

House Bill 1491 (AS PASSED HOUSE AND SENATE)

By: Representatives Amerson of the 9th and Ralston of the 7th

A BILL TO BE ENTITLED
AN ACT

1 To authorize Dawson County to exercise all redevelopment and other powers under Article
2 IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the
3 O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to
4 provide effective dates; to provide for automatic repeal under certain circumstances; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Dawson County shall be and is authorized to exercise all redevelopment and other powers
9 under Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as
10 amended. The intention of this Act is to authorize Dawson County to undertake and carry
11 out community redevelopment, to create tax allocation districts, to issue tax allocation bonds,
12 and to incur other obligations within the meaning of and as fully permitted under the
13 provisions of Article IX, Section II, Paragraph VII(b) of the Constitution of the State of
14 Georgia of 1983, as amended, and to authorize Dawson County to exercise redevelopment
15 powers as fully as the "Redevelopment Powers Law" may now or hereafter permit and not
16 to limit any redevelopment powers permitted under the "Redevelopment Powers Law";
17 provided, however, that this authorization expressly excludes any powers of condemnation
18 or eminent domain.

19 **SECTION 2.**

20 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election
21 superintendent of Dawson County shall call and conduct an election as provided in this
22 section for the purpose of submitting this Act to the electors of Dawson County for approval
23 or rejection. The election superintendent shall conduct that election on a practicable date in
24 2010 authorized under O.C.G.A. Section 21-2-540 which shall be determined by resolution
25 of the governing authority of Dawson County; provided, however, that if the conduction of

26 the election on earlier authorized dates is impracticable, then the election superintendent shall
27 conduct the election on the date of the November, 2010, state-wide general election and shall
28 issue the call and conduct that election as provided by general law. The election
29 superintendent shall cause the date and purpose of the election to be published once a week
30 for two weeks immediately preceding the date thereof in the official organ of Dawson
31 County. The ballot shall have written or printed thereon the words:

32 "() YES Shall the Act be approved which authorizes Dawson County to exercise
33 redevelopment powers under the 'Redevelopment Powers Law,' as it may
34 () NO be amended from time to time?"

35 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring
36 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on
37 such question are for approval of the Act, then Section 1 of this Act shall become of full
38 force and effect immediately. If Section 1 of this Act is not so approved or if the election is
39 not conducted as provided in this section, Section 1 of this Act shall not become effective
40 and this Act shall be automatically repealed on the first day of January immediately
41 following that election date. The expense of such election shall be borne by Dawson County.
42 It shall be the election superintendent's duty to certify the result thereof to the Secretary of
43 State.

44 **SECTION 3.**

45 Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon
46 its approval by the Governor or upon its becoming law without such approval.

47 **SECTION 4.**

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