

House Bill 597 (AS PASSED HOUSE AND SENATE)

By: Representative Pruett of the 149th

A BILL TO BE ENTITLED
AN ACT

1 To provide for a nonbinding, advisory referendum for the purpose of ascertaining whether
2 the General Assembly should enact legislation authorizing the City of Scotland to select its
3 mayor and city councilmembers to serve for four-year terms; to provide for legislative
4 purposes and findings; to provide for procedures and requirements relating thereto; to
5 provide for preclearance; to provide for related matters; to provide for a referendum and
6 effective dates; to repeal conflicting laws; and for other purposes.

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

8 **SECTION 1.**

9 (a) It is the purpose of this Act to provide for a nonbinding, advisory referendum for the
10 purpose of ascertaining whether the General Assembly should enact legislation authorizing
11 the City of Scotland to select its mayor and city councilmembers to serve for four-year terms
12 instead of the current two-year terms.

13 (b) It is found, determined, and declared that the holding of the nonbinding, advisory
14 referendum provided for in this Act is:

15 (1) In all respects for the benefit of the people of the City of Scotland;

16 (2) A public purpose; and

17 (3) An essential governmental function for which public funds may be expended.

18 **SECTION 2.**

19 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the municipal
20 election superintendent of the City of Scotland shall call and conduct a nonbinding, advisory
21 referendum election as provided in this section for the purpose of submitting a question to
22 the electors of the City of Scotland to determine whether a majority of said electors want the
23 General Assembly to enact legislation authorizing the City of Scotland to select its mayor
24 and councilmembers to serve for four-year terms. The municipal election superintendent
25 shall conduct that election on the Tuesday after the first Monday in November, 2013, and

26 shall issue the call and conduct that election as provided by general law. The municipal
 27 election superintendent shall cause the date and purpose of the election to be published once
 28 a week for two weeks immediately preceding the date thereof in the official organ of Telfair
 29 County. The ballot shall have written or printed thereon the words:

30 **"NONBINDING ADVISORY REFERENDUM**
 31 YES Should the General Assembly enact legislation authorizing the City of
 32 NO Scotland to select its mayor and city councilmembers to serve for four-year
 terms?"

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

38 **SECTION 3.**

39 The Scotland City Council shall through its legal counsel cause this Act to be submitted for
 40 preclearance under the federal Voting Rights Act of 1965, as amended; and such submission
 41 shall be made to the United States Department of Justice or filed with the appropriate court
 42 no later than 45 days after the date on which this Act is approved by the Governor or
 43 otherwise becomes law without such approval.

44 **SECTION 4.**

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

47 **SECTION 5.**

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