

House Bill 195 (AS PASSED HOUSE AND SENATE)

By: Representatives Taylor of the 79<sup>th</sup>, Jacobs of the 80<sup>th</sup>, and Parent of the 81<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To authorize the City of Dunwoody to exercise all redevelopment and other powers under  
2 Article IX, Section II, Paragraph VII 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 The City of Dunwoody shall be and is authorized to exercise all redevelopment and other  
9 powers 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 the City of Dunwoody to undertake and  
11 carry out community redevelopment, to create tax allocation districts, to issue tax allocation  
12 bonds, and to incur other obligations within the meaning of and as fully permitted under the  
13 provisions of Article IX, Section II, Paragraph VII of the Constitution of the State of Georgia  
14 of 1983, as amended, and to authorize the City of Dunwoody 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 **SECTION 2.**

18 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the municipal  
19 election superintendent of the City of Dunwoody shall call and conduct an election as  
20 provided in this section for the purpose of submitting this Act to the electors of the City of  
21 Dunwoody for approval or rejection. The municipal election superintendent shall conduct  
22 that election on a practicable date in 2011 or 2012 authorized under paragraph (2) of  
23 subsection (c) of Code Section 21-2-540 of the O.C.G.A.; provided, however, that if the  
24 conducting of the election under this Act on earlier authorized dates is impracticable, then  
25 the municipal election superintendent shall conduct the election under this Act on the

26 Tuesday after the first Monday in November, 2012, and shall issue the call and conduct that  
 27 election as provided by general law. The municipal election superintendent shall cause the  
 28 date and purpose of the election to be published once a week for two weeks immediately  
 29 preceding the date thereof in the official organ of DeKalb County. The ballot shall have  
 30 written or printed thereon the words:

31 "( ) YES Shall the Act be approved which authorizes the City of Dunwoody to  
 32 exercise redevelopment powers under the 'Redevelopment Powers Law' as  
 33 ( ) NO it may be amended from time to time?"

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

43 **SECTION 3.**

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

46 **SECTION 4.**

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