

House Bill 690 (COMMITTEE SUBSTITUTE)

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

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 mediation if the municipality fails to annex such islands; to provide for related  
5 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 some or all of such unincorporated  
16 islands within such municipality. If the municipality fails or refuses to annex all of such  
17 selected unincorporated islands within six months following the delivery of such  
18 resolution to the governing authority of the municipality by the county petitioning the  
19 municipality to annex such unincorporated islands, the county shall be authorized to  
20 undertake mediation procedures with the municipality utilizing an arbitration panel as  
21 provided in Code Section 36-36-114 to resolve the annexation of such unincorporated  
22 islands. Such mediation shall be initiated by the county by filing a request for such  
23 mediation with the Department of Community Affairs which shall form an arbitration  
24 panel under Code Section 36-36-114 within 30 days following such request. Such  
25 request shall be served on the governing authority of the municipality. The arbitration  
26 panel shall meet with the parties as soon as practicable and resolve the issues between the

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27 county and the municipality regarding the annexation of such unincorporated islands and  
28 shall render a recommendation within 90 days following the appointment of the panel.  
29 Either party not agreeing to and carrying out the recommendation of the panel shall pay  
30 the full costs and expenses of the other party for such mediation. The panel shall decide  
31 the appropriate costs and expenses to be paid."

32 **SECTION 2.**

33 All laws and parts of laws in conflict with this Act are repealed.