

House Bill 189

By: Representatives Wilson of the 80th, Beverly of the 143rd, Hugley of the 136th, Bennett of the 94th, Evans of the 57th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 28 of the Official Code of Georgia Annotated, relating to
2 general provisions regarding the General Assembly, so as to provide certain procedures for
3 redistricting of the General Assembly and congressional districts in this state; to provide for
4 certain hearings, information availability, procedures, and notifications; to provide for related
5 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

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

11 "28-1-18.

12 In redistricting the General Assembly and the congressional districts in Georgia, the
13 General Assembly shall follow the following procedures:

14 (1) There shall be a minimum of two public hearings in each judicial district of this state
15 during the redistricting process. There shall be one public hearing in each judicial district
16 of this state prior to the development of the redistricting plans. There shall be one public

17 hearing in each judicial district of this state after the introduction of the proposed plan or
18 plans in the General Assembly which shall be held not later than one week prior to the
19 final vote on such proposed plan or plans;

20 (2) At least one public hearing shall be held in the municipality with the highest
21 population in each judicial district of this state, and at least one public hearing shall be
22 held in the municipality with the second highest population in each judicial district of this
23 state. Such hearings shall be open to the general public, and at least two members of the
24 General Assembly from each house of the General Assembly shall attend such public
25 hearings. One member from each house shall represent the majority party in such house,
26 and one member from each house shall represent the minority party in such house. Such
27 members shall come from the committee of each house that considers proposed
28 redistricting plans;

29 (3) The public hearings shall be recorded and made available both live as they occur and
30 as archived files for public viewing on the internet. During each public hearing, the
31 General Assembly members representing each house of the General Assembly shall
32 present the initial proposed plan or plans, explain the procedure or process used to create
33 such plan or plans, and hear public comments and suggestions. Public notice of such
34 public hearings shall be published on the website of the General Assembly and once a
35 week for two consecutive weeks in the legal organ of each county, not later than seven
36 days prior to the date of the public hearing. Visual representations of the proposed plan
37 or plans shall be prominently displayed at each public hearing, and the plan or plans shall
38 be presented visually in sufficient detail so that the public may visually inspect all district
39 boundaries down to the residence level. The plan or plans shall be presented in a manner
40 that will allow any member of the public to immediately inspect the proposed district in
41 which such member lives as well as all neighboring districts;

42 (4) The proposed plan or plans shall be published on the website of the General
43 Assembly not later than 48 hours after the proposed plan or plans have been assigned to

44 committee. The plan or plans shall be presented visually in sufficient detail so that the
45 public may visually inspect all district boundaries down to the residence level, and the
46 plan or plans shall also include all data necessary for a third party to recreate an accurate
47 visual representation of such proposed plan or plans. The plan or plans shall be presented
48 in a manner that will allow any member of the public to immediately visually inspect the
49 proposed district in which such member lives as well as all neighboring districts. Any
50 initially proposed plan or plans published on the website of the General Assembly shall
51 also include a detailed explanation of the procedure or process used to create such plan
52 or plans, including, but not limited to, all inputs, variables, factors, or other bases used
53 to create such plan or plans, draft maps, formulae or algorithms, and any hardware or
54 software relied upon to create such plan or plans. This paragraph shall be construed to
55 defeat any legal claim or defense that is brought or raised by any party to prevent the
56 disclosure of such procedure or process, including, but not limited to, a claim or defense
57 that such disclosure would constitute unlawful disclosure of a trade secret or other
58 confidential or proprietary information;

59 (5) All meetings, discussions, and deliberations concerning reapportionment upon the
60 assignment of a plan or plans to committee shall be conducted in public, and public notice
61 of such meetings, discussions, and deliberations shall be published on the website of the
62 General Assembly at least seven days in advance;

63 (6) All communications sent to or from any government official or employee involved
64 in the reapportionment process, including electronic communications, shall be made
65 available to the public for inspection and copying; and

66 (7) All communications with any party not hired or contracted to perform or not
67 responsible for performing the duties set forth in this Code section are strictly prohibited.
68 Such prohibition shall not apply to any public communications explicitly authorized by
69 this Code section. Nothing in this paragraph shall be construed as limiting any

70 obligations set forth in the law relating to disclosure of public records and open meetings
71 which shall apply to this Code section or any other applicable laws."

72 **SECTION 2.**

73 This Act shall become effective upon its approval by the Governor or upon its becoming law
74 without such approval.

75 **SECTION 3.**

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