House Bill 1753

By: Representatives Wiles of the 34th, Hines of the 38th, Manning of the 32nd, Wix of the 33rd, Ehrhart of the 36th and others

A BILL TO BE ENTITLED

AN ACT

To authorize the City of Kennesaw to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

The City of Kennesaw shall be and is authorized to exercise all redevelopment and other powers under Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended. The intention of this Act is to authorize the City of Kennesaw to undertake and carry out community redevelopment, to create tax allocation districts, to issue tax allocation bonds, and to incur other obligations within the meaning of and as fully permitted under the provisions of Article IX, Section II, Paragraph VII of the Constitution of the State of Georgia of 1983, as amended, and to authorize the City of Kennesaw to exercise redevelopment powers as fully as the "Redevelopment Powers Law" may now or hereafter permit and not to limit any redevelopment powers permitted under the "Redevelopment Powers Law."

SECTION 2.

Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election superintendent of the City of Kennesaw shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the City of Kennesaw for approval or rejection. The election superintendent shall conduct that election on the date of the November, 2002, general election and shall issue the call and conduct that election as provided by general law. The superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Cobb County. The ballot shall have written or printed thereon the words:

"( ) YES Shall the Act be approved which authorizes Kennesaw to exercise redevelopment powers under the 'Redevelopment Powers Law,' as it may
( ) NO be amended from time to time?"

All persons desiring to vote for approval of the Act shall vote "Yes," and those persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on such question are for approval of the Act, then Section 1 of this Act shall become of full force and effect immediately. If Section 1 of this Act is not so approved or if the election is not conducted as provided in this section, Section 1 of this Act shall not become effective and this Act shall be automatically repealed on the first day of January immediately following that election date. The expense of such election shall be borne by the City of Kennesaw. It shall be the election superintendent´s duty to certify the result thereof to the Secretary of State.

SECTION 3.

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

SECTION 4.

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