

Senate Bill 433

By: Senator Bethel of the 54th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend an Act creating and establishing the Dalton-Whitfield County Charter and
2 Consolidation Commission, approved May 13, 2011 (Ga. L. 2011, p. 4100), so as to change
3 certain provisions relating to referendum results; to provide for submission under the federal
4 Voting Rights Act of 1965, as amended; to repeal conflicting laws; and for other purposes.

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

6 **SECTION 1.**

7 An Act creating and establishing the Dalton-Whitfield County Charter and Consolidation
8 Commission, approved May 13, 2011 (Ga. L. 2011, p. 4100), is amended by revising
9 subsection (b) of Section 10 as follows:

10 "(b) All persons desiring to vote for approval of the charter shall vote 'Yes,' and those
11 persons desiring to vote for rejection of the charter shall vote 'No.' The votes cast on such
12 question by the qualified voters of Whitfield County residing within the corporate limits
13 of the City of Dalton and the votes cast on such question by the qualified voters of
14 Whitfield County including both the incorporated and unincorporated areas shall be
15 counted separately. If more than one-half of the votes cast by the qualified voters of
16 Whitfield County residing within the corporate limits of the City of Dalton are for approval
17 of the charter, and if more than one-half of the total votes cast by the qualified voters
18 residing within Whitfield County including both the incorporated and unincorporated areas
19 are for approval of the charter, then the charter shall become effective as to the City of
20 Dalton and Whitfield County as provided therein, but not sooner than January 1, 2013. If
21 the charter is not so approved or if the election is not conducted as provided in this section,
22 then the charter shall be void and of no force and effect. The expense of such election shall
23 be borne equally by the City of Dalton and Whitfield County."

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SECTION 2.

25 The Board of Commissioners of Whitfield County shall through its legal counsel cause this
26 Act to be submitted for preclearance under the federal Voting Rights Act of 1965, as
27 amended; and such submission shall be made to the United States Department of Justice or
28 filed with the appropriate court no later than 45 days after the date on which this Act is
29 approved by the Governor or otherwise becomes law without such approval.

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SECTION 3.

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