

House Bill 638

By: Representative Gardner of the 57<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To repeal the amendment to the Constitution of Georgia providing that, upon extension of  
2 the corporate limits of the City of Atlanta into Fulton County, the territory embraced therein  
3 shall become part of the independent school system of the City of Atlanta and shall cease to  
4 be a part of the school system of the county and that the school property located within the  
5 area embraced in the extension shall become the property of the City of Atlanta (Res. Act  
6 No. 73; H. R. No. 182-969j; Ga. L. 1950, p. 458), which was continued under the 1983  
7 Constitution of the State of Georgia by an Act approved March 26, 1986 (Ga. L. 1986,  
8 p. 4812); to provide for a referendum with respect to the effectiveness of the foregoing; to  
9 provide for an effective date; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 The amendment to the Constitution of Georgia providing that, upon extension of the  
13 corporate limits of the City of Atlanta into Fulton County, the territory embraced therein  
14 shall become part of the independent school system of the City of Atlanta and shall cease to  
15 be a part of the school system of the county and that the school property located within the  
16 area embraced in the extension shall become the property of the City of Atlanta (Res. Act  
17 No. 73; H. R. No. 182-969j; Ga. L. 1950, p. 458), which was continued under the 1983  
18 Constitution of the State of Georgia by an Act approved March 26, 1986 (Ga. L. 1986,  
19 p. 4812), is hereby repealed.

20 **SECTION 2.**

21 The election superintendent of Fulton County shall call and conduct an election as provided  
22 in this section for the purpose of submitting this Act to the electors of Fulton County and the  
23 City of Atlanta for approval or rejection. The election superintendent shall conduct such  
24 election on the Tuesday after the first Monday in November, 2015, and shall issue the call  
25 and conduct such election as provided by general law. The superintendent shall cause the

26 date and purpose of the election to be published once a week for two weeks immediately  
 27 preceding the date thereof in the official organ of Fulton County. The ballot shall have  
 28 written or printed thereon the words:

29 "( ) YES Shall the Act be approved which repeals the amendment to the Constitution  
 30 ( ) NO of Georgia providing that, upon extension of the corporate limits of the City  
 31 of Atlanta into Fulton County, the territory embraced therein shall become  
 32 part of the independent school system of the City of Atlanta and shall cease  
 33 to be a part of the school system of the county and that the school property  
 34 located within the area embraced in the extension shall become the property  
 35 of the City of Atlanta?"

36 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring  
 37 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on  
 38 such question by the qualified electors of Fulton County residing within the corporate limits  
 39 of the City of Atlanta voting in such election are for approval of the Act and if more than  
 40 one-half of the votes cast on such question by all the qualified electors of Fulton County  
 41 voting in such election are for approval of the Act, Section 1 of this Act shall become of full  
 42 force and effect immediately. If this Act is not so approved or if the election is not  
 43 conducted as provided in this Act, Section 1 of this Act shall not become effective, and this  
 44 Act shall be automatically repealed on January 1, 2016. The expense of such election shall  
 45 be borne equally by the City of Atlanta and Fulton County. It shall be the election  
 46 superintendent's duty to certify the result thereof to the Secretary of State.

47 **SECTION 3.**

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