

House Bill 1299

By: Representatives Drenner of the 86th, Henson of the 87th, Mayo of the 91st, Jacobs of the 80th, Gardner of the 57th, and others

A BILL TO BE ENTITLED
AN ACT

1 To provide for a nonbinding, advisory referendum by the electors of DeKalb County for the
2 purpose of ascertaining whether the local or independent school system in DeKalb County
3 or charter school should place or operate a telecommunications tower on any elementary,
4 middle, or high school property; to provide for procedures and requirements relating thereto;
5 to provide for 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 It is the purpose of this Act to provide for a nonbinding, advisory referendum for the purpose
9 of ascertaining whether the citizens of DeKalb County desire the local or independent school
10 system of DeKalb County or a charter school in DeKalb County to place or operate a
11 telecommunications tower on any elementary, middle, or high school property. The advisory
12 referendum provided for in this Act is:

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

16 **SECTION 2.**

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

26 " YES NONBINDING ADVISORY REFERENDUM

27 Should the local or independent school system of DeKalb County or a
28 NO charter school in DeKalb County place or operate a telecommunications
29 tower on any elementary, middle, or high school property?"

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

35 **SECTION 3.**

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

38 **SECTION 4.**

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