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

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

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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


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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 2.

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