

House Bill 1748 (AS PASSED HOUSE AND SENATE)

By: Representative Reece of the 11<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act incorporating the Town of Trion, approved December 18, 1897, (Ga. L.  
2 1897, p. 352), as amended, particularly by an Act approved March 8, 1993 (Ga. L. 1993, p.  
3 4014), so as to provide authority for the Board of Education of the Town of Trion to set,  
4 approve, and amend its budget; to provide taxing authority and vest title of all property  
5 owned or occupied, now and in the future, in the board of education; to provide for a  
6 referendum; to provide effective dates; to provide for contingent automatic repeal; to repeal  
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act incorporating the Town of Trion, approved December 18, 1897, (Ga. L. 1897, p.  
11 352), as amended, particularly by an Act approved March 8, 1993 (Ga. L. 1993, p. 4014) is  
12 amended by striking subsection (b) of Section 11A and inserting in lieu thereof the  
13 following:

14 "(b) The Board of Education of the Town of Trion which was appointed and which existed  
15 on December 31, 1992, is continued in existence but on and after January 1, 1994, shall be  
16 constituted as provided in this section. The Board of Education of the Town of Trion so  
17 continued and constituted, sometimes referred to in this section as the 'board,' shall  
18 continue to have the powers, duties, rights, obligations, and liabilities of that Board of  
19 Education of the Town of Trion as they existed immediately prior to January 1, 1994, and  
20 include any additional powers, duties, rights, obligations, and liabilities as may be provided  
21 for by law, rule, or regulation. Such board of education shall be subject to all constitutional  
22 and general law provisions relating to boards of education."

**SECTION 2.**

Said Act is further amended in Section 11A by adding at the end thereof the following:

"(l) The Board of Education of the Town of Trion shall adopt an annual budget as is required by law without being required to obtain the approval of the governing body of the Town of Trion.

(m) The Board of Education of the Town of Trion shall annually certify to the mayor and council the rate of the tax levy, not greater than the mills per dollar allowable under the laws and Constitution of the State of Georgia, necessary for the support, maintenance, and operation of the schools in the Town of Trion Independent School District. The mayor and council shall levy the tax so certified by the board of education upon assessed value of all taxable property in the incorporated limits of the Town of Trion.

(n) After complying with the procedure for authorization of bonded debt set forth in Georgia law and applicable to public school districts, the Board of Education of the Town of Trion shall have the power and authority to issue bonds, notes, or both for capital outlay purposes, which may include buying and improving property for educational purposes and for the construction and maintenance of public schools and administrative offices and storage, maintenance, and transportation facilities established and maintained under the direction of the board, provided that the debt that may be created under this paragraph shall never exceed any limitations established by the Constitution or laws of the State of Georgia. Any millage limitation referred to in subsection (m) of this section shall not apply to the school tax levy necessary for the payment of the bonded indebtedness of the school district and shall apply only to the portion of the school tax levy for the support, maintenance, and operation of the school district.

(o) All property utilized or occupied by the Town of Trion Independent School District or the Board of Education of the Town of Trion for school purposes shall be vested in the Board of Education of the Town of Trion, and the board of education shall have the power to hold, manage, control, and dispose of such property."

**SECTION 3.**

Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election superintendent of the Town of Trion shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the Town of Trion for approval or rejection. The election superintendent shall conduct that election on the date of the general election in November, 2004, and shall issue the call and conduct that election as provided by general law. The superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the appropriate official organ. The ballot shall have written or printed thereon the words:

"( ) YES Shall the Act be approved which provides that the Board of Education of the Town of Trion shall adopt an annual budget, shall certify to the mayor and council a millage rate, shall authorize bonded debt consistent with state law, and shall be vested with all property utilized and occupied by the Board of Education?"

All persons desiring to vote for approval of the Act shall vote "Yes," and those persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on such question are for approval of the Act, Sections 1 and 2 of this Act shall become of full force and effect upon certification of the results of the election. If the Act is not so approved or if the election is not conducted as provided in this section, Sections 1 and 2 of this Act shall not become effective and this Act shall be automatically repealed upon certification of the results of the election. The expense of such election shall be borne by the Town of Trion. It shall be the election superintendent's duty to certify the result thereof to the Secretary of State.

## SECTION 4.

Except as otherwise provided in Section 3 of this Act, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

## SECTION 5.

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