

House Bill 80 (COMMITTEE SUBSTITUTE)

By: Representatives Hamilton of the 23<sup>rd</sup>, Sheldon of the 105<sup>th</sup>, Holt of the 112<sup>th</sup>, Powell of the 29<sup>th</sup>, Rice of the 51<sup>st</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 36 of Title 36 of the Official Code of Georgia Annotated, relating to  
2 annexation of territory, so as to repeal Article 6, relating to annexation of unincorporated  
3 islands; to provide a definition; to provide for related matters; to provide an effective date;  
4 to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 36 of Title 36 of the Official Code of Georgia Annotated, relating to annexation of  
8 territory, is amended by repealing Article 6, relating to annexation of unincorporated islands.

9 **SECTION 2.**

10 Said chapter is further amended by revising subsection (b) of Code Section 36-36-4, relating  
11 to the prohibition on the creation of unincorporated islands, as follows:

12 "(b) When requested by resolution of the county governing authority, a municipality is  
13 authorized to provide any service or exercise any function within an unincorporated island.  
14 Such authority shall be in addition to any other authority of the municipality to provide  
15 extraterritorial services or functions. For purposes of this subsection, 'unincorporated  
16 island' ~~shall have the same meaning as contained in paragraph (3) of Code Section~~  
17 ~~36-36-90~~ means:

18 (A) An unincorporated area in existence on January 1, 1991, with its aggregate external  
19 boundaries abutting the annexing municipality;

20 (B) An unincorporated area in existence as of January 1, 1991, with its aggregate  
21 external boundaries abutting any combination of the annexing municipality and one or  
22 more other municipalities; or

23 (C) An unincorporated area in existence as of January 1, 1991, which the county  
24 governing authority has by resolution adopted not later than 90 days following July 1,  
25 1992, that identifies any unincorporated area of the county to which the county has no

26 reasonable means of physical access for the provision of services otherwise provided  
27 by the county governing authority solely to the unincorporated area of the county."

28 **SECTION 3.**

29 This Act shall become effective on January 1, 2013.

30 **SECTION 4.**

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