

House Bill 1297 (AS PASSED HOUSE AND SENATE)

By: Representatives Sims of the 169th, Smith of the 168th, and Roberts of the 154th

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.