

House Bill 1093 (AS PASSED HOUSE AND SENATE)

By: Representatives Burchett of the 176th and 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 Ware County support a perimeter highway bypass around Waycross; to provide
3 for legislative purposes and findings; to provide for a referendum; to provide for mandatory
4 execution of election and judicial remedies regarding failure to comply; to provide for related
5 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 Ware 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 Ware 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 Ware 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 Ware County to determine whether a majority of said electors support a
 20 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:

"NONBINDING ADVISORY REFERENDUM

26 () YES Do you support a perimeter highway bypass around Waycross?
 27 () NO"

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

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SECTION 3.

41 All laws and parts of laws in conflict with this Act are repealed.