

House Bill 1015

By: Representatives Jones of the 46<sup>th</sup>, Burkhalter of the 50<sup>th</sup>, Martin of the 47<sup>th</sup>, Geisinger of the 48<sup>th</sup>, Willard of the 49<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 36-31-12 of the Official Code of Georgia Annotated, relating to  
2 special districts divided into noncontiguous areas, so as to provide for additional  
3 requirements regarding certain excess funds; to provide an effective date; to repeal  
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 36-31-12 of the Official Code of Georgia Annotated, relating to special  
8 districts divided into noncontiguous areas, is amended by revising subsection (b) as follows:

9 "(b)(1) When a municipal corporation is created by local Act within a county which has  
10 a special district for the provision of local government services consisting of the  
11 unincorporated area of the county and following the creation of said municipal  
12 corporation the special district is divided into two or more noncontiguous areas, any  
13 special district taxes, fees, and assessments collected in such a noncontiguous area shall  
14 be spent to provide services in that noncontiguous area. Effective January 1, 2006, for  
15 the purposes of this Code section, a noncontiguous area located within ten miles of  
16 another noncontiguous area may be treated as the same noncontiguous area.

17 (2) If, on the effective date of this paragraph, excess proceeds remain following the  
18 expenditure required under paragraph (1) of this subsection, such proceeds shall be  
19 disbursed immediately to the governing authority of the new municipality which is  
20 located in the noncontiguous area from which such proceeds were collected; provided,  
21 however, that with respect to newly annexed areas which have been annexed to a  
22 municipality other than the new municipality which are also located in such  
23 noncontiguous area, a pro rata amount of such excess funds shall be disbursed to the  
24 governing authority of the municipality to which such newly annexed areas were  
25 annexed."

1 **SECTION 2.**

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

4 **SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.