

House Bill 1033 (AS PASSED HOUSE AND SENATE)

By: Representatives England of the 116<sup>th</sup>, Kirby of the 114<sup>th</sup>, and Gonzalez of the 117<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To provide for a nonbinding, advisory referendum for the purpose of ascertaining whether  
2 an independent commission, consisting of representatives of the county and all municipal  
3 corporations located wholly or partially within such county, should be created to study  
4 whether Barrow County and the municipal corporations located wholly within Barrow  
5 County should be reconstituted as a single consolidated government; to provide for the  
6 configuration of such independent commission; to provide for an independent contractor to  
7 conduct a study; to limit the cost of such study; to provide for legislative purposes and  
8 findings; to provide for procedures and requirements relating thereto; to provide for a  
9 referendum; to provide for related matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 (a)(1) It is the purpose of this Act to provide for a nonbinding, advisory referendum for  
13 the purpose of ascertaining whether an independent commission should be created to  
14 study whether Barrow County and the municipal corporations located wholly within  
15 Barrow County should be reconstituted as a single consolidated government. The  
16 independent commission shall consist of: three representatives appointed by the  
17 governing authority of Barrow County; six representatives, one each appointed by the  
18 municipal corporations located wholly or partially within such county; one representative  
19 appointed by the Board of Education of Barrow County; and one representative appointed  
20 by the county's local delegation of members of the House of Representatives and Senate  
21 of the Georgia General Assembly. Such commission shall secure an independent  
22 contractor to conduct such study at a cost not to exceed \$100,000.00.

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

25 (1) In all respects for the benefit of the residents of Barrow County and all municipal  
26 corporations located within Barrow County;

27 (2) A public purpose; and

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

29 **SECTION 2.**

30 The election superintendent of Barrow County shall call and conduct a nonbinding, advisory  
 31 referendum for the purpose of ascertaining whether an independent commission should be  
 32 created to study whether Barrow County and the municipal corporations located wholly  
 33 within Barrow County should be reconstituted as a single consolidated government. The  
 34 independent commission shall consist of: three representatives appointed by the governing  
 35 authority of Barrow County; six representatives, one each appointed by the municipal  
 36 corporations located wholly or partially within such county; one representative appointed by  
 37 the Board of Education of Barrow County; and one representative appointed by the county's  
 38 local delegation of members of the House of Representatives and Senate of the Georgia  
 39 General Assembly. Such commission shall secure an independent contractor to conduct such  
 40 study at a cost not to exceed \$100,000.00. The election superintendent shall conduct that  
 41 election on May 22, 2018, the date of the state-wide primary election, and shall issue the call  
 42 and conduct that election as provided by general law. The superintendent shall cause the date  
 43 and purpose of the election to be published once a week for two weeks immediately  
 44 preceding the date thereof in the official organ of Barrow County. The ballot shall have  
 45 written or printed thereon the words:

46 "NONBINDING, ADVISORY REFERENDUM

47 ( ) YES Should an independent commission, consisting of three representatives  
 48 ( ) NO appointed by the governing authority of Barrow County, six representatives,  
 49 one each appointed by the municipal corporations located wholly or  
 50 partially within such county, one representative appointed by the board of  
 51 education of Barrow County, and one representative appointed by the  
 52 county's local delegation of members of the House of Representatives and  
 53 Senate of the Georgia General Assembly, be created to study, at a cost not  
 54 to exceed \$100,000.00, whether Barrow County and the municipal  
 55 corporations located wholly within Barrow County should be reconstituted  
 56 as a single consolidated government?"

57 All persons desiring to vote for approval of the question shall vote "Yes," and all persons  
 58 desiring to vote for rejection of the question shall vote "No." The expense of such election  
 59 shall be borne by Barrow County. It shall be the election superintendent's duty to certify the  
 60 result thereof to the Secretary of State and each member of the General Assembly whose  
 61 senatorial or representative district lies wholly or partially in Barrow County.

62

**SECTION 3.**

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