Constitution to adjust the districts in accordance  
19 with the following specifications:

20 (1) Each adjusted district shall be formed of contiguous territory and the boundary lines  
21 of such district shall be the center lines of streets or other well-defined boundaries;

22 (2) Variations in population among such districts shall comply with the one person-one  
23 vote requirements of the United States Constitution; and

24 (3) The adjustment of districts shall be limited to adjusting the boundary lines of the  
25 existing districts only to the extent reasonably necessary to comply with the requirements  
26 of paragraph (2) of this subsection; and the number of members of the county governing

27 body and the manner of electing such members, except for the adjustment of district  
 28 boundary lines, shall not be changed by the county governing authority.  
 29 (c) This Code section shall not prohibit the General Assembly from enacting a local law  
 30 at any time to amend the local Act creating a county governing authority in order to  
 31 reapportion or otherwise change election districts from which members of the county  
 32 governing authority are elected. If such action is taken by the General Assembly following  
 33 publication of a decennial census, but before the first regular general election following the  
 34 publication of such census, the local Act of the General Assembly shall nullify the power  
 35 given to the county governing authority by subsections (a) and (b) of this Code section to  
 36 adjust districts following publication of that decennial census."

37 **SECTION 2.**

38 This Act shall become effective upon its approval by the Governor or upon its becoming law  
 39 without such approval.

40 **SECTION 3.**

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