

House Bill 1548

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

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 style="text-align:center">**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.