

House Bill 687

By: Representatives McDonald of the 26th, Jones of the 25th, Cox of the 28th, Jasperse of the 11th, and Clark of the 100th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 4 of Title 36 of the Official Code of Georgia Annotated, relating to
2 change or removal of county site, so as to authorize the expansion of the boundaries of a
3 county site in certain circumstances; to provide for related matters; to repeal conflicting laws;
4 and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 4 of Title 36 of the Official Code of Georgia Annotated, relating to change or
8 removal of county site, is amended by revising Code Section 36-4-1, relating to petition for
9 removal or change of county site, order of election, notice of election, qualifications of
10 voters, and frequency of elections, as follows:

11 "36-4-1.

12 (a) Whenever two-fifths of the electors of any county who are qualified to vote for
13 members of the General Assembly, as shown by the registration list last made out, shall
14 petition the judge of the probate court for the removal or change of the county site of the
15 county, the judge of the probate court shall at once grant an order directing an election to
16 be held at the various election precincts in the county not less than 40 nor more than 60

17 days thereafter. The petition shall state where the new county site is to be located. Notice
18 of the election shall be published weekly for four weeks previous to the day of the election
19 in the newspaper in which the sheriff publishes his legal notices. All persons qualified to
20 vote for members of the General Assembly shall be qualified to vote at the election.
21 Elections under this Code section shall not occur more often than once in five years.

22 (b)(1) In the event that the county site of a county is only designated as a municipality
23 within such county, in addition to the provisions provided for in subsection (a) of this
24 Code section, the governing authority of such county shall have the authority to modify
25 the location of the county site by enacting an ordinance to expand the boundary of the
26 county site beyond the corporate limits of such municipality to include any
27 unincorporated area within a two-mile radius of such corporate limits.

28 (2) The ordinance provided for in paragraph (1) of this subsection shall be adopted in the
29 same manner as provided for in Article IX, Section II, Paragraph I(b) of the Constitution
30 for a home rule ordinance amending a local Act applicable to a county's governing
31 authority."

32 **SECTION 2.**

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