The Senate Committee on Regulated Industries and Utilities offered the following substitute to HB 273:

A BILL TO BE ENTITLED
AN ACT

To amend Article 3 of Chapter 4 of Title 3 of the Official Code of Georgia Annotated, relating to local authorization and regulations for manufacture, distribution, and package sales of distilled spirits, so as to modify the petition requirements for initiating a referendum election for the authorization of the issuance of licenses for the package sale of distilled spirits; to change certain provisions relating to the procedures for calling and conducting certain referendum elections; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 3 of Chapter 4 of Title 3 of the Official Code of Georgia Annotated, relating to local authorization and regulations for manufacture, distribution, and package sales of distilled spirits, is amended by revising Code Section 3-4-41, relating to petition for referendum and notice of call for referendum, as follows:

"3-4-41.

(a) A referendum election to authorize the issuance of licenses for the package sale of distilled spirits may be initiated upon a written petition containing the signatures of at least

~~35~~ 20 percent of the registered and qualified voters of any municipality or county being filed with the election superintendent of the county or municipality. Such superintendent, upon validation of the petition, shall be required to call and conduct a referendum election as provided for in Chapter 2 of Title 21, the 'Georgia Election Code,' for the purpose of submitting to the qualified voters of the municipality or county, as the case may be, the question of whether the issuance of licenses for the package sale of distilled spirits in the political subdivision shall be permitted or prohibited. Such petition shall not be amended, supplemented, or returned after its presentation to the appropriate authority. Validation shall, for the purposes of petitions authorized under this Code section, be the procedure in which the election superintendent determines whether each signature on the petition is the name of a registered and qualified voter.

(b) For purposes of petitions authorized under this Code section, the required number of signatures of registered voters of a political subdivision shall be computed based on the number of voters qualified to vote at the general election immediately preceding the presentation of the petition. Actual signers of the petition shall be registered and qualified to vote in the referendum election sought by the petition. Upon determining that the petition contains a sufficient number of valid signatures, the election superintendent shall set the date of the referendum election ~~for not less than 30 nor more than 60 days after the call~~ on a date authorized under Code Section 21-2-540. The referendum may be held as a special referendum election or may be held at the time of holding any other primary or election in such county or municipality ~~if such other primary or election is to be held not more than 60 days after the call~~.

(c) Notice of the call for the referendum election shall be published by the election superintendent in the official organ of the county or, in the case of a municipality, in a newspaper of general circulation in the municipality. The election superintendent shall also cause the date and purpose of the referendum election to be published in the official organ of the county or, in the case of a municipality, in a newspaper of general circulation in the

municipality, once a week for two weeks immediately preceding the date of the referendum election.

(d) Following the expiration of two years after any referendum election is held which results in the disapproval of sales as provided in this article, another referendum election on this question shall be held if another petition, as provided in subsection (a) of this Code section, is filed with the appropriate election superintendent."

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 3.

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