

House Bill 690

By: Representatives Rogers of the 29th, Hawkins of the 27th, Dunahoo of the 30th, and Barr of the 103rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 36 of the Official Code of Georgia Annotated, relating to local government,
2 so as to provide that a county may petition any municipality within such county that has
3 unincorporated islands within such municipality to annex such unincorporated islands; to
4 provide for binding mediation if the municipality fails to annex such islands; to provide for
5 related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended
9 by revising subsection (d) of Code Section 36-36-92, relating to annexation of
10 unincorporated islands, as follows:

11 "(d)(1) Annexations under this article shall be at the sole discretion of the governing
12 body of each municipality, except as otherwise provided in this subsection.

13 (2) Any county that contains a municipality which has within its corporate boundaries
14 unincorporated islands may, by resolution delivered to the governing authority of the
15 municipality, petition such municipality to annex all of such unincorporated islands
16 within such municipality. If the municipality fails or refuses to annex all of such
17 unincorporated islands within six months following the delivery of such resolution to the
18 governing authority of the municipality by the county petitioning the municipality to
19 annex such unincorporated islands, the county shall be authorized to undertake binding
20 mediation procedures with the municipality utilizing an arbitration panel as provided in
21 Code Section 36-36-114 to resolve the annexation of such unincorporated islands. Such
22 binding mediation shall be initiated by the county by filing a request for such mediation
23 with the Department of Community Affairs which shall form an arbitration panel under
24 Code Section 36-36-114 within 30 days following such request. Such request shall be
25 served on the governing authority of the municipality. The arbitration panel shall meet
26 with the parties as soon as practicable and resolve the issues between the county and the

27 municipality regarding the annexation of such unincorporated islands and shall render a
28 final decision within 90 days following the appointment of the panel. The final decision
29 shall be binding upon the county and the municipality. The county or the municipality
30 may appeal the decision of the arbitration panel in accordance with Code Section
31 36-36-116."

32 **SECTION 2.**

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