

House Bill 1181

By: Representatives Jackson of the 64th, Dreyer of the 59th, Bazemore of the 63rd, Bruce of the 61st, Thomas of the 65th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 62 of Title 36 of the Official Code of Georgia Annotated, relating to
2 development authorities, so as to provide that members of a county or municipal governing
3 authority appointed as directors of development authorities shall not serve as chairpersons
4 or chief executive officers of such authorities; to provide that county development authorities
5 for certain counties must obtain the consent of certain municipalities and school systems to
6 acquire property or undertake projects within such municipalities; to provide for a definition;
7 to provide for related matters; to provide for an effective date; to repeal conflicting laws; and
8 for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Chapter 62 of Title 36 of the Official Code of Georgia Annotated, relating to development
12 authorities, is amended by revising subsection (a) of Code Section 36-62-5 relating to
13 directors, officers, compensation, adoption of bylaws, delegation of powers and duties,
14 conflicts of interest, and audits as follows:

15 "(a) The directors shall be taxpayers residing in the county or municipal corporation for
16 which the authority is created, and their successors shall be appointed as provided by the

17 resolution provided for in Code Section 36-62-4. The governing authority of a county or
18 municipality may appoint no more than one member of the governing authority as a
19 director, provided that such member shall not serve as the chairperson or chief executive
20 officer of the authority."

21 **SECTION 2.**

22 Said chapter is further amended by adding a new Code section to read as follows:

23 "36-62-6.2.

24 (a) As used in this Code section the term 'massively municipalized county' means any
25 county without a consolidated or unified government in which the corporate limits of two
26 or more municipalities cover 95 percent or more of the land area of the county.

27 (b) No development authority of a county operating in a massively municipalized county
28 shall purchase or accept title to any real or personal property, undertake any projects, or
29 grant any tax abatements without obtaining approval of the acquisition, project, or
30 abatement from:

31 (1) The board of education of any county or independent school system in which any
32 portion of the property, project, or abatement is or will be located; and

33 (2) The governing authority of any municipality in which any portion of the property,
34 project, or abatement is or will be located.

35 (c) During the first ten years following the initial incorporation of any municipality within
36 a massively municipalized county, the approval provided for in paragraph (2) of
37 subsection (b) of this Code Section shall not be required for any acquisitions, projects, or
38 abatements undertaken by a development authority of a county occurring within the
39 corporate limits of any such municipality.

40 (d) The provisions of this Code section shall not apply to any agreement entered into by
41 a development authority prior to the effective date of this Act, nor shall the transfer of any
42 property pursuant to any such agreement be affected by this Code section."

43 **SECTION 3.**

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

46 **SECTION 4.**

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