

House Bill 766

By: Representative Cheokas of the 151st

A BILL TO BE ENTITLED

AN ACT

1 To create and establish the Sumter-Americus County Unification Commission; to provide
2 for a short title; to provide for definitions; to provide for the membership of said commission;
3 to provide for the organizational meeting of the commission and for the election of a
4 chairperson; to provide for the powers and duties of the commission; to authorize the
5 commission to employ staff to assist it in carrying out its powers and duties; to provide for
6 insurance; to provide for funding; to provide for the expenses of the charter and unification
7 commission and for the payment of such expenses by the governing authorities of the City
8 of Americus and the County of Sumter; to provide authorization for the commission to study
9 all matters relating to the governments of the county and the municipalities in the county to
10 establish a single county-wide government; to provide for the creation of a proposed charter;
11 to provide for the submission of the proposed county-wide government charter to qualified
12 voters; to provide for the conduct of the election; to provide for the certification of the
13 election results; to provide for related matters; to provide for an effective date; to repeal
14 conflicting laws; and for other purposes.

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

H. B. 766

- 1 -

16 **SECTION 1.**

17 This Act shall be known and may be cited as the "Sumter-Americus Unification Commission
18 Act" and is enacted pursuant to the authority granted by Article IX, Section III, Paragraph
19 II of the Constitution of the State of Georgia.

20 **SECTION 2.**

21 As used in this Act, the following terms shall have the meanings ascribed to them unless the
22 context clearly requires otherwise:

23 (1) "Charter and unification commission," "unification commission," or "commission"
24 shall mean the Sumter-Americus Unification Commission provided for in this Act.

25 (2) "Governing authority of the City of Americus" shall mean the mayor and city council
26 of the City of Americus, a municipal corporation of the State of Georgia.

27 (3) "Governing authority of the City of Andersonville" shall mean the mayor and city
28 council of the City of Andersonville, a municipal corporation of the State of Georgia.

29 (4) "Governing authority of the City of De Soto" shall mean the mayor and city council
30 of the City of De Soto, a municipal corporation of the State of Georgia.

31 (5) "Governing authority of the City of Leslie" shall mean the mayor and city council of
32 the City of Leslie, a municipal corporation of the State of Georgia.

33 (6) "Governing authority of the City of Plains" shall mean the mayor and city council of
34 the City of Plains, a municipal corporation of the State of Georgia.

35 (7) "Governing authority of the County of Sumter" shall mean the Board of
36 Commissioners of Sumter County, a political subdivision of the State of Georgia.

37 (8) "Qualified voter" shall mean a voter of Sumter County qualified to vote for members
38 of the General Assembly of Georgia.

SECTION 3.

39

40 (a) There is created the Sumter-Americus Unification Commission, which shall consist of
41 six members, including the sitting chairperson of the Board of Commissioners of Sumter
42 County, the sitting mayor of the City of Americus, the sitting chairperson of the One Sumter
43 Development Foundation, the president of the Americus-Sumter Payroll Development
44 Authority, and two at-large members of the business community appointed by the governing
45 authority of Sumter County to be appointed within 30 days of the effective date of this Act.

46 (b) The governing authorities of the cities of Andersonville, De Soto, Leslie, and Plains may
47 join the commission as ex officio members that shall not have voting powers nor shall such
48 authorities count toward creating a quorum. If such authorities elect to join the commission,
49 such authorities shall do so within 30 days of the effective date of this Act.

50 (c) If a governing authority or the commission refuses or fails to appoint a member of the
51 commission as required by this section, the senior superior court judge of the Southwestern
52 Judicial Circuit shall make such appointment within ten days following the expiration of the
53 30 day period allowed for appointments provided for in subsection (a) of this section.

54 (d) No at-large member of the charter and unification commission shall hold any other
55 elective public office.

56 (e) To be eligible for appointment as a member of the charter and unification commission,
57 a person shall be at least 21 years of age and shall have been a resident of the State of
58 Georgia for a period of at least five years and registered as an elector to vote in Sumter
59 County for a period of at least two years prior to his or her appointment.

60 (f) If a member of the charter and unification commission should die, become disabled,
61 remove his or her residence and place of domicile to a place outside the territorial limits of
62 the appointing jurisdiction, resign, or become unable or decline to serve for any reason
63 whatever as a member of the charter and unification commission, said commission shall
64 declare a vacancy in his or her office as a member of such commission and within 15 days
65 thereafter the governing authority that appointed that member or the commission, if the

66 member was appointed by the commission, shall appoint a successor promptly to fill such
67 vacancy. If the office of a member of the commission who is a mayor becomes vacant, the
68 new or acting mayor of the municipality of such office shall become the new member.

69 (g) A certificate of appointment shall be issued by the appointing entity of each appointed
70 member of the charter and unification commission and filed in the office of the Probate Court
71 of Sumter County with a duplicate original of such certificate being transmitted to, and filed
72 with, the chairperson or the secretary of the charter and unification commission.

73 (h) A majority of the members of the charter and unification commission shall constitute a
74 quorum for the transaction of business. Such quorum shall not be applicable with respect to
75 any committees or subcommittees which, at the discretion of the charter and unification
76 commission, may be appointed. A majority of the members of each such committee or
77 subcommittee shall constitute a quorum for the conduct of its business.

78 (i) The charter and unification commission may appoint advisory committees or
79 subcommittees from among the general populace to advise it with respect to its work;
80 provided, however, that the charter and unification commission may not delegate any of the
81 duties, powers, or obligations imposed upon the commission and granted to it by this Act to
82 any such advisory committee or subcommittee. Any such advisory committee or
83 subcommittee so appointed shall serve at the discretion of the commission and shall serve
84 subject to such terms, conditions, and charges as may be imposed upon it by the commission.

85 (j) All persons who shall, from time to time, serve as members of the charter and unification
86 commission or its committees or subcommittees and all agents, employees, and staff
87 appointed or hired by the charter and unification commission from time to time shall be
88 afforded coverage and shall be included in the insured class, under the provision of such
89 policies, riders, or other insurance contracts from time to time in force and held by the
90 governing authority of the County of Sumter, extending to members of such governing
91 authority of the County of Sumter, and what is commonly referred to as "public official's
92 liability insurance coverage," to the same extent and as nearly as practicable with identical

93 coverage and limits as afforded to the individual members of the governing authority of the
94 County of Sumter. Any and all additional premium amounts payable by the County of
95 Sumter due to the extension of such coverage to the members of the charter and unification
96 commission and its appointees, agents, employees, and staff shall be paid, when due and
97 payable, one-half by the County of Sumter and one-half by the City of Americus, which
98 payments shall be made in addition to all other amounts otherwise payable under the
99 provisions of this Act.

100 (k) The governing authority of the County of Sumter and the governing authority of the City
101 of Americus, as well as the governing authorities of the cities of Andersonville, De Soto,
102 Leslie, and Plains if any should vote to join the commission, and the governing authority of
103 any county-wide government created under a charter adopted pursuant to this Act are
104 authorized and directed to expend funds for fees, costs, and expenses incurred in providing
105 for the defense of the members of the charter and unification commission arising out of their
106 activity as members of such commission and in providing for the defense of any proposed
107 charter submitted by the commission, whether prior to the referendum thereon or after the
108 referendum thereon is conducted.

109

SECTION 4.

110 (a) The charter and unification commission shall hold an organizational meeting not less
111 than 30 days nor more than 45 days after the date this Act becomes effective. Any four or
112 more members of the charter and unification commission, composed of at least the sitting
113 chairperson of the Board of Commissioners of Sumter County, the sitting mayor of the City
114 of Americus, the sitting chair of the One Sumter Development Foundation, the executive
115 director of the Americus-Sumter Payroll Development Authority, shall call such
116 organizational meeting. The call of such organizational meeting shall designate the time,
117 date, and place that such organizational meeting shall be held.

118 (b) The first order of business at the organizational meeting shall be the designation, by the
119 majority vote of those members present, of a temporary chairperson to preside until a
120 permanent chairperson is elected. The second order of business at the organizational meeting
121 shall be the election of a permanent chairperson, who shall be elected by the majority vote
122 of all members of the charter and unification commission.

123 (c) The charter and unification commission shall be authorized to elect a secretary, who need
124 not be a member of the commission, and such other officers from the membership of the
125 charter and unification commission as it shall deem necessary. The charter and unification
126 commission shall be further authorized to employ such staff as may be required to assist it
127 in studying all matters relating to the governments of the City of Americus and the County
128 of Sumter, as well as the cities of Andersonville, De Soto, Leslie, and Plains should they vote
129 to join the commission, in drafting a charter. The charter and unification commission shall
130 not employ any person who holds any elective public office.

131 (d) The members of the charter and unification commission shall not receive per diem or
132 other compensation for their services, but the members shall be reimbursed for actual
133 expenses incurred by them in carrying out their duties. The staff employed by the
134 commission shall be paid compensation as determined by the commission within the limits
135 of funds available to it. The governing authority of the City of Americus and the governing
136 authority of the County of Sumter, as well as the governing authorities of the cities of
137 Andersonville, De Soto, Leslie, and Plains should they vote to join the commission, are
138 authorized to expend public funds in carrying out the provisions of this Act and shall share
139 equally the expense thereof. The governing authority of the City of Americus and the
140 governing authority of the County of Sumter shall initially appropriate up to \$20,000.00 each
141 for the charter and unification commission and the treasurer or other fiscal authority of each
142 of those governing authorities shall honor, from time to time, vouchers or warrants signed
143 by the chairperson of the charter and unification commission for amounts up to an aggregate
144 total of such amount. The governing authorities shall appropriate such additional funds in

145 amounts proportionate to each entity's population as a percentage to the whole as may be
146 necessary to meet the expenses of the charter and unification commission, provided that such
147 additional expenditures shall be first approved by each of the governing authorities.

148 (e) The charter and unification commission is also authorized to solicit, receive, and expend
149 contributions, grants, gifts, and other funds from other sources to be utilized by it in the
150 conduct of its business.

151 (f) All public officials and employees of the City of Americus and the County of Sumter,
152 as well as the cities of Andersonville, De Soto, Leslie, and Plains should they vote to join the
153 commission, upon request shall furnish the charter and unification commission with all
154 documents, books, records, data, and information necessary or appropriate in the opinion of
155 the charter and unification commission for it to carry out its duties, except for information
156 that is confidential or privileged by law; shall furnish such other assistance and aid to the
157 commission as it shall request; and shall appear and give testimony, at the request of the
158 commission, before the commission or before any of its committees, subcommittees, or
159 advisory committees.

160 **SECTION 5.**

161 The commission shall be authorized to study all matters relating to the governments of the
162 City of Americus and the County of Sumter, as well as the cities of Andersonville, De Soto,
163 Leslie, and Plains should they vote to join the commission, and all matters relating to the
164 establishment of a single county-wide government with powers and jurisdiction throughout
165 the territorial limits of Sumter County. The commission shall upon completion of its study
166 issue a written report of its findings, conclusions, and recommendations. If, after conducting
167 such study, the charter and unification commission shall deem it to be in the best interests
168 of the governments proposed to be affected, the commission shall draft a proposed charter
169 creating a single county-wide government, and if such charter is approved by the voters
170 under the provisions of this Act, then the newly created county-wide government shall

171 supersede and replace the existing governments of the City of Americus and the County of
172 Sumter, as well as the cities of Andersonville, De Soto, Leslie, and Plains if they joined the
173 commission, and may also supersede and replace any public authorities and special service
174 districts located and operating within Sumter County. If the charter and unification
175 commission does not deem it to be in the best interests of the governments proposed to be
176 affected to recommend the establishment of a single county-wide government but concludes
177 from its study that it is feasible to consolidate specific governmental services, programs, and
178 activities, then the commission may issue such findings, conclusions, and recommendations
179 in writing together with reasons why such recommendations will make government
180 operations more efficient.

181

SECTION 6.

182 (a) The charter so drafted shall be submitted to the qualified voters of Sumter County for
183 approval or rejection of the referendum provided for in Section 10 of this Act.

184 (b) The General Assembly delegates its powers to the charter and unification commission
185 to draft such a charter which may include any provisions necessary to effectuate its purposes.
186 Without limiting the generality of the foregoing, the proposed charter may provide for any
187 one or more of the items listed below. Where it is indicated that an item shall be included,
188 the inclusion of that particular item shall be mandatory:

189 (1) The charter shall provide for the abolishment of the existing governments of the City
190 of Americus and the County of Sumter, as well as the cities of Andersonville, De Soto,
191 Leslie, and Plains if they joined the commission, and for the creation of a new single
192 government which may have all powers formerly exercised by the City of Americus and
193 the County of Sumter, as well as the cities of Andersonville, De Soto, Leslie, and Plains
194 if they joined the commission, and such other powers as may be necessary or desirable.
195 The new single government may be given, and may have, such rights, privileges,
196 exemptions, preferences, discretions, immunities, powers, duties, and liabilities as are

197 now or hereafter granted to, or vested in, municipalities or counties or both by the
198 Constitution and laws of the State of Georgia. The form and composition of the new
199 government shall be as the charter shall provide;

200 (2) The charter may authorize the new government to continue to be eligible to have,
201 hold, enjoy, and be entitled to any assistance, credits, benefits, moneys, grants,
202 grants-in-aid, funds, loans, aid, appropriations, and matching funds to the same extent
203 that any municipality or county of the State of Georgia now or may hereafter enjoy or
204 possess under the Constitution and laws of the State of Georgia or by other provisions of
205 law or under any present or future state or federal programs;

206 (3) The charter may provide for the abolishment, modification, consolidation, or merger
207 of any court unless otherwise prohibited by the Constitution or general law;

208 (4) The charter may provide for the abolishment, modification, consolidation, or merger
209 of any public authorities and special service districts located within Sumter County
210 created by law and for the transfer of any powers, duties, and obligations of such
211 authorities and districts to the new county-wide government or to any agency thereof or
212 from one such authority or special service district to another in such manner as the charter
213 shall provide unless otherwise prohibited by the Constitution or general law;

214 (5) The charter may provide for the abolishment, modification, consolidation, or merger
215 of any one or more public offices or positions of public employment of any municipality
216 merged in the county-wide government and the County of Sumter and any public
217 authorities or special service districts located or operating within Sumter County unless
218 otherwise prohibited by the Constitution or general law. The charter may provide for
219 administrative division or changes with reference to the duties and responsibilities of any
220 public office or official as the charter and unification commission shall deem necessary
221 for the efficient functioning of the new county-wide government;

222 (6) The charter shall provide for the creation of the governing authority of the new
223 county-wide government, including the number of members of the governing authority,

224 their powers, duties, terms of office, manner, and time of election or appointment,
225 compensation, method of removal, and all other matters incidental or necessary to the
226 creation of the county-wide governing authority. The charter shall provide for the name
227 or names of the new county-wide government and governing authority;

228 (7) The charter may provide for the creation of the various departments, boards, bureaus,
229 offices, commissions, and positions of public employment of the new county-wide
230 government and for any matters necessary or incidental thereto;

231 (8) The charter shall provide for the creation of special tax districts consisting of the
232 territory lying within the former boundaries of the affected governments for the purpose
233 of the successor county-wide government levying a tax therein sufficient to retire any
234 bonded indebtedness of such governments which is outstanding on the effective date of
235 the abolishment of such government;

236 (9) The charter may provide for the assumption by the new government of all bonded
237 indebtedness and all other obligations of whatever kind of all governmental units, public
238 authorities, and special service districts which are altered by the charter and a method by
239 which the new county-wide government shall assume the payment of any obligations
240 issued under Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond
241 Law," or other similar legislation;

242 (10) The charter may provide for the transfer to the new county-wide government of
243 assets, contracts, and franchises of all governmental units and any public authorities and
244 special service districts which are merged with the new county-wide government or are
245 altered by the charter;

246 (11) The charter may provide the purposes for which the new county-wide government
247 or governing authority or any agency thereof may levy taxes;

248 (12) The charter shall provide for the method or methods by which it may be amended.
249 The General Assembly expressly reserves the right to amend any charter adopted
250 pursuant to this Act. The charter may provide for an additional method or methods by

251 which the charter may be amended and shall provide for any amendments adopted by any
252 such other method or methods to be filed with the Secretary of State so that they may be
253 published in the *Georgia Laws*;

254 (13) The charter shall provide for the repeal of conflicting laws; and

255 (14) The charter may contain such other provisions as are necessary and needful to
256 achieve the objectives of consolidation of the governments and functions of the City of
257 Americus and the County of Sumter, as well as the cities of Andersonville, De Soto,
258 Leslie, and Plains if they join the commission, and the creation of a successor
259 government.

260 (c) The following additional provisions shall govern proceedings of the charter and
261 unification commission and any successor county-wide government created by a charter
262 drafted by the commission:

263 (1) The charter and unification commission is authorized to contract with any public or
264 private institution or body, including, but not limited to, the Carl Vinson Institute of
265 Government of the University of Georgia, for any special studies or assistance it deems
266 necessary, subject to the limitation that any expenditure therefor shall be within the limits
267 of the funds made available to the commission by the respective governing authorities;
268 and

269 (2) Any successor government created and established shall, without the necessity or
270 formality of deed, bill of sale, or other instrument of transfer, be and become the owner
271 of all property, assets, and rights previously belonging to the City of Americus and the
272 County of Sumter, as well as the cities of Andersonville, De Soto, Leslie, and Plains if
273 they join the commission, and any other authorities or special service districts merged
274 into the new government.

275 (d) The charter and unification commission shall have all the powers of the superior courts
276 to compel the attendance of witnesses before the commission and any of its committees,
277 subcommittees, or advisory committees; to compel witnesses to testify thereat; and to

278 subpoena any person or entity and all such books, records, data, papers, documents, and other
279 tangible items which may be deemed by the commission to be material to any question or
280 issue deemed by it to be relevant to the duties or prerogatives imposed upon or granted to the
281 commission by this Act. Such subpoenas shall be issued in the name of the commission,
282 shall be signed by either the chairperson or the secretary of the commission, and shall be
283 served in the manner provided by law for the service of subpoenas in civil cases pending in
284 the superior courts. Witnesses subject to such subpoenas shall be entitled to the same
285 compensation as witnesses attending superior court, which compensation shall be collected
286 in the same manner as that of witnesses in the superior courts except that such compensation
287 shall be paid from funds of the commission. Should any such subpoenaed person or witness
288 fail or refuse to answer questions propounded or fail or refuse to produce any books, records,
289 data, papers, documents, or other tangible items required to be produced by the commission,
290 except upon a legal excuse which would relieve such person of such obligation in a civil case
291 pending in the superior court, the person so failing or refusing shall be guilty of contempt and
292 may be cited by the commission to appear before a judge of the Southwestern Judicial
293 Circuit. The judge of such court shall have the same power and jurisdiction to punish the
294 person cited for contempt and to require and compel the attendance, the giving of testimony,
295 or the production of items as in cases of contempt committed in the presence of the court and
296 as in cases pending before the court.

297 (e) Notwithstanding any other provisions of this Act, the charter and unification commission
298 and the charter proposed by the commission and subsequently adopted may not:

299 (1) Alter or affect the status of the Sumter County School District or the Sumter County
300 Board of Education or any provision of the Constitution or laws of the State of Georgia
301 by which the Sumter County School District is constituted, empowered, or preserved or
302 to transfer any of its powers, duties, or obligations;

303 (2) Impair or diminish any pension or retirement rights; or

304 (3) Abolish the office of sheriff, clerk of superior court, probate judge, or tax
305 commissioner.

306 (f) None of the foregoing limitations shall be construed as prohibiting the General Assembly
307 from exercising any legislative power with respect to any municipality electing to be
308 excluded as provided in this Act or the school district, board of education, industrial
309 development authority, office of sheriff, clerk of superior court, or tax commissioner, pension
310 rights, and homestead exemptions which existed prior to the adoption of this Act.

311 (g) The powers granted in this Act to the charter and unification commission by the General
312 Assembly are remedial in nature and shall be liberally construed to effectuate their purpose.

313

SECTION 7.

314 (a) The charter and unification commission shall be required to hold at least two public
315 hearings to determine the sentiment of the citizens of the City of Americus and the County
316 of Sumter, as well as the cities of Andersonville, De Soto, Leslie, and Plains if they join the
317 commission, regarding the work of the charter and unification commission. The first public
318 hearing shall be held within 30 days of the issuance of the commission's final written report
319 on the feasibility of establishing a single county-wide government within Sumter County,
320 and a second public hearing shall be held within 15 days of the submission of any proposed
321 charter for such consolidated government to the Sumter County Board of Elections. The
322 charter and unification commission is authorized to hold more than two public hearings if it
323 determines that additional public hearings are desirable. The charter and unification
324 commission shall cause the date, time, and place of each such hearing to be advertised in the
325 official organ of Sumter County during the week next preceding the week in which the public
326 hearing is held. The charter and unification commission shall cause to be made a transcript
327 of each public hearing held and shall file the same in its minutes and records.

328 (b) Following issuance of the commission's final written report, the governing authorities
329 of the City of Americus and the County of Sumter, as well as the cities of Andersonville, De

330 Soto, Leslie, and Plains if they vote to join the commission, shall each hold and conduct a
331 public hearing to determine the sentiments of their citizens regarding the work of the charter
332 and unification commission. Notice of such hearings shall be advertised in the same manner
333 as required for hearings held by the charter and unification commission. Representatives of
334 the charter and unification commission shall be invited to present the final report to such
335 governing authorities.

336 SECTION 8.

337 (a) The charter and unification commission shall complete its studies and shall prepare,
338 complete, and file any proposed charter no later than August 31, 2027; provided, however,
339 that the above described time period may be extended for such additional periods of time as
340 may be authorized by resolutions duly adopted by the governing authority of the City of
341 Americus and the governing authority of the County of Sumter, as well the governing
342 authorities of the cities of Andersonville, De Soto, Leslie, and Plains if they vote to join the
343 commission, and may also be extended by an Act of the General Assembly and shall be
344 automatically extended for a period of time equal to the period of time that any proposed
345 charter shall be under consideration by any courts. If the resolution provided for in this
346 subsection is defeated, the commission may continue to prepare, complete, and file any
347 proposed charter until the committee stands abolished.

348 (b) Certified copies of the charter shall be filed by the charter and unification commission
349 with the clerks or secretaries of the governing authorities of the City of Americus and the
350 County of Sumter as well as, the cities of Andersonville, De Soto, Leslie, and Plains if they
351 vote to join the commission, and shall be authenticated by the signature of the chairperson
352 of the charter and unification commission. Such copies shall be public records and shall be
353 available for inspection or examination by any interested person.

354 (c) The charter and unification commission shall also make available a copy of the charter
355 to every daily or weekly newspaper published in Sumter County and to each radio or

356 television station operating within the county. The commission shall take such other steps,
357 within the limitation of its available funds, as it deems reasonable and appropriate to inform
358 the public throughout the county of the contents of the proposed charter. The charter and
359 unification commission shall also cause a summary of the proposed charter to be printed in
360 pamphlets or booklets and made available for general distribution throughout the county.
361 (d) The charter and unification commission is authorized to adopt such rules and regulations
362 as it deems necessary or desirable to carry out its powers and perform its duties and
363 functions.

364 **SECTION 9.**

365 (a) A certified copy of the proposed charter shall be submitted by the commission to the
366 election superintendent of Sumter County, and it shall be the duty of such superintendent to
367 call and hold a referendum election for ratification or rejection of the proposed charter as
368 provided in Section 10 of this Act.

369 (b) The charter and unification commission shall be abolished by operation of law at
370 midnight of the day the results of the special referendum election on the proposed charter the
371 become final if the special referendum returns in favor in unification, and effective pursuant
372 to the laws of the State of Georgia. If the special referendum returns against unification, the
373 charter and unification commission shall exist until January 1, 2029, when it shall be
374 abolished by operation of law.

375 **SECTION 10.**

376 (a) As soon as practicable after receipt of the certified copy of the proposed charter it shall
377 be the duty of the election superintendent of Sumter County to call a special election for
378 approval or rejection of the proposed charter. The election superintendent shall set the date
379 of the election for the earliest date therefor permissible under general law after the filing of
380 any proposed charter as provided for in Section 8 of this Act. The election superintendent

381 shall cause the date and purpose of the election to be published once a week for two calendar
 382 weeks immediately preceding the date thereof in the official organ of Sumter County. The
 383 ballot shall have written or printed thereon the following:

384 "() YES Shall the charter reorganizing and consolidating the governments of the City
 385 of Americus and the County of Sumter and creating a single county-wide
 386 () NO government to supersede and replace those governments be approved?"

387 (b) All persons desiring to vote for approval of the charter shall vote "Yes," and those
 388 persons desiring to vote for rejection of the charter shall vote "No." If more than one-half
 389 of the votes cast by the qualified voters of Sumter County residing within the corporate limits
 390 of the City of Americus are for approval of the charter and if more than one-half of the total
 391 votes cast by the qualified voters residing within both the incorporated and unincorporated
 392 areas of Sumter County are for approval of the charter, then the charter shall become
 393 effective. Otherwise, it shall be void and of no force and effect. The expense of such
 394 election shall be borne equally by the City of Americus and the County of Sumter.

395 (c) As soon as practicable after the approval of the charter provided for in subsection (a) of
 396 this section, it shall be the duty of the election superintendent of the City of Americus to call
 397 a special election for approval or rejection of the proposed charter. The election
 398 superintendent shall set the date of the election for the earliest date therefor permissible under
 399 general law after the filing of any proposed charter as provided for in Section 8 of this Act.
 400 The election superintendent shall cause the date and purpose of the election to be published
 401 once a week for two calendar weeks immediately preceding the date thereof in the official
 402 organ of Sumter County. The ballot shall have written or printed thereon the following:

403 "() YES Shall the charter organizing and consolidating the governments of the City
 404 of Americus and the County of Sumter and creating a single county-wide
 405 () NO government to supersede and replace those governments be approved?"

406 (d) All persons desiring to vote in for approval of the charter shall vote "Yes." All persons
 407 desiring to vote for rejection of the charter shall vote "No." If more than one-half of the total

408 votes cast by the qualified voters of Sumter County residing within the corporate limits of
 409 the City of Americus are for approval of the charter and more than one-half of the total votes
 410 cast by the qualified voters residing within both the incorporated and unincorporated areas
 411 of Sumter County are for approval of the charter, then the charter shall become effective,
 412 otherwise it shall be void and of no force and effect.

413 (e) If the governing authority of the City of Andersonville joined the commission, as soon
 414 as practicable after the approval of the charter provided for in subsection (a) of this section,
 415 it shall be the duty of the election superintendent of the City of Andersonville to call a special
 416 election for approval or rejection of the proposed charter. The election superintendent shall
 417 set the date of the election for the earliest date therefor permissible under general law after
 418 the filing of any proposed charter as provided for in Section 8 of this Act. The election
 419 superintendent shall cause the date and purpose of the election to be published once a week
 420 for two calendar weeks immediately preceding the date thereof in the official organ of
 421 Sumter County. The ballot shall have written or printed thereon the following:

422 "() YES Shall the charter organizing and consolidating the governments of the City
 423 of Andersonville and the County of Sumter and creating a single
 424 () NO county-wide government to supersede and replace those governments be
 425 approved?"

426 (f) All persons desiring to vote in for approval of the charter shall vote "Yes." All persons
 427 desiring to vote for rejection of the charter shall vote "No." If more than one-half of the total
 428 votes cast by the qualified voters of Sumter County residing within the corporate limits of
 429 the City of Andersonville are for approval of the charter and if more than one-half of the total
 430 votes cast by the qualified voters of Sumter County residing within the corporate limits of
 431 the City of Americus are for approval of the charter and more than one-half of the total votes
 432 cast by the qualified voters residing within both the incorporated and unincorporated areas
 433 of Sumter County are for approval of the charter, then the charter shall become effective,
 434 otherwise the City of Andersonville shall not be part of the consolidated government.

435 (g) If the governing authority of the City of De Soto joined the commission, as soon as
436 practicable after the approval of the charter provided for in subsection (a) of this section, it
437 shall be the duty of the election superintendent of the City of De Soto to call a special
438 election for approval or rejection of the proposed charter. The election superintendent shall
439 set the date of the election for the earliest date therefor permissible under general law after
440 the filing of any proposed charter as provided for in Section 8 of this Act. The election
441 superintendent shall cause the date and purpose of the election to be published once a week
442 for two calendar weeks immediately preceding the date thereof in the official organ of
443 Sumter County. The ballot shall have written or printed thereon the following:

444 "() YES Shall the charter organizing and consolidating the governments of the City
445 of De Soto and the County of Sumter and creating a single county-wide
446 () NO government to supersede and replace those governments be approved?"

447 (h) All persons desiring to vote in for approval of the charter shall vote "Yes." All persons
448 desiring to vote for rejection of the charter shall vote "No." If more than one-half of the total
449 votes cast by the qualified voters of Sumter County residing within the corporate limits of
450 the City of De Soto are for approval of the charter and if more than one-half of the total votes
451 cast by the qualified voters of Sumter County residing within the corporate limits of the City
452 of Americus are for approval of the charter and more than one-half of the total votes cast by
453 the qualified voters residing within both the incorporated and unincorporated areas of Sumter
454 County are for approval of the charter, then the charter shall become effective, otherwise the
455 City of De Soto shall not be part of the consolidated government.

456 (i) If the governing authority of the City of Leslie joined the commission, as soon as
457 practicable after the approval of the charter provided for in subsection (a) of this section, it
458 shall be the duty of the election superintendent of the City of Leslie to call a special election
459 for approval or rejection of the proposed charter. The election superintendent shall set the
460 date of the election for the earliest date therefor permissible under general law after the filing
461 of any proposed charter as provided for in Section 8 of this Act. The election superintendent

462 shall cause the date and purpose of the election to be published once a week for two calendar
 463 weeks immediately preceding the date thereof in the official organ of Sumter County. The
 464 ballot shall have written or printed thereon the following:

465 " YES Shall the charter organizing and consolidating the governments of the City
 466 of Leslie and the County of Sumter and creating a single county-wide
 467 NO government to supersede and replace those governments be approved?"

468 (j) All persons desiring to vote in for approval of the charter shall vote "Yes." All persons
 469 desiring to vote for rejection of the charter shall vote "No." If more than one-half of the total
 470 votes cast by the qualified voters of Sumter County residing within the corporate limits of
 471 the City of Leslie are for approval of the charter and if more than one-half of the total votes
 472 cast by the qualified voters of Sumter County residing within the corporate limits of the City
 473 of Americus are for approval of the charter and more than one-half of the total votes cast by
 474 the qualified voters residing within both the incorporated and unincorporated areas of Sumter
 475 County are for approval of the charter, then the charter shall become effective, otherwise the
 476 City of Leslie shall not be part of the consolidated government.

477 (k) If the governing authority of the City of Plains joined the commission, as soon as
 478 practicable after the approval of the charter provided for in subsection (a) of this section, it
 479 shall be the duty of the election superintendent of the City of Plains to call a special election
 480 for approval or rejection of the proposed charter. The election superintendent shall set the
 481 date of the election for the earliest date therefor permissible under general law after the filing
 482 of any proposed charter as provided for in Section 8 of this Act. The election superintendent
 483 shall cause the date and purpose of the election to be published once a week for two calendar
 484 weeks immediately preceding the date thereof in the official organ of Sumter County. The
 485 ballot shall have written or printed thereon the following:

486 " YES Shall the charter organizing and consolidating the governments of the City
 487 of Plains and the County of Sumter and creating a single county-wide
 488 NO government to supersede and replace those governments be approved?"

489 (l) All persons desiring to vote in for approval of the charter shall vote "Yes." All persons
490 desiring to vote for rejection of the charter shall vote "No." If more than one-half of the total
491 votes cast by the qualified voters of Sumter County residing within the corporate limits of
492 the City of Plains are for approval of the charter and if more than one-half of the total votes
493 cast by the qualified voters of Sumter County residing within the corporate limits of the City
494 of Americus are for approval of the charter and more than one-half of the total votes cast by
495 the qualified voters residing within both the incorporated and unincorporated areas of Sumter
496 County are for approval of the charter, then the charter shall become effective, otherwise the
497 City of Plains shall not be part of the consolidated government.

498 (m) The elections provided for in this Act shall be conducted pursuant to Chapter 2 of
499 Title 21 of the O.C.G.A., the "Georgia Election Code," except as specifically provided
500 otherwise by this Act.

501 (n) The election superintendent shall certify the returns of each election provided for in this
502 Act to the Secretary of State. The election superintendent shall also furnish a certified copy
503 of the charter to the Secretary of State. The Secretary of State shall issue his or her
504 proclamation showing and declaring the result of each election on the approval or rejection
505 of the charter. One copy of the proclamation shall be attached to the copy of the charter
506 certified to the Secretary of State. One copy of the proclamation shall be delivered to the
507 secretary or clerk of the governing authority of the City of Americus, who shall attach the
508 same to the copy of the charter previously certified to him or her. One copy of the
509 proclamation shall be delivered to the secretary or clerk of the governing authority of the
510 County of Sumter, who shall attach the same to the copy of the charter previously certified
511 to him or her. If the charter was approved by the City of Americus and the County of Sumter
512 and the cities of Andersonville, De Soto, Leslie, or Plains, one copy of the proclamation shall
513 be delivered to the secretary or clerk of the governing authority of the cities that approved
514 the charter, who shall attach the same to the copy of the charter previously certified to him
515 or her.

516 (o) Whenever a charter for the consolidation of the governments of the City of Americus and
517 the County of Sumter has been adopted, the above certified copies thereof, with the
518 proclamation of the Secretary of State of Georgia attached thereto, shall be deemed duplicate
519 original copies of the charter of the consolidated government for all purposes. The certified
520 copy of the charter and proclamation deposited with the secretaries or clerks of the governing
521 authority of the cities of Americus, Andersonville, De Soto, Leslie, and Plains, and the
522 governing authority of the County of Sumter shall subsequently be delivered by them to the
523 successor government. The successor government may issue certified copies of the charter,
524 and any copy so certified shall be deemed a duplicate original copy of the charter of the
525 consolidated government for all purposes. The Secretary of State is authorized to issue
526 certified copies of the charter on file with him or her, and copies so certified by him or her
527 shall be deemed duplicate original copies of the charter of the consolidated government for
528 all purposes.

529

SECTION 11.

530 In the event the proposed single county-wide government charter is approved by voters as
531 provided in Section 10 of this Act, an election shall be held in accordance with the provisions
532 of the charter to elect the members of the governing authority of the county-wide
533 government. Upon the election of the members of the governing authority and their taking
534 office as the governing authority of the county-wide government, the existing governments
535 of the City of Americus; the City of Andersonville, if the voters of the City of Andersonville
536 approved such charter as provided in Section 10 of this Act; the City of De Soto, if the voters
537 of the City of De Soto approved such charter as provided in Section 10 of this Act; the City
538 of Leslie, if the voters of the city of Leslie approved such charter as provided in Section 10
539 of this Act; the City of Plains, if the voters of the City of Plains approved such charter as
540 provided in Section 10 of this Act; and the County of Sumter shall stand abolished, all in
541 accordance with the provisions of the charter of the new county-wide government.

542 **SECTION 12.**

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

545 **SECTION 13.**

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