

House Bill 1015

By: Representatives Jones of the 46th, Burkhalter of the 50th, Martin of the 47th, Geisinger of the 48th, Willard of the 49th, 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."

