

House Bill 804 (COMMITTEE SUBSTITUTE)

By: Representatives Heard of the 114th, McKillip of the 115th, and Williams of the 113th

A BILL TO BE ENTITLED
AN ACT

1 To provide for a nonbinding, advisory referendum by the electors of Clarke County for the
2 purpose of ascertaining whether the General Assembly should enact local legislation to
3 change county commission election districts from the current eight member districts and two
4 semi-at-large districts to a new election district plan with nine equally sized districts that
5 match the districts of the Clarke County Board of Education; to provide for procedures and
6 requirements relating thereto; to provide for a referendum and effective dates; to repeal
7 conflicting laws; and for other purposes.

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

9 **SECTION 1.**

10 It is the purpose of this Act to provide for a nonbinding, advisory referendum for the purpose
11 of ascertaining whether the citizens of the Clarke County desire the General Assembly to
12 enact local legislation to change county commission election districts from the current eight
13 member districts and two semi-at-large districts to a new election district plan with nine
14 equally sized districts that match the districts of the Clarke County Board of Education. The
15 advisory referendum provided for in this Act is:

- 16 (1) In all respects for the benefit of the people of Clarke County;
17 (2) A public purpose; and
18 (3) An essential governmental function for which public funds may be expended.

19 **SECTION 2.**

20 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the county election
21 superintendent of Clarke County shall call and conduct a nonbinding, advisory referendum
22 election as provided in this section for the purpose of submitting a question to the electors
23 of Clarke County to determine whether a majority of said electors desire the General
24 Assembly to enact local legislation to change county commission election districts from the
25 current eight member districts and two semi-at-large districts to a new election district plan

H. B. 804 (SUB)

26 with nine equally sized districts that match the districts of the Clarke County Board of
 27 Education. The county election superintendent shall conduct that election on the day of the
 28 presidential preference election in March, 2012, and shall issue the call and conduct that
 29 election as provided by general law. The county election superintendent shall cause the date
 30 and purpose of the election to be published once a week for two weeks immediately
 31 preceding the date thereof in the official organ of Clarke County. The ballot shall have
 32 written or printed thereon the words:

33 **"NONBINDING ADVISORY REFERENDUM**

34 () YES Should the election of county commissioners be changed from the current
 35 system, which includes two semi-at-large 'super districts,' to a new election
 36 () NO district plan with nine equally sized districts that match the districts of the
 37 Clarke County Board of Education?"

38 All persons desiring to vote for approval of the question shall vote "Yes," and all persons
 39 desiring to vote for rejection of the question shall vote "No." The expense of such election
 40 shall be borne by Clarke County. It shall be the election superintendent's duty to certify the
 41 result thereof to the Secretary of State and to each member of the General Assembly whose
 42 senatorial or representative district lies wholly or partially within Clarke County.

43 **SECTION 3.**

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

46 **SECTION 4.**

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