

House Bill 638 (COMMITTEE SUBSTITUTE)

By: Representatives Rutledge of the 109th, Welch of the 110th, Strickland of the 111th,
Mathiak of the 73rd, Knight of the 130th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to provide a new charter for the City of Stockbridge, approved April 4,
2 1991 (Ga. L. 1991, p. 4359), as amended, so as to revise the corporate boundaries of the city;
3 to provide for related matters; to provide for a referendum; to provide for contingent effective
4 dates; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **PART I**
7 **SECTION 1-1.**

8 An Act to provide a new charter for the City of Stockbridge, approved April 4, 1991
9 (Ga. L. 1991, p. 4359), as amended, is amended by revising Section 1.11 by designating the
10 existing text as subsection (a) and inserting a new subsection to read as follows:

11 "(b) On and after January 1, 2019, the following described territory shall no longer be a
12 part of the corporate boundaries of the City of Stockbridge:

13 Plan: stockbr-deannex-2017

14 Plan Type: Local

15 Administrator: S017

16 User: Gina

17 District DEANNEX

18 Henry County

19 VTD: 15133 - SPIVEY COMMUNITY

20 070104:

21 1055

22 VTD: 15138 - HICKORY FLAT

23 070205:

24 1002 3002 3021 3026 3028 3030 3031 3033 3035 3036 3037 3038

25 3039 3040 3041 3042 3043 3044 3045 3046 3047 3051
 26 070309:
 27 1015 1016 1019 1020 1022 1023 2038 2039 2040 2042 2043 2044
 28 2045
 29 VTD: 15139 - STOCKBRIDGE EAST
 30 070114:
 31 1000 1001 1002 1003 1004 1005 1007 1008 1009 1010 1026 1028
 32 1029 1033 1035 1044 1054 1058 1062 1067 2028
 33 070309:
 34 1000
 35 VTD: 15140 - STOCKBRIDGE WEST
 36 070114:
 37 1013 1014 1015 1016 1017 1018 1019 1020
 38 VTD: 15142 - COTTON INDIAN
 39 070205:
 40 3012
 41 VTD: 15150 - PATES CREEK
 42 070104:
 43 1037 1047 1053 1054 1059 1064 2002 2003 2004 2005
 44 070305:
 45 3001 3003 3004 3005 3006
 46 VTD: 15153 - FLIPPEN
 47 070114:
 48 1040 1041 1042 1043 1045 1046 1059 1060 1065 2029
 49 070205:
 50 3009 3010 3011 3013 3014 3015
 51 070309:
 52 1001 1002 1004 1005 1006 1009 1010 1013 1037 2004 2016 2017
 53 2018 2020 2021 2028 2029 2033
 54 VTD: 15157 - DUTCHTOWN
 55 070305:
 56 3011
 57 VTD: 15160 - LAKE HAVEN
 58 070309:
 59 1029
 60 070310:
 61 2001

62 For the purposes of this description, the term 'VTD' shall mean and describe the same
 63 geographical boundaries as provided in the report of the Bureau of the Census for the
 64 United States decennial census of 2010 for the State of Georgia. The separate numeric
 65 designations in the description which are underneath a VTD heading shall mean and
 66 describe individual blocks within a VTD as provided in the report of the Bureau of the
 67 Census for the United States decennial census of 2010 for the State of Georgia.

68 The area being deannexed from the City of Stockbridge shall also include the following
 69 tax parcels as recorded by the Henry County Tax Assessor as of January, 2017:

70 053-01015000

71 053-01016000

72 053-01018000

73 053B06001000"

74 **SECTION 1-2.**

75 (a) In the event that, in the 2018 session, the General Assembly creates the City of Eagle's
 76 Landing and such creation is ratified by the voters in 2018 and the City of Stockbridge has
 77 annexed into the City of Stockbridge parcels of property which are contained in the corporate
 78 limits of the newly incorporated City of Eagle's Landing, such annexed parcels shall no
 79 longer be a part of the City of Stockbridge on January 1, 2019, and shall become part of the
 80 City of Eagle's Landing.

81 (b) In the event that, in the 2018 session, the General Assembly creates the City of Eagle's
 82 Landing and such creation is ratified by the voters in 2018, and the City of Stockbridge has
 83 annexed into the City of Stockbridge parcels of property which are not contained in the
 84 corporate limits of the new incorporated City of Eagle's Landing and which are no longer
 85 contiguous to the corporate boundaries of the City of Stockbridge, such annexed parcels shall
 86 no longer be a part of the City of Stockbridge on January 1, 2019, and shall become part of
 87 unincorporated Henry County.

88 **PART II**

89 **SECTION 2-1.**

90 Said Act is further amended by revising Section 1.11 by designating the existing text as
 91 subsection (a) and inserting a new subsection to read as follows:

92 "(b) The City of Stockbridge shall also include the following territory:

93 Plan: stock-annex-2017

94 Plan Type: Local

95 Administrator: S017

96 User: Gina

97 District ANNEX

98 Henry County

99 VTD: 15133 - SPIVEY COMMUNITY

100 070104:

101 1000 1010 1018 1028 1030 1057 3004 3005 3006 3007 3008 3009

102 3012 3013 3014 3015 3016 3017 3018 3019 3020 3021 3022 3027

103 3029 3030 3031 3032 3033 3034 3043 3044 3045 3052 3055 3059

104 3062 3063 3064 3069

105 VTD: 15139 - STOCKBRIDGE EAST

106 070114:

107 2000 2002 2003 2004 2006 2018 2022 2023 2025 2026 2033

108 VTD: 15140 - STOCKBRIDGE WEST

109 070111:

110 2007 2008 2015 2030 3000 3001 3002 3003 3004 3005 3006 3008

111 3009 3010 3011 3012 3014 3015 3022 3023

112 070114:

113 2019

114 VTD: 15141 - STAGECOACH

115 070106:

116 2033 2034

117 070113:

118 1047

119 VTD: 15142 - COTTON INDIAN

120 070205:

121 2022

122 VTD: 15154 - STOCKBRIDGE CENTER

123 070111:

124 1020 1021 1022 1023 1024."

125 **SECTION 2-2.**

126 The election superintendent of Henry County shall call and conduct an election as provided
 127 in this section for the purpose of submitting this Act to the electors of the territory sought to
 128 be annexed into the City of Stockbridge under this Act for approval or rejection. The
 129 election superintendent shall conduct such election on the date of and in conjunction with

130 the 2018 General Primary and shall issue the call and conduct such election as provided by
 131 general law. The election superintendent shall cause the date and purpose of the election to
 132 be published once a week for two weeks immediately preceding the date thereof in the
 133 official organ of Henry County. The ballot shall have written or printed thereon the words:

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

136 All persons desiring to vote for approval of the annexation shall vote "Yes" and all persons
 137 desiring to vote for rejection of the annexation shall vote "No." If more than one-half of the
 138 votes cast on such question are for approval of the annexation, then Section 2-1 of this Act
 139 shall become effective on January 1, 2019. If more than one-half of the votes cast on such
 140 question are for rejection of the annexation or if the election is not held as provided in this
 141 section, then Part II of this Act shall automatically be repealed on January 1, 2019. The
 142 expense of such election shall be borne by the City of Stockbridge. It shall be the election
 143 superintendent's duty to certify the result thereof to the Secretary of State.

144 **PART III**

145 **SECTION 3-1.**

146 (a) Part I of this Act shall become effective on January 1, 2019, provided that an Act to
 147 create the City of Eagle's Landing is enacted in the 2018 session of the General Assembly
 148 and is ratified by the voters in 2018. If no such Act is enacted or if it is not ratified by the
 149 voters, then Part I of this Act shall not be effective and shall be repealed by operation of law
 150 on January 1, 2019.

151 (b) Except as provided in Section 2-2 of this Act, Part II of this Act shall become effective
 152 upon its approval by the Governor or upon its becoming law without such approval, provided
 153 that an Act to create the City of Eagle's Landing is enacted in the 2018 session of the General
 154 Assembly and signed by the Governor. If no such Act is enacted and signed by the
 155 Governor, then Part II of this Act shall not be effective and shall be repealed by operation of
 156 law on January 1, 2019.

157 (c) Part III of this Act shall become effective upon its approval by the Governor or upon its
 158 becoming law without such approval.

159 **SECTION 3-2.**

160 Directory nature of dates.

161 It is the intention of the General Assembly that this Act be construed as directory rather than
 162 mandatory with respect to any date prescribed in this Act. If it is necessary to delay any

163 action called for in this Act for providential cause or any other reason, it is the intention of
164 the General Assembly that the action be delayed rather than abandoned. Any delay in
165 performing any action under this Act, whether for cause or otherwise, shall not operate to
166 frustrate the overall intent of this Act. Without limiting the generality of the foregoing, it is
167 specifically provided that:

168 (1) If it is not possible to hold the referendum election provided for in Section 2-2 of this
169 Act on the date specified in that section, then such referendum shall be held as soon
170 thereafter as is reasonably practicable; and

171 (2) If the bill creating the City of Eagle's Landing is enacted by the General Assembly
172 in 2018 but the referendum on the incorporation of the City of Eagle's Landing is delayed
173 for any reason, then the dates in this Act shall be adjusted accordingly to accommodate
174 such delay.

175 **SECTION 3-3.**

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