

1 STATE OF GEORGIA
2 COUNTY OF FULTON
3 CITY OF SOUTH FULTON

RES2019-027

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5 RESOLUTION OF THE CITY OF SOUTH FULTON OPPOSING GEORGIA'S
6 "HEARTBEAT" ABORTION BILL (HOUSE BILL 481) AND
7 FOR OTHER LAWFUL PURPOSES

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9 (Sponsored by Councilperson Gumbs)

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11 **WHEREAS**, the City of South Fulton (the "City") is a municipal corporation duly
12 organized and existing under the laws of the State of Georgia;

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14 **WHEREAS**, the duly elected governing authority of the City is the Mayor and City
15 Council (the "City Council");

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17 **WHEREAS**, Georgia's "Heartbeat Bill" (House Bill 481) was signed into law by
18 Governor Brian Kemp on or about May 7, 2019 and is set to go into effect on or about
19 January 1, 2020;

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21 **WHEREAS**, the Heartbeat Bill provides that the presence of an embryo's
22 heartbeat, rather than a fetus's "viability outside of the womb," shall serve the basis for
23 outlawing abortions;

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25 **WHEREAS**, the Heartbeat Bill is contrary to almost half a century of binding U.S.
26 Supreme Court precedent mandating that a state cannot ban abortions prior to viability;

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28 **WHEREAS**, the Heartbeat bill will outlaw abortions prior to viability and before
29 most women know they're pregnant;

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31 **WHEREAS**, the Heartbeat Bill will undermine efforts to recruit and retain highly
32 skilled OB-GYN in Georgia;

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34 **WHEREAS**, the Heartbeat Bill will have a negative economic impact on
35 Georgia's cities, industries and economic growth;

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37 **WHEREAS**, the City desires through this Resolution to express its opposition to
38 the Heartbeat Bill; and

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40 **WHEREAS**, the City Council has determined that this Resolution is in the best
41 interests of the health and general welfare of the City, its residents and general public.
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43 **NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL** as
44 follows:

45 **Section 1.** The City Council of South Fulton, Georgia, hereby declares its opposition
46 to Georgia's Heartbeat Bill (House Bill 481).

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50 **Section 2.** It is hereby declared to be the intention of the City Council that: (a) All
51 sections, paragraphs, sentences, clauses and phrases of this Resolution are or were,
52 upon their enactment, believed by the City Council to be fully valid, enforceable and
53 constitutional.

54 (b) To the greatest extent allowed by law, each and every section, paragraph, sentence,
55 clause or phrase of this Resolution is severable from every other section, paragraph,
56 sentence, clause or phrase of this Resolution. No section, paragraph, sentence, clause
57 or phrase of this Resolution is mutually dependent upon any other section, paragraph,
58 sentence, clause or phrase of this Resolution.

59 (c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution
60 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise
61 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is
62 the express intent of the City Council that such invalidity, unconstitutionality or
63 unenforceability shall, to the greatest extent allowed by law, not render invalid,
64 unconstitutional or otherwise unenforceable any of the remaining phrases, clauses,
65 sentences, paragraphs or sections of the Resolution.

66 **Section 3.** All Resolutions and parts of Resolutions in conflict herewith are hereby
67 expressly repealed.

68 **Section 4.** The effective date of this Resolution shall be the date of adoption unless
69 provided otherwise by the City Charter or state and/or federal law.

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75 THIS RESOLUTION adopted this 28th day of May 2019.

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78 CITY OF SOUTH FULTON, GEORGIA.

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Bill Edwards

82 WILLIAM "BILL" EDWARDS, MAYOR

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84 ATTEST:

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S. Diane White

88 S. DIANE WHITE, CITY CLERK

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90 APPROVED AS TO FORM:

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Emilia C. Walker

94 EMILIA C. WALKER, CITY ATTORNEY

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121 The foregoing RESOLUTION No. 2019-026, adopted on May 28, 2019 was offered by
122 Councilmember Gumbs, who moved its approval. The motion was seconded by
123 Councilmember Baker, and being put to a vote, the result was as follows:

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	AYE	NAY
William "Bill" Edwards, Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mark Baker, Mayor Pro Tem	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Catherine Foster Rowell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carmalitha Lizandra Gumbs	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Helen Zenobia Willis	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gertrude Naeema Gilyard	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rosie Jackson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
khalid kamau	<input checked="" type="checkbox"/>	<input type="checkbox"/>