

House Bill 712 (AS PASSED HOUSE AND SENATE)

By: Representatives Mangham of the 94th, Williams of the 89th, Watson of the 91st, Mosby of the 90th, Benfield of the 85th, and others

A BILL TO BE ENTITLED
AN ACT

1 To provide for a nonbinding, advisory referendum for residents of the DeKalb County School
2 System regarding whether school uniforms should be required by the DeKalb County Board
3 of Education for students in kindergarten through fifth grades; to provide for legislative
4 purposes and findings; to provide for procedures and requirements relating thereto; to
5 provide for a referendum; to provide for submission for preclearance; to provide for related
6 matters; 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
10 residents of the DeKalb County School System regarding whether school uniforms should
11 be required for students in kindergarten through fifth grades.

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

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

17 **SECTION 2.**

18 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election
19 superintendent of DeKalb County shall call and conduct a nonbinding, advisory referendum
20 election as provided in this section for the purpose of submitting to the electors of the
21 DeKalb County School System the question of whether school uniforms should be required
22 for students in kindergarten through fifth grades. The election superintendent shall conduct
23 that election on the date of the November, 2008, state-wide general election, and shall issue
24 the call and conduct that election as provided by general law. The superintendent shall cause
25 the date and purpose of the election to be published once a week for two weeks immediately

1 preceding the date thereof in the official organ of DeKalb County. The ballot shall have
 2 written or printed thereon the words:

3 "NONBINDING ADVISORY REFERENDUM

4 () YES Should the DeKalb County Board of Education require that students in

5 () NO kindergarten through fifth grades wear school uniforms?"

6 All persons desiring to vote for approval of the question shall vote "Yes," and those persons
 7 desiring to vote for rejection of the question shall vote "No." The expense of such election
 8 shall be borne by DeKalb County. It shall be the election superintendent's duty to certify the
 9 result thereof to the Secretary of State.

10 **SECTION 3.**

11 The Board of Education of DeKalb County shall through its legal counsel cause this Act to
 12 be submitted for preclearance under the federal Voting Rights Act of 1965, as amended; and
 13 such submission shall be made to the United States Department of Justice or filed with the
 14 appropriate court no later than 45 days after the date on which this Act is approved by the
 15 Governor or otherwise becomes law without such approval.

16 **SECTION 4.**

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