
Understanding a Change in Methods of Election in

GEORGIA

The method of election in Southern states, like Georgia, may directly impact a community's ability to elect their preferred candidate of choice. Methods of election describe the type of districts that voters use to elect members of a governing body, like at-large, residency, or single-member districts. Historically, methods of election, in particular at-large elections, were used as a tool to undermine or suppress Black political power. Before advocating changing the method of election, it is important to examine the voting patterns and the geographical landscape in your municipality.¹

In Georgia, changing the methods of election for (1) City Government, (2) County Government, or (3) Local Board of Education have different processes and may vary depending on your municipality. Below is information about how to change the method of election.

City Government

The Georgia General Assembly has the power to determine and change the method of election for cities unless the General Assembly delegated its authority to the governing body.² When the General Assembly gives its power to change the method of election to a city government, this is known as home rule.³ Under "home rule," a city government may have the power to (1) adopt ordinances and (2) amend or repeal local laws originally created by the General Assembly.

The General Assembly also has the power to introduce local laws, also known as local acts or bills, to modify a city's method of election.⁴ When changing the method of election through local law, the public must be provided notice within 60 days before the bill is introduced.⁵ A city government does not have the power to repeal a local law on the election method.⁶

¹ For more information about the differences between at-large and single-member districts visit: <https://www.naacpldf.org/wp-content/uploads/At-Large-Voting-Frequently-Asked-Questions-1.pdf>.

² Ga. Code Ann. § 36-35-6; *see also* Ga. Const. Art. IX, § II, Para. II.

³ Ga. Const. Art. IX, § II, Para. II.; *see also* County Home Rule & Local Legislation, ASSOCIATION COUNTY COMMISSIONERS OF GEORGIA, Nov. 12, 2019, <https://www.accg.org/docs/legal/County%20Home%20Rule%20Local%20Legislation.pdf>

⁴ Ga. Const. Art. III, § VI, Para. IV.

⁵ Ga. Code Ann. § 28-1-14(a).

⁶ Ga. Code Ann. § 36-35-3.

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County Government

Similar to City Government, the General Assembly has control over a county government’s ability to change its method of election. Unlike cities, a county on its own may adopt a home rule charter.⁷ Under a county’s home rule charter, it may create local laws. The county may also rely on the General Assembly to introduce local laws.⁸ However, the General Assembly retains its power to change the county’s election method.⁹

Local Board of Education

County or independent boards of education are referred to as a Local Board of Education,¹⁰ and are excluded from the home rule.¹¹ Therefore, the General Assembly by local law and Georgia law controls a Board of Education’s election method.

The Board of Education’s method of election depends on the number of members sitting on the Board. Generally, members of the Board are elected at-large by a majority vote. Members must be elected by single-member districts if (1) the Board has more than seven members, (2) the county uses a “homestead option sale and use tax,” and (3) a “county sales and use tax” for educational purposes.¹² Some Local Boards of Education use a mix of single-member and at-large elections under local law.

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⁷ Ga. Const. Art. IX, § II, Para. I(a).

⁸ *Id.*

⁹ *Id.*

¹⁰ Ga. Const. Art. VIII, § V, Para. II.

¹¹ Ga. Const. Art. IX, § II, Para. I (c)(8); *see also* County Home Rule & Local Legislation, ASSOCIATION COUNTY COMMISSIONERS OF GEORGIA, Nov. 12, 2019, <https://www.accg.org/docs/legal/County%20Home%20Rule%20Local%20Legislation.pdf>

¹² Ga. Code Ann. § 20-2-52.1.

