

House Bill 1548

By: Representatives Lunsford of the 109<sup>th</sup>, Murphy of the 18<sup>th</sup>, Cash of the 108<sup>th</sup>, Westmoreland of the 104<sup>th</sup> and Yates of the 106<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 2 of Chapter 3 of Title 36 of the Official Code of Georgia Annotated,  
2 relating to proceedings to determine disputed county boundary lines, so as to provide that,  
3 subject to certain conditions, the affected counties may by mutual agreement determine  
4 where the disputed boundary line should lie; to provide that upon making certain findings the  
5 Secretary of State may accept such agreement and determine that it resolves the matter; to  
6 provide for recordation and effect of such agreement and determination; to provide for  
7 related matters; to provide an effective date; to repeal conflicting laws; and for other  
8 purposes.

9 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

10 **SECTION 1.**

11 Article 2 of Chapter 3 of Title 36 of the Official Code of Georgia Annotated, relating to  
12 proceedings to determine disputed county boundary lines, is amended by adding after Code  
13 Section 36-3-21 a new Code Section 36-3-21.1 to read as follows:

14 "36-3-21.1.

15 (a) At any time after certification of the grand jury presentment to the Governor and prior  
16 to a final determination by the Secretary of State under Code Section 36-3-24, the  
17 governing authorities of the affected counties may by mutual agreement determine where  
18 the disputed boundary line should lie. Any such agreement shall be evidenced by the  
19 adoption of an appropriate concurrent resolution by the governing authority of each  
20 affected county; and each such resolution shall incorporate or incorporate by reference an  
21 agreed upon plat, description, or other means of definitely ascertaining the boundary line.

22 (b) The resolutions of the affected counties shall be filed with the Secretary of State  
23 together with the agreed upon plat, description, or other means of definitely ascertaining  
24 the county line. If the Secretary of State finds that:

25 (1) Such resolutions meet the requirements of this Code section;

1 (2) The agreed upon plat, description, or other means adequately defines the boundary  
2 line;

3 (3) The surveyor, if appointed, has been adequately compensated for services performed  
4 to date or adequate arrangements have been made for the payment of such compensation;  
5 and

6 (4) The agreement is otherwise proper to terminate the boundary dispute,  
7 then the Secretary of State may enter a written determination that the disputed boundary  
8 line has been determined by agreement as authorized by this Code section. Such written  
9 determination, the concurrent resolutions of the affected counties, and the plat, description  
10 or other means of definitely ascertaining the boundary line shall be recorded in the same  
11 manner and with the same effect provided for in Code Section 36-3-25."

12 **SECTION 2.**

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

15 **SECTION 3.**

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