

House Bill 1533

By: Representatives Carpenter of the 4th and Tarvin of the 2nd

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to continue the existence of the Dalton Independent School System,
2 approved May 13, 2011 (Ga. L. 2011, p. 4111), so as to remove the increased millage rate
3 limitation; to provide for the maximum millage rate to be charged by such school system; to
4 provide for a referendum, effective dates, automatic repeal, mandatory execution of election,
5 and judicial remedies regarding failure to comply; to provide for related matters; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act to continue the existence of the Dalton Independent School System, approved
10 May 13, 2011 (Ga. L. 2011, p. 4111), is amended by revising subsection (b) of Section 9 as
11 follows:

12 "(b) The mill limitation in effect on December 31, 2012, shall be removed. In its place,
13 the school system shall be subject to the millage limitation provided for in Article VIII,
14 Section VI, Paragraph I(a) of the Constitution."

SECTION 2.

15
 16 The municipal election superintendent of the City of Dalton shall call and conduct an election
 17 as provided in this section for the purpose of submitting this Act to the electors of the City
 18 of Dalton for approval or rejection. The municipal election superintendent shall conduct that
 19 election on the Tuesday after the first Monday in November, 2026, and shall issue the call
 20 and conduct that election as provided by general law. The municipal election superintendent
 21 shall cause the date and purpose of the election to be published once a week for two weeks
 22 immediately preceding the date thereof in the official organ of Whitfield County. The ballot
 23 shall have written or printed thereon the words:

24 "() YES Shall the Act be approved which lowers the millage rate cap for property
 25 () NO taxes collected to support the Dalton Independent School System?"

26 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring
 27 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on
 28 such question are for approval of the Act, Section 1 of this Act shall become of full force and
 29 effect on January 1, 2027. If the Act is not so approved or if the election is not conducted
 30 as provided in this section, Section 1 of this Act shall not become effective, and this Act shall
 31 be automatically repealed on the 365th calendar day following the election date provided for
 32 in this section. The expense of such election shall be borne by the City of Dalton. It shall be
 33 the municipal election superintendent's duty to certify the result thereof to the Secretary of
 34 State. The provisions of this section shall be mandatory upon the municipal election
 35 superintendent and are not intended as directory. If the municipal election superintendent
 36 fails or refuses to comply with this section, any elector of the City of Dalton may apply for
 37 a writ of mandamus to compel the municipal election superintendent to perform his or her
 38 duties under this section. If the court finds that the municipal election superintendent has not
 39 complied with this section, the court shall fashion appropriate relief requiring the municipal
 40 election superintendent to call and conduct such election on the date required by this section

41 or on the next date authorized for special elections provided for in Code Section 21-2-540
42 of the O.C.G.A.

43 **SECTION 3.**

44 Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon
45 its approval by the Governor or upon its becoming law without such approval.

46 **SECTION 4.**

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