

House Bill 1004

By: Representatives Jones of the 91<sup>st</sup>, Mitchell of the 88<sup>th</sup>, Kendrick of the 93<sup>rd</sup>, Stephenson of the 90<sup>th</sup>, Carter of the 92<sup>nd</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 5 of Chapter 36 of Title 36 of the Official Code of Georgia Annotated,  
2 relating to limitation on annexation of areas furnished services or included in comprehensive  
3 zoning plan by certain counties, so as to prohibit annexations by governing authorities of  
4 municipal corporations absent approval by the governing authority of the affected county or  
5 counties in any county that imposes a sales tax for educational purposes and imposes a sales  
6 tax levied for the purposes of a metropolitan area system of public transportation; to provide  
7 for applicability; to provide for related matters; to provide for an effective date; to repeal  
8 conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 Article 5 of Chapter 36 of Title 36 of the Official Code of Georgia Annotated, relating to  
12 limitation on annexation of areas furnished services or included in comprehensive zoning  
13 plan by certain counties, is amended by revising Code Section 36-36-70, which is reserved,  
14 as follows:

15 "36-36-70.

16 (a) Subsection (b) of this Code section shall only apply to municipal corporations of this  
17 state located wholly or partially within a county that levies a sales tax for educational  
18 purposes pursuant to Article VIII, Section VI, Paragraph IV of the Constitution, a sales tax  
19 for the purposes of a metropolitan area system of public transportation, and a sales and use  
20 tax pursuant to Article 2A of Chapter 8 of Title 48 where a municipal corporation initiates  
21 proceedings pursuant to this chapter to annex territory located in the unincorporated portion  
22 of such county.

23 (b) No governing authority of a municipal corporation described in subsection (a) of this  
24 Code section shall annex territory described in said subsection without obtaining the  
25 approval of the governing authority of the county in which the territory is located.

26 **Reserved."**

27

**SECTION 2.**

28 This Act shall become effective upon its approval by the Governor or upon its becoming law  
29 without such approval.

30

**SECTION 3.**

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