

Senate Bill 177

By: Senators Brass of the 28th, Henson of the 41st, Robertson of the 29th, Anderson of the 43rd, Watson of the 1st and others

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 28 of the Official Code of Georgia Annotated, relating to the
2 General Assembly generally, so as to provide the requirements for consideration of local
3 legislation revising existing districts or creating new districts by the General Assembly; to
4 provide for preparation or review of local districting plans by the staff of the Legislative and
5 Congressional Reapportionment Office; to provide for requirements and procedures; to
6 provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

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

11 "28-1-14.1.

12 (a) Except as provided in subsection (e) of this Code section, a local bill for revising the
13 districts of county boards of commissioners, county boards of education, independent
14 boards of education, or municipal governing authorities, or creating districts for such
15 offices shall not be considered by the General Assembly unless such bill meets the
16 requirements of this Code section.

17 (b)(1) A plan to revise districts or to create districts for existing offices contained in a
18 local bill described in subsection (a) of this Code section shall either:

19 (A) Be drawn by the staff of the Legislative and Congressional Reapportionment
20 Office of the General Assembly; or

21 (B) Be submitted to and certified by the Legislative and Congressional
22 Reapportionment Office of the General Assembly prior to being adopted by the local
23 governmental entity for whom such districts are to be revised or created in accordance
24 with this Code section.

25 (2) If a districting plan is to be drawn by the staff of the Legislative and Congressional
26 Reapportionment Office of the General Assembly, the local governmental entity whose

27 districts are to be revised or created shall contact a member of the General Assembly who
28 represents such area in which such local governmental entity is located, either in whole
29 or in part, and request that the member provide a letter of sponsorship, either in written
30 or electronic format, directed to the Legislative and Congressional Reapportionment
31 Office of the General Assembly, authorizing its staff to work with the representatives of
32 such local governmental entity to prepare the districting plan. In lieu of authorizing
33 representatives of the local governmental entity to work with such office, the member
34 may work directly with the office in preparing the plan.

35 (3)(A) If the local governmental entity chooses a source other than the staff of the
36 Legislative and Congressional Reapportionment Office of the General Assembly to
37 prepare a plan to revise its districts or to create districts, such local governmental entity
38 shall, prior to voting to accept such plan, submit the plan to the Legislative and
39 Congressional Reapportionment Office of the General Assembly for review. The local
40 governmental entity shall obtain a sponsorship letter from a member of the General
41 Assembly who represents that entity as provided in paragraph (2) of this subsection,
42 authorizing the staff of the Legislative and Congressional Reapportionment Office of
43 the General Assembly to review such plan. Upon receipt of such letter and the
44 associated plan, the staff of the Legislative and Congressional Reapportionment Office
45 of the General Assembly shall perform a technical review of the proposed plan to
46 determine if the plan complies with federal and state constitutional requirements for
47 such plans and the federal Voting Rights Act of 1965, as amended. Such office shall
48 also review the plan to determine if such plan divides current voting precincts in a
49 manner that could potentially compromise voter anonymity, leaves any geographic
50 unassigned areas, maintains continuous geographic features, and any other concerns
51 that such office may deem legally significant.

52 (B) If the staff of the Legislative and Congressional Reapportionment Office of the
53 General Assembly finds such plan to be technically sound, that office shall issue a
54 certification form to the local governmental entity, which may then proceed to adopt
55 the proposed plan for submission to the General Assembly for enactment. The staff of
56 the Legislative and Congressional Reapportionment Office of the General Assembly
57 shall prepare a legal description based on such plan for submission to the Office of
58 Legislative Counsel for drafting the necessary legislation.

59 (C) If the staff of the Legislative and Congressional Reapportionment Office of the
60 General Assembly uncovers technical concerns in its review of the proposed plan, the
61 staff shall notify the local governmental entity and the member who sponsored the
62 review of the concerns. In light of the technical concerns uncovered in the review, the
63 local governmental entity shall then have the option of either having the staff of the

64 Legislative and Congressional Reapportionment Office of the General Assembly make
65 the necessary corrections to the proposed plan and return it to the local governmental
66 entity for approval for submission for legislation to be prepared by a member of the
67 General Assembly who represents, in whole or in part, the area in which the local
68 governmental entity is located, or it may have the original preparer revise it. If the
69 original preparer is chosen to revise the plan, such plan shall be resubmitted for review
70 by the staff of the Legislative and Congressional Reapportionment Office of the
71 General Assembly in accordance with this Code section.

72 (c)(1) A plan to create districts for a new municipality contained in a local bill described
73 in subsection (a) of this Code section shall either:

74 (A) Be drawn by the staff of the Legislative and Congressional Reapportionment
75 Office of the General Assembly; or

76 (B) Be submitted to and certified by the Legislative and Congressional
77 Reapportionment Office of the General Assembly prior to being submitted to the Office
78 of Legislative Counsel for drafting.

79 (2) If a districting plan is to be drawn by the staff of the Legislative and Congressional
80 Reapportionment Office of the General Assembly, the entity seeking to create the new
81 municipality shall contact a member of the General Assembly and request that the
82 member provide a letter of sponsorship, either in written or electronic format, directed
83 to the Legislative and Congressional Reapportionment Office of the General Assembly,
84 authorizing its staff to work with the representatives of such entity to prepare the
85 districting plan. In lieu of authorizing representatives of the entity to work with such
86 office, the member may work directly with the office in preparing the plan.

87 (3)(A) If the entity seeking to create the new municipality chooses a source other than
88 the staff of the Legislative and Congressional Reapportionment Office of the General
89 Assembly to prepare a districting plan, such entity shall submit such plan to the
90 Legislative and Congressional Reapportionment Office of the General Assembly for
91 review. Such entity shall obtain a sponsorship letter from a member of the General
92 Assembly as provided in paragraph (2) of this subsection, authorizing the staff of the
93 Legislative and Congressional Reapportionment Office of the General Assembly to
94 review such plan. Upon receipt of such letter and the associated plan, the staff of the
95 Legislative and Congressional Reapportionment Office of the General Assembly shall
96 perform a technical review of the proposed plan to determine if the plan complies with
97 federal and state constitutional requirements for such plans and the federal Voting
98 Rights Act of 1965, as amended. Such office shall also review the plan to determine
99 if such plan divides current voting precincts in a manner that could potentially
100 compromise voter anonymity, leaves any geographic unassigned areas, maintains

101 continuous geographic features, and any other concerns that such office may deem
102 legally significant.

103 (B) If the staff of the Legislative and Congressional Reapportionment Office of the
104 General Assembly finds such plan to be technically sound, that office shall issue a
105 certification form to the entity seeking to create a new municipality, which may then
106 proceed to submit such plan to the General Assembly for enactment. The staff of the
107 Legislative and Congressional Reapportionment Office of the General Assembly shall
108 prepare a legal description based on such plan for submission to the Office of
109 Legislative Counsel for drafting the necessary legislation.

110 (C) If the staff of the Legislative and Congressional Reapportionment Office of the
111 General Assembly uncovers technical concerns in its review of the proposed plan, the
112 staff shall notify the entity and the member who sponsored the review of the concerns.
113 In light of the technical concerns uncovered in the review, the entity shall then have the
114 option of either having the staff of the Legislative and Congressional Reapportionment
115 Office of the General Assembly make the necessary corrections to the proposed plan
116 and return it to the entity for submission to a member of the General Assembly for
117 legislation to be prepared by the Office of Legislative Counsel, or it may have the
118 original preparer revise it. If the original preparer is chosen to revise the plan, such
119 plan shall be resubmitted for review by the staff of the Legislative and Congressional
120 Reapportionment Office of the General Assembly in accordance with this Code section.

121 (d) Proposed districting plans from a source other than the staff of the Legislative and
122 Congressional Reapportionment Office of the General Assembly shall be submitted for
123 review by such office in electronic format. Such submission shall contain:

124 (1) Information regarding the contact person for the proposed plan, including email and
125 telephone number;

126 (2) The name of the submitter and the name of the local governmental entity that is the
127 subject of the plan, if different;

128 (3) An electronic map image that clearly depicts defined boundaries, utilizing the most
129 recent United States census geographic boundaries, and a block equivalency file
130 containing two columns. The first column shall list the 15-digit census block
131 identification numbers, and the second column shall list the three-digit district
132 identification number. Both block and district numbers shall be zero-filled text files.
133 Such files shall be submitted in .xls, .xlsx, .dbf, .txt, or .csv file formats;

134 (4) Statistical information on the plan which shall include, but not be limited to, the total
135 population in each district and the population deviations of each district; and

136 (5) Such other information as required by the staff of the Legislative and Congressional
137 Reapportionment Office of the General Assembly.

138 (e) If a member of the General Assembly desires to proceed with a local bill containing
139 a districting plan which the Legislative and Congressional Reapportionment Office of the
140 General Assembly has not certified, the member may do so only if a letter from such office
141 is attached to the local bill when it is introduced in the General Assembly, stating that the
142 bill cannot be certified by such office under this Code section and the reasons why."

143 **SECTION 2.**

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