

House Bill 1297

By: Representatives Sims of the 169<sup>th</sup>, Smith of the 168<sup>th</sup>, and Roberts of the 154<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To provide for a nonbinding, advisory referendum by the electors of Jeff Davis County for  
2 the purpose of ascertaining whether the judge of the Probate Court of Jeff Davis County shall  
3 also serve as the chief magistrate judge of the Magistrate Court of Jeff Davis County; to  
4 provide for procedures and requirements relating thereto; to provide for an effective date; to  
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 It is the purpose of this Act to provide for a nonbinding, advisory referendum for the purpose  
9 of ascertaining whether the judge of the Probate Court of Jeff Davis County shall also serve  
10 as the chief magistrate judge of the Magistrate Court of Jeff Davis County. The advisory  
11 referendum provided for in this Act is:

- 12 (1) In all respects for the benefit of the people of Jeff Davis County;  
13 (2) A public purpose; and  
14 (3) An essential governmental function for which public funds may be expended.

15 **SECTION 2.**

16 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the county election  
17 superintendent of Jeff Davis County shall call and conduct a nonbinding, advisory  
18 referendum election as provided in this section for the purpose of submitting a question to  
19 the electors of Jeff Davis County. The county election superintendent shall conduct that  
20 election on the day of the next general primary election held in 2012 and shall issue the call  
21 and conduct that election as provided by general law. The county election superintendent  
22 shall cause the date and purpose of the election to be published once a week for two weeks  
23 immediately preceding the date thereof in the official organ of Jeff Davis County. The ballot  
24 shall have written or printed thereon the words:

25     " YES                             NONBINDING ADVISORY REFERENDUM

26                     Should the judge of the Probate Court of Jeff Davis County also serve as the

27      NO    chief magistrate judge of the Magistrate Court of Jeff Davis County?"

28   All persons desiring to vote for approval of the question shall vote "Yes," and all persons

29   desiring to vote for rejection of the question shall vote "No." The expense of such election

30   shall be borne by Jeff Davis County. It shall be the election superintendent's duty to certify

31   the results thereof to the Secretary of State and to each member of the General Assembly

32   whose senatorial or representative district lies wholly or partially within Jeff Davis County.

33                                                     **SECTION 3.**

34   This Act shall become effective upon its approval by the Governor or upon its becoming law

35   without such approval.

36                                                     **SECTION 4.**

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