

House Bill 980

By: Representatives Anulewicz of the 42<sup>nd</sup>, Stephens of the 164<sup>th</sup>, Wilensky of the 79<sup>th</sup>, Henson of the 86<sup>th</sup>, and Carpenter of the 4<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 66 of Title 36 of the Official Code of Georgia Annotated, relating to  
2 zoning procedures, so as to define the term "family" in relation to local governments  
3 exercising zoning powers or administering and enforcing building, housing, or property  
4 maintenance codes; to define other terms; to provide for related matters; to repeal conflicting  
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 66 of Title 36 of the Official Code of Georgia Annotated, relating to zoning  
9 procedures, is amended by adding a new Code section to read as follows:

10 "36-66-7.

11 (a) As used in this Code section, the term:

12 (1) 'Disabled household' means a household whose head, including any co-head, spouse,  
13 or sole member, is a disabled person, including two or more disabled persons living  
14 together or one or more disabled persons living with one or more live-in aides.

15 (2) 'Disabled person' means a person who has a physical, mental, developmental, or  
16 emotional impairment that:

17 (A) Is expected to be of long-continued and indefinite duration;

18 (B) Substantially impedes his or her ability to live independently; and

19 (C) Is of such a nature that such ability could be improved by more suitable housing  
20 conditions.

21 (3) 'Elderly household' means a household whose head, including any co-head, spouse,  
22 or sole member, is a person who is at least 62 years of age, including two or more persons  
23 who are at least 62 years of age living together or one or more persons who are least 62  
24 years of age living with one or more live-in aides.

25 (4) 'Elderly person' means a person who is at least 62 years of age.

26 (5) 'Family' means:

- 27 (A) A single person, who may be an elderly person, disabled person, near-elderly  
 28 person, or any other single person; or  
 29 (B) A group of persons residing together and such group includes, but is not limited  
 30 to:  
 31 (i) A household with or without children, including a child who is temporarily away  
 32 from the household because of placement in foster care;  
 33 (ii) An elderly household;  
 34 (iii) A near-elderly household;  
 35 (iv) A disabled household; and  
 36 (v) The remaining members of a household.  
 37 (6) 'Near-elderly household' means a household whose head, including co-head, spouse,  
 38 or sole member, is a person who is at least 50 years of age but below the age of 62, two  
 39 or more persons who are at least 50 years of age but below the age of 62 living together,  
 40 or one or more persons who are at least 50 years of age but below the age of 62 living  
 41 with one or more live-in aides.  
 42 (7) 'Near-elderly person' means a person who is at least 50 years of age but below the age  
 43 of 62.  
 44 (b) No county, municipality, consolidated government, or any authority, board, or  
 45 commission of a county, municipality, or consolidated government exercising zoning  
 46 powers whether created by or pursuant to a general state law, a local act of the General  
 47 Assembly, or a local constitutional amendment shall be authorized to use any other  
 48 definition of the term 'family' than that provided for in paragraph (5) of subsection (a) of  
 49 this Code section for any zoning decision, the exercise of zoning powers, or the  
 50 administration and enforcement of any building, development, housing, or property  
 51 maintenance codes."

52 **SECTION 2.**

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