

House Bill 579

By: Representatives Marin of the 96<sup>th</sup> and Rice of the 51<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating a new charter for the City of Norcross, Georgia, approved March  
2 28, 1990 (Ga. L. 1990, p. 4934), as amended, particularly by an Act approved April 13, 2001  
3 (Ga. L. 2001, p. 3729), so as to change the corporate limits of the City of Norcross; to  
4 provide for a referendum; to provide for preclearance under the federal Voting Rights Act  
5 of 1965; to provide for effective dates and automatic repeal; to repeal conflicting laws; and  
6 for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act creating a new charter for the City of Norcross, Georgia, approved March 28, 1990  
10 (Ga. L. 1990, p. 4934), as amended, particularly by an Act approved April 13, 2001 (Ga. L.  
11 2001, p. 3729), is amended by adding at the end of Section 1.12 a new subsection (h) to read  
12 as follows:

13 "(h) In addition to all other territory included within the corporate limits of said city, the  
14 corporate limits shall specifically include the following described property, all of which is  
15 located in Gwinnett County, Georgia:

16 All that tract or parcel of land laying and being in land lots 214, 215, 216, 224, and 225  
17 of the 6th Land District of Gwinnett County, Georgia, which tract is more particularly  
18 described as follows.

19 Beginning at a point located at the intersection of the westerly right-of-way of Jimmy  
20 Carter Boulevard and the southerly right-of-way of Interstate 85, said point being the  
21 POINT OF BEGINNING; Thence in a northwesterly direction along the westerly  
22 right-of-way line of Jimmy Carter Boulevard to point at the intersection of said  
23 right-of-way and the eastern most property corner of 5900 Jimmy Carter Boulevard;  
24 Thence leaving said westerly right-of-way in northeasterly direction to a point at the  
25 intersection of the easterly right-of-way line of Jimmy Carter Boulevard and the  
26 Existing City of Norcross, Georgia City Limits Line; Thence in a northeasterly

[illegible]

southwesterly direction and Departing from the Existing City of Norcross, Georgia City Limits along the southerly right-of-way of Interstate 85 to the Point of Beginning.

## **SECTION 2.**

Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election superintendent of Gwinnett County shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the territory sought to be annexed into the City of Norcross under this Act for approval or rejection. The election superintendent shall conduct that election on the Tuesday after the first Monday in November in 2011 and shall issue the call and conduct that election as provided by general law. The election superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Gwinnett County. The ballot shall have written or printed thereon the words:

"( ) YES Shall the Act be approved which annexes certain land into the City of  
( ) NO Norcross?"

All persons desiring to vote for approval of the annexation shall vote "Yes," and all persons desiring to vote for rejection of the annexation shall vote "No." If more than one-half of the votes cast on such question are for approval of the annexation, then this Act shall become effective on January 1, 2012. If more than one-half of the votes cast on such question are for rejection of the annexation, this Act shall not become effective and shall be automatically repealed on the first day of January immediately following that election date. The expense of such election shall be borne by the City of Norcross. It shall be the election superintendent's duty to certify the result thereof to the Secretary of State.

## **SECTION 3.**

The governing authority of the City of Norcross shall, through its legal counsel, cause this Act to be submitted for preclearance under the federal Voting Rights Act of 1965, as amended; and such submission shall be made to the United States Department of Justice or filed with the appropriate court no later than 45 days after the date on which this Act is approved by the Governor or otherwise becomes law without such approval.

## **SECTION 4.**

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

## **SECTION 5.**

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