

House Bill 975

By: Representatives Burkhalter of the 50<sup>th</sup>, Jones of the 46<sup>th</sup>, Willard of the 49<sup>th</sup>, Wilkinson of the 52<sup>nd</sup>, Martin of the 47<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to  
2 counties and municipal corporations in general, so as to provide that it shall be unlawful for  
3 any county or municipal corporation to issue any backdated license, permit, or other similar  
4 authorization under certain circumstances; to provide for a criminal penalty; to provide for  
5 related matters; to state legislative intent; to provide an effective date; to repeal conflicting  
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to counties and  
10 municipal corporations in general, is amended by adding a new Code Section 36-60-26 to  
11 read as follows:

12 "36-60-26.

13 (a) It shall be unlawful for any county, municipal corporation, or other issuing authority  
14 to issue any backdated license, permit, or other authorizing document, including but not  
15 limited to any building permit, sign permit, occupation tax certificate, zoning action,  
16 subdivision of land, final plat, or other similar authorization, in any territorial or geographic  
17 area which, due to the formation of a county, incorporation of a municipality, annexation  
18 or deannexation of territory, or other action, is no longer within the regulatory jurisdiction  
19 of said issuing authority. For purposes of this Code section, a license, permit, or other  
20 authorizing document shall be considered to be backdated if it in any manner purports to  
21 have been issued or have become effective prior to its actual date of issuance.

22 (b) A license, permit, or other authorizing document in violation of this Code section shall  
23 be void in its entirety, and no person shall acquire any rights thereunder.

24 (c) Any county or municipal officer or employee who knowingly violates this Code  
25 section shall be upon conviction guilty of a misdemeanor."

1   **SECTION 2.**

2 The General Assembly declares its belief that this Act is declaratory of previously existing  
3 law; and the passage of this Act shall not be construed to imply that prior law was to the  
4 contrary.

5   **SECTION 3.**

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

8   **SECTION 4.**

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