

Senate Bill 114

By: Senators Parent of the 44th, Jones II of the 22nd, Halpern of the 39th, Harrell of the 40th, Mangham of the 55th and others

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 1 of Title 28 of the Official Code of Georgia Annotated, relating to general provisions regarding the General Assembly, so as to provide certain procedures for redistricting of the General Assembly and congressional districts in this state; to provide for certain hearings, information availability, procedures, and notifications; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 1 of Title 28 of the Official Code of Georgia Annotated, relating to general provisions regarding the General Assembly, is amended by adding a new Code section to read as follows:

"28-1-17.

In redistricting the General Assembly and the congressional districts in Georgia, the General Assembly shall follow the following procedures:

(1) There shall be a minimum of two public hearings in each judicial district of this state during the redistricting process. There shall be one public hearing in each judicial district of this state prior to the development of the redistricting plans. There shall be one public

17 hearing in each judicial district of this state after the introduction of the proposed plan or
18 plans in the General Assembly which shall be held not later than one week prior to the
19 final vote on such proposed plan or plans;

20 (2) At least one public hearing shall be held in the municipality with the highest
21 population in each judicial district of this state, and at least one public hearing shall be
22 held in the municipality with the second highest population in each judicial district of this
23 state. Such hearings shall be open to the general public, and at least two members of the
24 General Assembly from each house of the General Assembly shall attend such public
25 hearings. One member from each house shall represent the majority party in such house,
26 and one member from each house shall represent the minority party in such house. Such
27 members shall come from the committee of each house that considers proposed
28 redistricting plans;

29 (3) The public hearings shall be recorded and made available both live as they occur and
30 as archived files for public viewing on the internet. During each public hearing, the
31 General Assembly members representing each house of the General Assembly shall
32 present the initial proposed plan or plans, explain the procedure or process used to create
33 such plan or plans, and hear public comments and suggestions. Public notice of such
34 public hearings shall be published on the public website of the General Assembly and
35 once a week for two consecutive weeks in the legal organ of each county, not later than
36 seven days prior to the date of the public hearing. Visual representations of the proposed
37 plan or plans shall be prominently displayed at each public hearing, and the plan or plans
38 shall be presented visually in sufficient detail so that the public may visually inspect all
39 district boundaries down to the residence level. The plan or plans shall be presented in
40 a manner that will allow any member of the public to immediately inspect the proposed
41 district in which such member lives as well as all neighboring districts;

42 (4) The proposed plan or plans shall be published on the public website of the General
43 Assembly not later than 48 hours after the proposed plan or plans have been assigned to

committee. The plan or plans shall be presented visually in sufficient detail so that the public may visually inspect all district boundaries down to the residence level, and the plan or plans shall also include all data necessary for a third party to recreate an accurate visual representation of such proposed plan or plans. The plan or plans shall be presented in a manner that will allow any member of the public to immediately visually inspect the proposed district in which such member lives as well as all neighboring districts. Any initially proposed plan or plans published on the public website of the General Assembly shall also include a detailed explanation of the procedure or process used to create such plan or plans, including, but not limited to, all inputs, variables, factors, or other bases used to create such plan or plans; draft maps; formulae or algorithms; and any hardware or software relied upon to create such plan or plans. This paragraph shall be construed to defeat any legal claim or defense that is brought or raised by any party to prevent the disclosure of such procedure or process, including, but not limited to, a claim or defense that such disclosure would constitute unlawful disclosure of a trade secret or other confidential or proprietary information;

(5) All meetings, discussions, and deliberations concerning reapportionment upon the assignment of a plan or plans to committee shall be conducted in public, and public notice of such meetings, discussions, and deliberations shall be published on the public website of the General Assembly at least seven days in advance;

(6) No committee vote shall be taken on a plan or plans unless such plan or plans have been posted on the public website of the General Assembly and released at least two weeks before such vote with the plan or plans presented visually in sufficient detail so that the public may visually inspect all district boundaries down to the residence level, and such plan or plans shall also include all data necessary for a third party to recreate an accurate visual representation of such proposed plan or plans. Such plan or plans shall be presented in a manner that will allow any member of the public to immediately visually inspect the proposed district in which such member lives as well as all

neighboring districts. Such plan or plans shall also include all relevant statistics concerning such plan or plans;

(7) All communications sent to or from any government official or employee involved in the reapportionment process, including electronic communications, shall be released to the public for inspection and copying; and

(8) All communications with any party not hired or contracted to perform or not responsible for performing the duties set forth in this Code section are strictly prohibited. Such prohibition shall not apply to any public communications explicitly authorized by this Code section. Nothing in this paragraph shall be construed as limiting any obligations set forth in the law relating to disclosure of public records and open meetings which shall apply to this Code section or any other applicable laws."

SECTION 2.

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