

House Bill 1347

By: Representative Belton of the 112<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 31 of Title 36 of the Official Code of Georgia Annotated, relating to  
2 incorporation of municipal corporations, so as to prohibit the creation of new municipal  
3 corporations with the same name or a substantially similar name as that of existing municipal  
4 corporations; to provide for legislative findings and intention of the General Assembly; to  
5 provide for related matters; to provide an effective date; to repeal conflicting laws; and for  
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 31 of Title 36 of the Official Code of Georgia Annotated, relating to incorporation  
10 of municipal corporations, is amended by revising Code Section 36-31-6, which is currently  
11 reserved, to read as follows:

12 "36-31-6.

13 (a) The General Assembly finds that:

14 (1) Municipalities within Georgia depend on their names to prevent postal confusion, to  
15 attract tourism, and to attract development;

16 (2) Businesses within Georgia's municipalities depend on their unique names for  
17 commerce, as potential patrons are likely to encounter difficulty locating information  
18 about a business if it is located within a municipality that shares its name with another  
19 municipality within Georgia; and

20 (3) If two municipalities in Georgia share the same name, the local governments, the  
21 citizens, and the local businesses within both localities will suffer from inevitable  
22 confusion.

23 (b)(1) No new municipality may be incorporated with the same name as that of a  
24 preexisting municipality, or with a name that is so similar to the name of a preexisting  
25 municipality as to be likely to cause confusion among the public.

26 (2) The General Assembly declares that appending the word 'City' to the end of the name  
27 of a new municipality would only create a name that is so similar to that of a preexisting  
28 municipality as to be in violation of paragraph (1) of this subsection.

29 (c) Nothing in this Code section shall require the changing of the name of any one or more  
30 municipalities that are in existence on the effective date of this Code section."

31 **SECTION 2.**

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

34 **SECTION 3.**

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