

ADOPTED SENATE**SENATE SUBSTITUTE TO HB 1253**

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 1 of Title 36 of the Official Code of Georgia Annotated, relating to
2 general provisions applicable to counties only, so as to provide for a new category of district;
3 to provide for legislative intent; to provide for definitions; to provide for new authority for
4 the Department of Community Affairs; to provide for a board and chairperson of such
5 districts; to provide for application procedures; to provide for authority to seek state and
6 federal funds; to provide for pilot programs; to amend Part 2 of Article 4 of Chapter 13 of
7 Title 45 and Chapter 3 of Title 50 of the Official Code of Georgia Annotated, relating to the
8 Capitol Arts Standards Commission and state flag, seal, and other symbols, respectively, so
9 as to provide for duties and responsibilities of the Capitol Arts Standards Commission; to
10 provide for placement of a monument in honor of the Honorable Clarence Thomas; to
11 provide for related matters; to repeal conflicting laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

14 Chapter 1 of Title 36 of the Official Code of Georgia Annotated, relating to general
15 provisions applicable to counties only, is amended by adding a new Code section to read as
16 follows:

17 "36-1-28.

18 (a) The General Assembly finds that there are numerous rural counties in this state that do
19 not have financial resources sufficient to provide all of the services needed by their
20 residents. In order to promote the health, prosperity, and general welfare of the residents
21 in such counties, a new category of district titled 'special rural district' shall be created.
22 Such districts shall be eligible to seek out the state and federal funds described in
23 Chapter 10 of Title 44 and such other funds as may become available.

24 (b) As used in this Code section, the term:

25 (1) 'Local governing body' means the elected governing body or governing authority of
26 a county of this state.

27 (2) 'Special rural district' means three or more rural counties with contiguous borders
28 with at least one of the other rural counties within such district in which each county
29 within such district has had declining revenue for the three previous consecutive years;
30 had a declining population for the three previous consecutive years; and has entered into
31 an agreement with other counties in such special rural district to consolidate services
32 within such district and to use a joint administrator for the administration or support of
33 the administration of all such services.

34 (c) The local governing body of one or more rural counties may elect to apply to the
35 Department of Community Affairs or its successor for the designation of special rural
36 district.

37 (d)(1) An approved special rural district shall be governed by a board comprised of the
38 chairperson of each county's governing authority or the sole commissioner for a county
39 with a sole commissioner form of government.

40 (2) Each special rural district board shall have a chairperson, and the role of chair shall
41 rotate every two years among the members of the special rural district board. Each
42 county that is part of a special rural district shall have its representative on the board
43 serve as the board's chairperson for a term before another county's representative on the
44 board may serve a subsequent term as chairperson of the special rural district.

45 (e) On or before December 31 of each year, the Department of Community Affairs shall
46 publish a list of all counties in this state which qualify as rural counties in accordance with
47 this Code section.

48 (f) The Department of Community Affairs shall be authorized to:

- 49 (1) Review all applications submitted pursuant to subsection (c) of this Code section;
50 (2) Determine all information that shall be required to be included in such applications
51 in accordance with this Code section; and
52 (3) Reject or approve such applications.

53 (g) As of July 1, 2026, failure of the Department of Community Affairs to reject or
54 approve an application within 45 days after the filing of such application shall constitute
55 approval.

56 (h) In the event that the Department of Community Affairs rejects an application, it shall
57 state its reasons for doing so and shall transmit a record of such action and the reasons
58 therefore, in writing, to the applicant.

59 (i) As of July 1, 2025, the Department of Community Affairs shall undertake a pilot
60 program through which up to three special rural districts may be created in the state. As
61 of July 1, 2026, there shall be no limit upon the number of special rural districts which may
62 be approved by said department."

63 **SECTION 2.**

64 Part 2 of Article 4 of Chapter 13 of Title 45 of the Official Code of Georgia Annotated,
65 relating to the Capitol Arts Standards Commission, is amended in Code Section 45-13-71,
66 relating to duties and responsibilities of commission, by adding a new paragraph to read as
67 follows:

68 "(5.1) To oversee the design, procurement, and placement of a monument honoring the
69 Honorable Clarence Thomas as provided for in Code Section 50-3-130;"

70 **SECTION 3.**

71 Chapter 3 of Title 50 of the Official Code of Georgia Annotated, relating to state flag, seal,
72 and other symbols, is amended by adding a new article to read as follows:

73 "ARTICLE 8

74 50-3-130.

75 (a) Subject to the availability of funds, there shall be placed within the Nathan Deal
76 Judicial Center or its grounds a monument honoring the Honorable Clarence Thomas.

77 (b)(1) Such monument shall be designed, procured, and placed by the Capitol Art
78 Standards Commission, subject to final approval by a monument committee composed
79 of the following members of the General Assembly:

80 (A) Two members of the House of Representatives appointed by the Speaker of the
81 House of Representatives;

82 (B) Two members of the Senate appointed by the Lieutenant Governor; and

83 (C) One member from each house of the General Assembly appointed by the
84 Governor.

85 (2) The monument committee established pursuant to this subsection shall stand
86 abolished upon placement of such monument.

87 (c) No public funds shall be expended for the design or procurement of such monument.
88 Gifts and donations from private individuals, organizations, or foundations shall be
89 accepted and expended by the Capitol Art Standards Commission to carry out the
90 requirements of this Code section.

91 (d) Such monument shall be procured and placed as soon as practicable but not before the
92 state has been granted any intellectual property license necessary for the purposes of this
93 Code section."

94

SECTION 4.

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