

House Bill 1091

By: Representative Corbett of the 174th

A BILL TO BE ENTITLED
AN ACT

1 To provide for a nonbinding advisory referendum for the purpose of ascertaining whether the
2 electors of Brantley County support a perimeter highway bypass around Waycross; to
3 provide for legislative purposes and findings; to provide for a referendum; to provide for
4 mandatory execution of election and judicial remedies regarding failure to comply; to
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 (a) It is the purpose of this Act to provide for a nonbinding advisory referendum for the
9 purpose of ascertaining whether the electors of Brantley County support a perimeter highway
10 bypass around Waycross.

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

- 13 (1) In all respects for the benefit of the people of Brantley County;
14 (2) A public purpose; and
15 (3) An essential governmental function for which public funds may be expended.

16 **SECTION 2.**

17 The election superintendent of Brantley County shall call and conduct a nonbinding advisory
 18 referendum election as provided in this section for the purpose of submitting this question
 19 to the electors of Brantley County to determine whether a majority of said electors support
 20 a perimeter highway bypass around Waycross. The nonbinding advisory referendum election
 21 shall be held on the date of the 2026 general primary, and the election superintendent shall
 22 issue the call and conduct that election as provided by general law. The election
 23 superintendent shall cause the date and purpose of the election to be published once a week
 24 for two weeks immediately preceding the date thereof in the manner required by law. The
 25 ballot shall have written or printed thereon the words:

26 "NONBINDING ADVISORY REFERENDUM

27 () YES Do you support a perimeter highway bypass around Waycross?"

28 () NO

29 All persons desiring to vote for approval of the question shall vote "Yes," and all persons
 30 desiring to vote for rejection of the question shall vote "No." The expense of such election
 31 shall be borne by Brantley County. It shall be the election superintendent's duty to certify
 32 the result thereof to the Secretary of State. The provisions of this section shall be mandatory
 33 upon the election superintendent and are not intended as directory. If the election
 34 superintendent fails or refuses to comply with this section, any elector of Brantley County
 35 may apply for a writ of mandamus to compel the election superintendent to perform his or
 36 her duties under this section. If the court finds that the election superintendent has not
 37 complied with this section, the court shall fashion appropriate relief requiring the election
 38 superintendent to call and conduct such election on the date required by this section or on the
 39 next date authorized for special elections provided for in Code Section 21-2-540 of
 40 the O.C.G.A.

41

SECTION 3.

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