

## Steps for Alcohol Referendum

1. Since the city of Villa Rica is located within two counties, Douglas and Carroll counties; it isn't known if the 35-percent of the registered voters will have to come from each separate county or a combination of both. If both are needed separately, Douglas County has 3,450 registered voters, and Carroll County has 4,179, all within the City. The signatures needed are approximately 1,207 - Douglas; and 1,462 - Carroll. If just the total amount is sufficient, then an approximate total of 2,670 signatures would be needed to comply with the State regulations.
2. When petition is approved by Mayor and Council, than a referendum can be written and goes to next election. Must win by 50% plus one.
3. Additional information can be obtained from Carter Leverette, Department of Revenue for the Bureau of Alcohol and Tobacco, 404-417-4880; and Stoney McGill, Georgia Alcohol Dealers Association, at 678-665-7928.

KeyCite Yellow Flag - Negative Treatment  
Proposed Legislation

West's Code of Georgia Annotated

Title 3. Alcoholic Beverages

Chapter 4. Distilled Spirits

Article 3. Local Authorization and Regulations for Manufacture, Distribution, and Package Sales

Ga. Code Ann., § 3-4-41

§ 3-4-41. When and how election called

Currentness

(a) Upon a written petition containing the signatures of at least 35 percent of the registered and qualified voters of any municipality or county being filed with the election superintendent of the county or municipality, such superintendent, upon validation of the petition, shall be required to call and hold a referendum election for the purpose of submitting to the qualified voters of the municipality or county, as the case may be, the question of whether the manufacture, sale, and distribution of distilled spirits in the political subdivision shall be permitted or prohibited. Such petition shall not be amended, supplemented, or returned after its presentation to the appropriate authority. Validation shall, for the purposes of this Code section, be the procedure in which the election superintendent determines whether each signature on the petition is the name of a registered and qualified voter.

(b) For purposes of this Code section, the required number of signatures of registered voters of a political subdivision shall be computed based on the number of voters qualified to vote at the general election immediately preceding the presentation of the petition. Actual signers of the petition shall be registered and qualified to vote in the referendum election sought by the petition. Upon determining that the petition contains a sufficient number of valid signatures, the election superintendent shall set the date of the referendum election for not less than 30 nor more than 60 days after the call. The referendum may be held as a special referendum election or may be held at the time of holding any other primary or election in such county or municipality if such other primary or election is to be held not more than 60 days after the call.

(c) Notice of the call for the referendum shall be published by the election superintendent in the official organ of the county or, in the case of a municipality, in a newspaper of general circulation in the municipality. The election superintendent shall also cause the date and purpose of the referendum to be published in the official organ of the county or, in the case of a municipality, in a newspaper of general circulation in the municipality, once a week for two weeks immediately preceding the date of the election.

(d) Following the expiration of two years after any election is held which results in the disapproval of sales as provided in this article, another election on this question shall be held if another petition, as provided in subsection (a) of this Code section, is filed with the appropriate election superintendent.

**§ 3-4-41. When and how election called, GA ST § 3-4-41**

---

**Credits**

Laws 1937-38, Ex. Sess., p. 103, § 4; Laws 1972, p. 207, § 3; Laws 1980, p. 1573, § 1; Laws 1983, p. 806, § 1; Laws 1985, p. 149, § 3.

**Formerly Code 1933, §§ 5A-2302, 5A-2303, 5A-2309.**

[Notes of Decisions \(19\)](#)

Ga. Code Ann., § 3-4-41, GA ST § 3-4-41

The statutes and Constitution are current with legislation passed during the 2016 Session of the Georgia General Assembly. The statutes are subject to changes by the Georgia Code Commission.

---

End of Document

© 2016 Thomson Reuters. No claim to original U.S. Government Works.