

Senate Bill 348

By: Senators Jordan of the 6th, Halpern of the 39th and Orrock of the 36th

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 deannexation of territory from
3 an existing municipal corporation so as to incorporate a new municipal corporation; to
4 provide an exception to such prohibition; to provide for related matters; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 31 of Title 36 of the Official Code of Georgia Annotated, relating to incorporation
9 of municipal corporations, is amended by adding a new Code section to read as follows:

10 "36-31-1.1.

11 (a) To be eligible for original incorporation as a municipal corporation, none of the area
12 embraced in the charter shall have been in the immediately preceding five years deannexed
13 from the territory of another municipal corporation.

14 (b) Subsection (a) of this Code section shall not apply if any such deannexation occurred
15 pursuant to the adoption of a local law, and the effectiveness of such local law was

16 contingent upon its approval by 57.5 percent of the voters voting throughout the entirety
17 of the municipal corporation from which such territory was deannexed."

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SECTION 2.

19 All laws and parts of laws in conflict with this Act are repealed.