

**WITHDRAWN**

Senators Setzler of the 37th and Kirkpatrick of the 32nd offered the following amendment #1:

1 *Amend the Senate substitute to HB 374 (LC 47 2515S) by inserting after "circumstances;"*  
2 *on line 14 the following:*

3 to amend Article 2 of Chapter 5 of Title 36 of the Official Code of Georgia Annotated,  
4 relating to county governing authorities, so as to prohibit county governing authorities from  
5 redistricting or creating their election districts; to amend Chapter 5 of Title 45 of the Official  
6 Code of Georgia Annotated, relating to vacation of office, so as to provide that no vacancy  
7 in office shall be created when redistricting results in a local elected official no longer  
8 residing in the amended district;

9 *By inserting after line 138 the following:*

10 **SECTION 3A.**

11 Article 2 of Chapter 5 of Title 36 of the Official Code of Georgia Annotated, relating to  
12 county governing authorities, is amended by revising Code Section 36-5-23, which is  
13 reserved, as follows:

14 "36-5-23.

15 Whenever the General Assembly has enacted a local law providing that members of a  
16 county governing authority shall be elected from election districts, such districts shall only  
17 be created, established, altered, amended, reapportioned, redistricted, or revised by a local  
18 law enacted by the General Assembly. No county governing authority shall create,

19 establish, alter, amend, reapportion, redistrict, or revise the election districts from which  
20 its members are elected Reserved."

21 **SECTION 3B.**

22 Chapter 5 of Title 45 of the Official Code of Georgia Annotated, relating to vacation of  
23 office, is amended by adding a new Code section to read as follows:

24 "45-5-1.1.

25 Notwithstanding Code Section 45-5-1 or any other provisions of law to the contrary, a  
26 vacancy in office shall not be created when the General Assembly, a municipality pursuant  
27 to statutory home rule powers, or another local government exercising authority granted  
28 pursuant to a local constitutional amendment enacts a local law redistricting the boundaries  
29 of a county, municipal, board of education, or other local governmental election district,  
30 and such boundary changes result in one or more elected officials no longer residing within  
31 the district from which they were elected. Such elected officials shall be entitled to serve  
32 out the remainder of the term to which they were elected, representing their district as  
33 amended."