

The House Committee on Judiciary offers the following substitute to HB 1548:

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 settlement of boundary disputes, so as to provide that, subject to certain
3 conditions, the affected counties may by mutual agreement determine where the boundary
4 line shall be located; to provide that upon making certain findings the Secretary of State may
5 accept such agreement and determine that it resolves the matter; to provide for recordation
6 and effect of such agreement and determination; to provide for related matters; to provide an
7 effective date; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 2 of Chapter 3 of Title 36 of the Official Code of Georgia Annotated, relating to
11 settlement of boundary disputes, is amended by adding after Code Section 36-3-21 a new
12 Code Section 36-3-21.1 to read as follows:

13 "36-3-21.1.

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

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

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

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

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

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

10

SECTION 2.

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

13

SECTION 3.

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