

House Bill 807

By: Representatives Stovall of the 74th, Scott of the 76th, Mabra of the 63rd, Jordan of the 77th, Glanton of the 75th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating one or more community improvement districts within Clayton
2 County, approved April 7, 1992 (Ga. L. 1992, p. 5698), so as to change certain provisions
3 relating to the purpose of the Act; to change the definition of the term "electors"; to change
4 the definition of the term "project"; to change certain provisions relating to taxes, fees, and
5 assessments; to change certain provisions relating to boundaries of such districts; to change
6 certain provisions relating to the powers of boards of such districts; to repeal conflicting
7 laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 SECTION 1.

10 An Act creating one or more community improvement districts within Clayton County,
11 approved April 7, 1992 (Ga. L. 1992, p. 5698), is amended by revising Section 2 as follows:

12 "SECTION 2.

13 Purpose.

14 The purpose of this Act shall be to provide for the creation of one or more community
15 improvement districts within Clayton County and each municipality therein, and such
16 districts shall be created for the provision of such of the following governmental services
17 and facilities as may be provided for in the resolution activating each district created
18 hereby, or any supplemental resolution amending same:

- 19 (1) Street and road construction and maintenance, including curbs, sidewalks, street
- 20 lights, and devices to control the flow of traffic on streets and roads;
- 21 (2) Parks and recreational areas and facilities;
- 22 (3) Storm water and sewage collection and disposal systems;
- 23 (4) Development, storage, treatment, purification, and distribution of water;
- 24 (5) Public transportation;

- 25 (6) Terminal and dock facilities and parking facilities; and
 26 (7) Such other services and facilities as may be provided for by general law."

27 **SECTION 2.**

28 Said Act is further amended by revising paragraph (7) of Section 3 as follows:

29 "(7) 'Electors' means the owners of real property within the district which is then subject
 30 to taxes, fees, and assessments levied by the board, as appear on the most recent ad
 31 valorem real property tax return records of Clayton County, or one officer or director of
 32 a corporate elector, one trustee of a trust which is an elector, one partner of a partnership
 33 elector, or one designated representative of an elector whose designation is made in
 34 writing. An owner of multiple parcels has one vote, not one vote per parcel. Multiple
 35 owners of one parcel have one vote which must be cast by one of their number whom
 36 they designate in writing."

37 **SECTION 3.**

38 Said Act is further amended by revising paragraph (11) of Section 3 as follows:

39 "(11) 'Project' means the acquisition, construction, installation, modification, renovation,
 40 or rehabilitation of land, interests in land, buildings, structures, facilities, or other
 41 improvements, including operation of facilities or other improvements, located or to be
 42 located within the district, or in another community improvement district immediately
 43 adjoining the district as to directly benefit the district, such benefit to be determined by
 44 the board, the acquisition, installation, modification, renovation, rehabilitation, or
 45 furnishing of fixtures, machinery, equipment, furniture, or other property of any nature
 46 whatsoever used on, in, or in connection with any such land, interest in land, building,
 47 structure, facility, or other improvement, and the creation, provision, enhancement, or
 48 supplementing of public services (such as fire, police, or other services), provided that
 49 same do not conflict with or duplicate existing public services, all for the essential public
 50 purposes set forth in Section 2 of this Act."

51 **SECTION 4.**

52 Said Act is further amended by revising subsection (b) of Section 6 as follows:

53 "(b) The board shall levy the above-provided taxes subsequent to the issuance of the tax
 54 digest containing the assessed taxable values for the current calendar year and notify in
 55 writing the collecting governing bodies so they may include the levy on their regular ad
 56 valorem tax bills."

57

SECTION 5.

58 Said Act is further amended in Section 7 by adding a new subsection to read as follows:

59 "(c) The boundaries of a district may also be increased after the initial creation of a district
60 to include property which is not at that time subject to taxes, fees, and assessments levied
61 by the board of the district by:

62 (1) The adoption of a resolution consenting to the annexation by the board of the district;
63 and

64 (2) The adoption of a resolution consenting to the annexation by the governing authority
65 of Clayton County, if any portion of the district is or is to be in the unincorporated area
66 of Clayton County, and/or the governing authority of such municipalities as may have
67 area within the district immediately before or immediately after the annexation."

68

SECTION 6.

69 Said Act is further amended in subsection (a) of Section 10 by deleting "and" at the end of
70 paragraph (17), by replacing the period with "; and" at the end of paragraph (18), and by
71 adding a new paragraph to read as follows:

72 "(19) To create, provide, enhance, or supplement public services such as fire, police, and
73 other such services as may be deemed necessary, provided that said services do not
74 conflict with or duplicate existing Clayton County or municipal corporation services."

75

SECTION 7.

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