

Senate Bill 558

By: Senator Harrell of the 40th

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act creating a new charter for the City of Doraville, approved October 13, 1971
 2 (Ga. L. 1971, Ex. Sess., p. 2154), as amended, so as to change the corporate limits of such
 3 city; to provide descriptions; to provide for a referendum, effective dates, automatic repeal,
 4 mandatory execution of election, and judicial remedies regarding failure to comply; to repeal
 5 conflicting laws; and for other purposes

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act reincorporating the City of Doraville in the County of DeKalb, approved
 9 October 13, 1971 (Ga. L. 1971, Ex. Sess., p. 2154), as amended, is amended by revising the
 10 description of the corporate limits of the City of Doraville in Appendix A by adding at the
 11 end the following:

12 "(2024-B)(1) In addition to all other territory included within the corporate limits of said
 13 city, the corporate limits shall specifically include the following described property, all
 14 of which is located in DeKalb County, Georgia:

15 Doraville-Annex-2024

16 District B

17 County DeKalb GA

18 VTD Doraville South (DOR)

19 Block 021307

20 3005

21 VTD Oakcliff Elem

22 Block 021307

23 2001 2005 3007 3008 3009 3010 3011

24 (A) The term 'VTD' shall mean and describe the same geographical boundaries as
25 provided in the report of the Bureau of the Census for the United States decennial
26 census of 2020 for the State of Georgia. The separate numeric designations in a district
27 description which are underneath a VTD heading shall mean and describe individual
28 Blocks within a VTD as provided in the report of the Bureau of the Census for the
29 United States decennial census of 2020 for the State of Georgia; and

30 (B) Except as otherwise provided in the description of any district, whenever the
31 description of any district refers to a named city, it shall mean the geographical
32 boundaries of that city as shown on the census maps for the United States decennial
33 census of 2020 for the State of Georgia.

34 (2) For the purposes of the description provided in this Act, the term 'VTD' shall mean
35 and describe the same geographical boundaries as provided in the report of the Bureau
36 of the Census for the United States decennial census of 2020 for the State of Georgia.
37 The separate numeric designations in a district description which are underneath a 'VTD'
38 heading shall mean and describe individual blocks within a VTD as provided in the report
39 of the Bureau of the Census for the United States decennial census of 2020 for the State
40 of Georgia.

41 (3) Any property described in this Act which on the effective date of this Act is already
42 incorporated within the corporate limits of a municipality other than the City of Doraville
43 shall not be included within the boundaries of the City of Doraville by operation of this
44 Act; provided, however, that nothing in this paragraph shall operate to prevent any such

45 property from being annexed into the City of Doraville in the future if such property is
 46 no longer located within the corporate limits of another municipality.

47 (4) Any property described in this Act which on the effective date of this Act is the right
 48 of way of State Route 403, also known as Interstate 85, or the right of way of State
 49 Route 407, also known as Interstate 285, shall not be included within the boundaries of
 50 the City of Doraville by operation of this Act; provided, however, that nothing in this
 51 paragraph shall operate to prevent any such property from being annexed into the City
 52 of Doraville in the future."

53 SECTION 2.

54 The election superintendent of DeKalb County shall call and conduct a special election as
 55 provided in this section for the purpose of submitting the annexation provided for in this Act
 56 to the electors of the territory sought to be annexed into the City of Doraville under this Act
 57 for approval or rejection. The election superintendent shall conduct such election on the
 58 Tuesday next following the first Monday in November, 2024, and shall issue the call and
 59 conduct such election as provided by general law. The election superintendent shall cause
 60 the date and purpose of the election to be published once a week for two weeks immediately
 61 preceding the date thereof in the official organ of DeKalb County. The ballot shall have
 62 written or printed thereon the words:

63 "() YES Shall the provisions of the Act which annexes certain land, identified as
 64 () NO 2024 Annexation District B, into the City of Doraville be approved?"

65 All persons desiring to vote for approval of the annexation shall vote "Yes," and all persons
 66 desiring to vote for rejection of the annexation shall vote "No." If more than one-half of the
 67 votes cast on such question are for approval of the annexation, then this Act shall become
 68 effective on the first day of the month following the month during which the voters approve
 69 such question for all purposes other than ad valorem tax purposes and on
 70 December 31, 2024, for ad valorem tax purposes. If more than one-half of the votes cast on

71 such question are for rejection of the annexation, this Act shall not become effective and
72 shall be automatically repealed on July 1, 2025. The expense of such election shall be borne
73 by the City of Doraville. It shall be the election superintendent's duty to certify the result
74 thereof to the Secretary of State. The provisions of this section shall be mandatory upon the
75 election superintendent and are not intended as directory. If the election superintendent fails
76 or refuses to comply with this section, any resident of the City of Doraville or an elector of
77 the territory described in Section 1 of this Act may apply for a writ of mandamus to compel
78 the election superintendent to perform his or her duties under this section. If the court finds
79 that the election superintendent has not complied with this section, the court shall fashion
80 appropriate relief requiring the election superintendent to call and conduct such election on
81 the date required by this section or on the next date authorized for special elections as
82 provided for in Code Section 21-2-540 of the O.C.G.A.

83 **SECTION 3.**

84 Except as provided in Section 2, this Act shall become effective upon its approval by the
85 Governor or upon its becoming law without such approval.

86 **SECTION 4.**

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