

Senate Bill 372

By: Senators Parent of the 42nd, Albers of the 56th, Bethel of the 54th, Millar of the 40th and Ginn of the 47th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 7 of Chapter 36 of Title 36 of the Official Code of Georgia Annotated,
2 relating to procedure for resolving annexation disputes, so as to provide for notice to the
3 Department of Community Affairs of county objections to annexation; to revise the period
4 for appointing arbitration panels; to revise the qualifications of certain persons eligible to
5 serve on arbitration panels; to provide for related matters; to provide for an effective date;
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 7 of Chapter 36 of Title 36 of the Official Code of Georgia Annotated, relating to
10 procedure for resolving annexation disputes, is amended by revising subsection (c) of Code
11 Section 36-36-113, relating to objection to annexation and grounds and procedures, as
12 follows:

13 "(c) The objection provided for in subsection (a) of this Code section shall document the
14 nature of the objection specifically providing evidence of any financial impact forming the
15 basis of the objection and shall be delivered to the municipal governing authority and the
16 Department of Community Affairs by certified mail, ~~or~~ statutory overnight delivery, or
17 e-mail with electronic read receipt to be received not later than the end of the thirtieth
18 calendar day following receipt of the notice provided for in Code Section 36-36-111."

19 **SECTION 2.**

20 Said article is further amended by revising subsections (a) and (b) of Code
21 Section 36-36-114, relating to arbitration panel, composition, and membership, as follows:

22 "(a) Not later than the fifteenth ~~calendar~~ business day following the date the municipal
23 corporation and the Department of Community Affairs received the first objection provided
24 for in Code Section 36-36-113, an arbitration panel shall be appointed as provided in this
25 Code section.

26 (b) The arbitration panel shall be composed of five members to be selected as provided in
27 this subsection. The Department of Community Affairs shall develop three pools of
28 arbitrators, one pool which consists of persons who are currently or within the previous six
29 years have been municipal elected officials, one pool which consists of persons who are
30 currently or within the previous six years have been county elected officials, and one pool
31 which consists of persons with a master's degree or higher in public administration or
32 planning and who are currently employed by an institution of higher learning with a
33 physical presence in this state, other than the Carl Vinson Institute of Government. The
34 pool shall be sufficiently large to ensure as nearly as practicable that no person shall be
35 required to serve on more than two panels in any one calendar year and serve on no more
36 than one panel in any given county in any one calendar year. The department is authorized
37 to coordinate with the Georgia Municipal Association, the Association County
38 Commissioners of Georgia, the Council of Local Governments, and similar organizations
39 in developing and maintaining such pools."

40 **SECTION 3.**

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

43 **SECTION 4.**

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