

House Bill 773

By: Representatives Barton of the 5th, Ridley of the 6th, and Jasperse of the 11th

A BILL TO BE ENTITLED
AN ACT

1 To repeal an Act to provide a new charter for the Town of Ranger in the County of Gordon,
2 approved April 11, 1979 (Ga. L. 1979 p. 4208); to provide for transfer of duties and
3 obligations to Gordon County; to provide for transfer of all legal rights, privileges, and assets
4 to Gordon County; to establish a special tax and service district for outstanding bonded
5 indebtedness and other obligations; to provide for transfer of all federal and state permits and
6 licenses; to provide for the transfer of ongoing judicial actions; to provide for the
7 continuation of zoning and land use regulations; to provide for future proceeds of special and
8 regular local option sales taxes; to provide for related matters; to repeal conflicting laws; and
9 for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 An Act to provide a new charter for the Town of Ranger in the County of Gordon, approved
13 April 11, 1979 (Ga. L. 1979 p. 4208), is hereby repealed in its entirety.

SECTION 2.

Gordon County, Georgia, shall be vested with full authority to provide all governmental services within that area comprising the former jurisdictional boundary of the Town of Ranger. All ordinances, rules, and regulations of Gordon County shall apply within that area as they do in other unincorporated areas of the county, and the appropriate courts of Gordon County shall have jurisdiction to enforce such ordinances; provided that this transition shall not impact any vested rights accrued prior to the effective date of this Act.

SECTION 3.

Upon the effective date of this Act, the existence of any local authority created by or for the Town of Ranger shall likewise terminate on the same date; provided, however, that any joint authority of which the Town of Ranger was a part shall be modified by operation of law to remove the Town of Ranger, and that authority shall continue in existence with its remaining members. The assets and liabilities of any authority terminated pursuant to this section shall be treated in the same manner as assets and liabilities of the Town of Ranger under this Act.

SECTION 4.

There is hereby created a special tax and service district to be known as the Ranger Services District which shall correspond to and be coterminous with the corporate limits of the Town of Ranger as those corporate limits existed on the effective date of this Act. Upon the completion of the purposes provided in this Act for such service district, the tax and service district may be abolished by resolution of the governing authority of Gordon County.

SECTION 5.

(a) Except as provided herein, all legal rights, privileges, and assets of the Town of Ranger and all records of such assets shall pass to Gordon County without the necessity or formality of a deed, bill of sale, or other instrument of transfer. The assets that shall transfer include

all real property assets of the Town of Ranger of any nature, including, without limitation, freehold estates, easements, life estates, future interests, and co-owned interests; all tangible and intangible personal property assets of the Town of Ranger of any nature, including, without limitation, vehicles, heavy equipment, office equipment, and software; all accounts receivable, rights to payment under contracts fully performed by the Town of Ranger, and similar financial assets of the Town of Ranger of any nature; and all digital and electronic papers and records of the Town of Ranger. Expressly excluded from this section are any rights or assets that derive from executory contracts of the Town of Ranger addressed in Section 6 of this Act.

(b) Those amounts in any general fund for the Town of Ranger shall be immediately transferred to the general fund of Gordon County and segregated by Gordon County for the provision of services within the Ranger Services District.

(c) Those amounts in any special fund for the Town of Ranger shall immediately be transferred to a special fund of Gordon County and segregated by Gordon County for their designated special purpose.

SECTION 6.

(a) Except as specifically provided in this Act, neither Gordon County nor the State of Georgia nor any political subdivision of the State of Georgia shall bear any responsibility or liability for obligations, amounts, claims, debts, causes of action, judgments, or liabilities that have accrued to the Town of Ranger or its local public authorities, up to and including the effective date of this Act. Nothing in this Act shall in any manner obligate Gordon County to provide continued employment for any employee of the Town of Ranger or any local public authority of the town.

(b) Any bonded indebtedness of the Town of Ranger shall become the debt and obligation of the special tax and service district established pursuant to Section 4 of this Act. Gordon County shall be the successor to the Town of Ranger for all purposes relating to such bonded

indebtedness, including the enforcement of rights and remedies of bondholders. The County shall be authorized but not required to levy a special district tax, fee, or assessment within the Ranger Services District for the purpose of paying the amounts due on such bonded debt.

(c) Other than those bonded debts provided for in subsection (b) of this section and Section 11 of this Act, Gordon County shall be authorized but not required to assume the rights and duties of any executory contract of the Town of Ranger in effect as of the effective date of this Act. If assumed, any rights and obligations of such contracts that by their nature are personal to the town shall be deemed to apply to the personnel, services, and assets formerly belonging to the town so as to reasonably fulfill the basic purpose and bargain of the original contract. The county shall be authorized but not required to levy a special district tax, fee, or assessment within the Ranger Services District for the purpose of paying the amounts due under such assumed contracts, to the extent that the financial obligations under such contract cannot be fully funded by funds and assets devolved to the county from the Town of Ranger.

(d) Financial assets and property devolved to Gordon County that are deemed by the county to be excess for purposes of serving the Ranger Services District shall be used to satisfy any obligations and retire any indebtedness of the Town of Ranger.

SECTION 7.

To the maximum extent permitted by law, all federal and state permits and licenses issued to the Town of Ranger or its local authorities shall be transferred by operation of law to Gordon County.

SECTION 8.

Notwithstanding any provisions of this Act to the contrary, on the effective date of this Act, if any person is held in the custody of the Town of Ranger, such person may be transferred

88 over to the custody of the Gordon County Sheriff's Office or other appropriate law
89 enforcement agency.

90 **SECTION 9.**

91 All cases pending in the Ranger Municipal Court shall be automatically transferred to the
92 Gordon County Magistrate Court or the appropriate court of competent jurisdiction in
93 Gordon County if jurisdiction does not lie in magistrate court. Any transfer of law
94 enforcement jurisdiction to Gordon County shall not in and of itself abate any pending
95 prosecution of any violation of any ordinance of the Town of Ranger, and the county shall
96 be entitled to enforce such town ordinance if a violation occurred while the town ordinances
97 were in effect. As for any other lawsuits involving the Town of Ranger in the Georgia
98 judicial system, the town shall cease to exist and therefore shall no longer be a proper party
99 to any legal action.

100 **SECTION 10.**

101 The zoning and land use regulations of the Town of Ranger shall be deemed Gordon County
102 ordinances and shall apply within the Ranger Services District only, unless and until Gordon
103 County adopts zoning and land use regulations covering the properties within the Ranger
104 Services District.

105 **SECTION 11.**

106 Gordon County shall be entitled to receive the Town of Ranger's share of proceeds of any
107 special purpose local option sales tax imposed pursuant to Article 3 of Chapter 8 of Title 48
108 of the O.C.G.A. and shall use those proceeds to complete the town projects authorized by the
109 applicable referendum or otherwise abandon the projects in accordance with general law.
110 To the extent that any intergovernmental agreement has been approved between Gordon
111 County and its qualified municipalities in connection with such special purpose local option

112 sales tax, the county shall have the power to act in place of the town for purposes of that
113 agreement.

114 **SECTION 12.**

115 Gordon County and its qualified municipalities shall divide the Town of Ranger's share of
116 proceeds of any local option sales tax in accordance with the provisions of Code
117 Section 48-8-89.2 of the O.C.G.A.

118 **SECTION 13.**

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