

The House Committee on Governmental Affairs offers the following substitute to HB 1253:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 1 of Title 36 of the Official Code of Georgia Annotated, relating to  
2 general provisions applicable to counties only, so as to provide for a new category of district;  
3 to provide for legislative intent; to provide for definitions; to provide for new authority for  
4 the Department of Community Affairs; to provide for a board and chairperson of such  
5 districts; to provide for application procedures; to provide for authority to seek state and  
6 federal funds; to provide for pilot programs; to amend Part 1 of Article 2 of Chapter 8 of  
7 Title 50 of the Official Code of Georgia Annotated, relating to regional commissions, so as  
8 to revise the composition of the governing council for regional commissions; to provide for  
9 the training of members thereof; to provide for terms of office, filling of vacancies, and  
10 appointment of successors; to provide for related matters; to repeal conflicting laws; and for  
11 other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

14 Chapter 1 of Title 36 of the Official Code of Georgia Annotated, relating to general  
15 provisions applicable to counties only, is amended by adding a new Code section to read as  
16 follows:

H. B. 1253 (SUB)

17 "36-1-28.

18 (a) The General Assembly finds that there are numerous rural counties in this state that do  
19 not have financial resources sufficient to provide all of the services needed by their  
20 residents. In order to promote the health, prosperity, and general welfare of the residents  
21 in such counties, a new category of district titled 'special rural district' shall be created.  
22 Such districts shall be eligible to seek out the state and federal funds described in  
23 Chapter 10 of Title 44 and such other funds as may become available.

24 (b) As used in this Code section, the term:

25 (1) 'Local governing body' means the elected governing body or governing authority of  
26 a county of this state.

27 (2) 'Special rural district' means three or more rural counties with contiguous borders  
28 with at least one of the other rural counties within such district in which each county  
29 within such district has had declining revenue for the three previous consecutive years;  
30 had a declining population for the three previous consecutive years; and has entered into  
31 an agreement with all other counties in such special rural district to consolidate all  
32 services within such district and to use a joint administrator for the administration or  
33 support of the administration of all such services.

34 (c) The local governing body of one or more rural counties may elect to apply to the  
35 Department of Community Affairs or its successor for the designation of special rural  
36 district.

37 (d)(1) An approved special rural district shall be governed by a board comprised of the  
38 chairperson of each county's governing authority or the sole commissioner for a county  
39 with a sole commissioner form of government.

40 (2) Each special rural district board shall have a chairperson, and the role of chair shall  
41 rotate every two years among the members of the special rural district board. Each  
42 county that is part of a special rural district shall have its representative on the board

43 serve as the board's chairperson for a term before another county's representative on the  
44 board may serve a subsequent term as chairperson of the special rural district.

45 (e) On or before December 31 of each year, the Department of Community Affairs shall  
46 publish a list of all counties in this state which qualify as rural counties in accordance with  
47 this Code section.

48 (f) The Department of Community Affairs shall be authorized to:

49 (1) Review all applications submitted pursuant to subsection (c) of this Code section;

50 (2) Determine all information that shall be required to be included in such applications  
51 in accordance with this Code section; and

52 (3) Reject or approve such applications.

53 (g) As of July 1, 2026, failure of the Department of Community Affairs to reject or  
54 approve an application within 45 days after the filing of such application shall constitute  
55 approval.

56 (h) In the event that the Department of Community Affairs rejects an application, it shall  
57 state its reasons for doing so and shall transmit a record of such action and the reasons  
58 therefore, in writing, to the applicant.

59 (i) As of July 1, 2025, the Department of Community Affairs shall undertake a pilot  
60 program through which up to three special rural districts may be created in the state. As  
61 of July 1, 2026, there shall be no limit upon the number of special rural districts which may  
62 be approved by said department."

63 **SECTION 2.**

64 Part 1 of Article 2 of Chapter 8 of Title 50 of the Official Code of Georgia Annotated,  
65 relating to regional commissions, is amended by revising subsection (b) of Code  
66 Section 50-8-34, relating to councils of regional commissions, membership, terms of  
67 membership, voting, officers, and powers, as follows:

68 ~~“(b) The manner of selecting such regional commission councilmembers shall be as~~  
69 ~~prescribed by its bylaws and membership on the council shall be determined as follows:~~

70 ~~(1) The council shall include the chief elected official of each county governing body in~~  
71 ~~the region for a period of time concurrent with each such elected official's term of elected~~  
72 ~~office. If the chief elected official for a county is unable to serve on the council, he or she~~  
73 ~~shall appoint another elected county official. In the case of a consolidated government~~  
74 ~~where there is not another municipality located within the boundaries of the county, a~~  
75 ~~second member of such consolidated government shall be appointed to the board;~~

76 ~~(2) The council shall include one elected official from one municipality in each county~~  
77 ~~in the region for a period of time concurrent with each such elected official's term of~~  
78 ~~elected office;~~

79 ~~(3) The council shall include three residents of the region appointed by the Governor,~~  
80 ~~each for a term of two years. One of such three appointees shall be a member of a school~~  
81 ~~board located within the region or a superintendent of schools within the region, and two~~  
82 ~~of such three appointees shall be nonpublic councilmembers;~~

83 ~~(4) The council shall include one nonpublic councilmember appointed by the Lieutenant~~  
84 ~~Governor for a term of two years and one nonpublic councilmember appointed by the~~  
85 ~~Speaker of the House of Representatives for a term of two years; and~~

86 ~~(5) The council may include any additional members determined necessary by the~~  
87 ~~commissioner for purposes of complying with laws or regulations, or otherwise. Any~~  
88 ~~such additional members shall be selected by the council and shall serve for a term of one~~  
89 ~~year.~~

90 (b)(1) Those members serving on the council of a regional commission on July 1, 2024,  
91 shall serve until December 31, 2024, and on that date, their terms on the council shall  
92 end. On and after January 1, 2025, the council of each regional commission shall be  
93 composed and selected in accordance with the provisions of this subsection.

94 (2) On and after January 1, 2025, the council of each regional commission shall consist  
95 of the following members:

96 (A) The chief elected official of each county governing authority in such region who  
97 shall serve for a term of office on the council concurrent with such official's term of  
98 office as chief elected official of such county; provided, however, that such chief  
99 elected official may designate another member of the county's governing authority to  
100 serve in his or her place;

101 (B) A number of elected officials of municipalities located within the region equal to  
102 the number of counties in the region, provided that each county in the region shall have  
103 an elected official of a municipality on the council. Such officials shall be elected by  
104 a caucus of all of the chief elected officials of the municipalities within the region.  
105 Such members shall serve for terms of two years and until their respective successors  
106 are appointed and qualified; provided, however, that one-half of the initial appointees  
107 shall be appointed to serve initial one-year terms beginning on January 1, 2025, and  
108 ending on December 31, 2025, and until their respective successors are appointed and  
109 qualified, and one-half of the initial appointees shall be appointed to serve initial  
110 two-year terms beginning on January 1, 2025, and ending on December 31, 2026, and  
111 until their respective successors are appointed and qualified. In the event that there is  
112 an odd number of counties in the region, the odd member shall be appointed to an initial  
113 two-year term in accordance with this subparagraph. In making such appointments, the  
114 department shall consider the demographic diversity of the region. The initial  
115 appointees under this subparagraph shall be appointed not later than December 1, 2024;

116 (C) A number of members equal to the number of counties in the region who are not  
117 elected members of the county governing authorities or municipal governing authorities  
118 in the region. Such members shall be appointed by the Governor in consultation with  
119 the department. The department may solicit nominations from the citizens and  
120 governmental entities located in the region for this purpose. In making such

121 appointments, the Governor shall consider the regional commitment of such candidates,  
122 their past contributions to the government and economy of the region, their  
123 commitment to the council, their leadership abilities, and their knowledge of state and  
124 local government as well as demographic diversity of the region. At least two of the  
125 appointees shall be the chairpersons of county boards of education in the region. Such  
126 members shall serve for terms of two years and until their respective successors are  
127 appointed and qualified; provided, however, that one-half of the initial appointees shall  
128 be appointed to serve initial one-year terms beginning on January 1, 2025, and ending  
129 on December 31, 2025, and until their respective successors are appointed and  
130 qualified, and one-half of the initial appointees shall be appointed to serve initial  
131 two-year terms beginning on January 1, 2025, and ending on December 31, 2026, and  
132 until their respective successors are appointed and qualified. In the event that there is  
133 an odd number of counties in the region, the odd member shall be appointed to an initial  
134 one-year term in accordance with this subparagraph. The initial appointees under this  
135 subparagraph shall be appointed not later than December 1, 2024; and  
136 (D) One member appointed by the Lieutenant Governor for a term of two years and  
137 one member appointed by the Speaker of the House of Representatives for a term of  
138 two years, provided that such members are not elected members of the county  
139 governing authorities or municipal governing authorities in the region.  
140 (3) The seats on the council for members serving on the council pursuant to  
141 subparagraphs (A) and (B) of paragraph (2) of this subsection shall be vacated upon any  
142 such member ceasing to be a chief elected official of a county or municipality.  
143 (4) Within six months of taking office as a member of the council, the department shall  
144 provide assistance to the regional commission, as necessary, to ensure that all members  
145 of regional councils complete appropriate training in their duties, tasks, and  
146 responsibilities. If any member fails to complete the training specified by the department  
147 within six months of taking office as a member of the council, such member's seat shall

148 be vacated by operation of law unless the department provides a waiver to such member  
149 for such training.

150 (5) Vacancies on a council shall be filled in the same manner as the original appointment  
151 for the unexpired term of the member.

152 (6) Successors appointed for members appointed pursuant to subparagraphs (B) and (C)  
153 of paragraph (2) of this subsection shall be appointed by the original appointing authority  
154 not later than December 1 of the year that the member's term expires in the same manner  
155 as the original appointment."

156 **SECTION 3.**

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