

House Bill 1136 (AS PASSED HOUSE AND SENATE)

By: Representatives Jacobs of the 80th, Holcomb of the 81st, and Oliver of the 82nd

A BILL TO BE ENTITLED
AN ACT

1 To authorize the City of Brookhaven to exercise all redevelopment and other powers under
2 Article IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the
3 O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to
4 provide effective dates; to provide for automatic repeal under certain circumstances; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 The City of Brookhaven shall be and is authorized to exercise all redevelopment and other
9 powers under Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as
10 amended. The intention of this Act is to authorize the City of Brookhaven to undertake and
11 carry out community redevelopment, to create tax allocation districts, to issue tax allocation
12 bonds, and to incur other obligations within the meaning of and as fully permitted under the
13 provisions of Article IX, Section II, Paragraph VII(b) of the Constitution of the State of
14 Georgia of 1983, as amended, and to authorize the City of Brookhaven to exercise
15 redevelopment powers as fully as the "Redevelopment Powers Law" may now or hereafter
16 permit and not to limit any redevelopment powers permitted under the "Redevelopment
17 Powers Law."

18 **SECTION 2.**

19 The municipal election superintendent of the City of Brookhaven shall call and conduct an
20 election as provided in this section for the purpose of submitting this Act to the electors of
21 the City of Brookhaven for approval or rejection. The municipal election superintendent
22 shall conduct that election on the date of the 2014 November general election and shall issue
23 the call and conduct that election as provided by general law. The municipal election
24 superintendent shall cause the date and purpose of the election to be published once a week

25 for two weeks immediately preceding the date thereof in the official organ of DeKalb
26 County. The ballot shall have written or printed thereon the words:

27 "() YES Shall the Act be approved which authorizes the City of Brookhaven to
28 exercise all redevelopment powers allowed under the 'Redevelopment
29 () NO Powers Law,' as it may be amended from time to time?"

30 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring
31 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on
32 such question are for approval of the Act, then Section 1 of this Act shall become of full
33 force and effect immediately. If Section 1 of this Act is not so approved or if the election is
34 not conducted as provided in this section, Section 1 of this Act shall not become effective
35 and this Act shall be automatically repealed on the first day of January immediately
36 following that election date. The expense of such election shall be borne by the City of
37 Brookhaven. It shall be the municipal election superintendent's duty to certify the result
38 thereof to the Secretary of State.

39 **SECTION 3.**

40 Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon
41 its approval by the Governor or upon its becoming law without such approval.

42 **SECTION 4.**

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