

House Bill 360

By: Representatives Beskin of the 54th, Brockway of the 102nd, Taylor of the 173rd, Kaiser of the 59th, Brooks of the 55th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 4 of Chapter 36 of Title 36 of the Official Code of Georgia Annotated,
2 relating to annexation pursuant to resolution and referendum, so as to provide that there shall
3 be held a referendum in the existing municipality; to provide that the approval of electors in
4 the municipality shall be required; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 4 of Chapter 36 of Title 36 of the Official Code of Georgia Annotated, relating to
8 annexation pursuant to resolution and referendum, is amended by revising Code Section
9 36-36-58, relating to referendum for ratification or rejection of annexation resolution
10 generally, procedure, and subsequent annexation attempt, as follows:

11 "36-36-58.

12 The municipal corporation shall issue a call for a referendum to ratify or reject the adoption
13 of the annexation resolution. The referendum shall be held not less than 30 days nor more
14 than 60 days after the date of the public hearing required by Code Section 36-36-57. The
15 referendum shall be held, insofar as possible, under the procedures set forth in Chapter 2
16 of Title 21 for special elections. ~~Only those~~ Those persons registered to vote for members
17 of the General Assembly residing, on the date of the adoption of the resolution, in the
18 proposed area to be annexed shall vote in the referendum. In addition, those persons
19 registered to vote for members of the General Assembly residing, on the date of the
20 adoption of the resolution, in the corporate limits of the municipality shall vote in the
21 referendum. If both a majority of those voting in the proposed area to be annexed and a
22 majority of those voting in the corporate limits of the municipality vote in favor of
23 annexation, the area shall become a part of the corporate limits of the municipality, but not
24 otherwise. If either a majority of those voting in the proposed area to be annexed or a
25 majority of those voting in the corporate limits of the municipality vote against the

26 annexation, a period of two years must elapse before annexation of the same area or any
27 portion thereof may be attempted again under authority of this article."

28 **SECTION 2.**

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