

House Bill 7EX1

By: Representatives Buck of the 135th, Smyre of the 136th, Taylor of the 134th, Hugley of the 133rd, Roberts of the 132nd and others

A BILL TO BE ENTITLED
AN ACT

To amend an Act providing for a new charter for the county-wide government of Columbus, Georgia, approved April 5, 1993 (Ga. L. 1993, p. 4978), as amended, so as to change certain provisions regarding territory included or excluded from such consolidated government; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act providing for a new charter for the county-wide government of Columbus, Georgia, approved April 5, 1993 (Ga. L. 1993, p. 4978), as amended, is amended by striking Section 1-100 and inserting in its place a new Section 1-100 to read as follows:

"SECTION 1-100.

Consolidation of city and county; creation of
consolidated government; name.

The governmental and corporate powers, duties and functions now vested in the City of Columbus, a municipal corporation created by an Act of the General Assembly approved December 19, 1828 (Ga. L. 1828, p. 153), as amended, and particularly but not in limitation as amended by an Act of the General Assembly approved August 5, 1921 (Ga. L. 1921, p. 800), as amended, are hereby consolidated with the governmental and corporate powers, duties and functions of the County of Muscogee, such consolidation of the governments of the City of Columbus and the County of Muscogee being pursuant to constitutional power granted by Article XI, Section I, Paragraph VII of the Constitution of Georgia of 1945, as amended, particularly by an amendment ratified at the general election held on November 5, 1968 (Ga. L. 1968, p. 1508), and in accordance with an Act of the General Assembly approved April 25, 1969 (Ga. L. 1969, p. 3571). Said consolidation shall result in the establishment of a single county-wide government with powers and jurisdiction throughout the territorial limits of Muscogee County, which single government shall supersede and replace the governments of the City of Columbus and the County of Muscogee and, to the extent provided in this Charter, shall also supersede and replace any public authorities and special service districts located and operating within Muscogee County. All areas of Muscogee County outside of the Fort Benning Reservation are hereby annexed as a part of the City of Columbus and shall become hereby a part of the City of Columbus which is hereby consolidated with Muscogee County, and the single government

hereby created shall be considered for all purposes as being a consolidation of the governments of Columbus as defined hereby with the County of Muscogee, and the single government which supersedes and replaces the governments of the City of Columbus and County of Muscogee shall be considered as a consolidation of the City of Columbus with boundaries to the Muscogee County line with the exception of the Fort Benning Reservation. It is the express intention of the General Assembly in enacting this provision to declare as a city and as a part of the City of Columbus all the area of Muscogee County with the exception of the Fort Benning Reservation. Said county-wide government shall be a new political entity, a body politic and corporate, and a political subdivision of the State, to be known as 'Columbus, Georgia,' (herein at times called 'the consolidated government') having all of the governmental and corporate powers, duties and functions heretofore held by and vested in the City of Columbus and Muscogee County, and also the powers, duties and functions provided in this Charter. The consolidated government shall be a public corporation; shall have perpetual succession; shall, without the necessity or formality of a deed, bill of sale or other instrument of transfer, own, possess and hold all the properties (of whatsoever kind or nature), assets, contracts, franchises, things, rights, privileges, immunities, real and personal property theretofore owned, possessed, enjoyed or held by the City of Columbus and the County of Muscogee; and by the name of Columbus, Georgia shall be able to contract and be contracted with, sue and be sued as provided by this Charter, plead and be impleaded, in all courts of this State, and do all other acts relating to its corporate capacity; and shall be able in law and equity to purchase, have and hold, receive, enjoy, accept, possess and retain for the use and benefit of said Columbus, Georgia, in perpetuity or for any term of years, any estate or estates (real or personal), lands, tenements, hereditaments of whatsoever kind or nature within or without the territorial limits of the consolidated government, as may be devised, bequeathed, sold or by any manner conveyed or dedicated to or otherwise acquired by the consolidated government, and to use, manage, and improve, sell and convey, rent or lease same; and to have and use a common seal. From and after the effective date of the Charter, the political subdivision known as Muscogee County, Georgia, and the municipal corporation known as the City of Columbus, Georgia shall be merged into the said new political entity herein created. As of January 1, 2001, the Town of Bibb City, which on December 7, 2000, deactivated itself as a separate municipality under the provisions of Code Section 36-30-7.1 of the O.C.G.A., and the municipal charter of which was repealed by an Act approved April 13, 2001 (Ga. L. 2001, p. 3592), is merged into the political entity created by the consolidation of the City of Columbus and Muscogee County, and said Bibb City is hereby annexed as a part of the City of Columbus which is consolidated with Muscogee County under a single government."

SECTION 2.

Said Act is further amended by striking Section 1-104 and inserting in its place a new Section 1-104 to read as follows:

"SECTION 1-104.

Reserved."

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- 1 **SECTION 3.**
- 2 All laws and parts of laws in conflict with this Act are repealed.