

Senate Bill 397

By: Senators Williams of the 25th, Strickland of the 17th and Jones of the 10th

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

To amend an Act to create a new Charter for the City of Locust Grove, Georgia, in the county of Henry, approved April 7, 1976 (Ga. L. 1976, p. 4426), as amended, to change the corporate limits of such city; to provide descriptions; to provide for a referendum, effective dates, automatic repeal, mandatory execution of election, and judicial remedies regarding failure to comply; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act to create a new Charter for the City of Locust Grove, Georgia, in the county of Henry, approved April 7, 1976 (Ga. L. 1976, p. 4426), as amended, is amended by adding a new subsection to Section 1.11 to read as follows:

"(d) In addition to all other territory included within the corporate limits of said city, the corporate limits shall specifically include the following described property:

(1)(A) County Henry GA

VTD GROVE PARK

Block 070412

2005 2006

VTD LOCUST GROVE

S. B. 397

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Block 070411

1022 1028 1030 1032 1033 2000 2001 2002 2024

Block 070412

1007 1014 1015 1018 3002 3003

VTD LOWES

Block 070411

3013 3015 3019 3020 3029 3032

VTD UNITY GROVE

Block 070411

3012

(B) For the purposes of the description provided in subparagraph (A) of this paragraph, the term 'VTD' shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2020 for the State of Georgia. The separate numeric designations in a district description which are underneath a 'VTD' heading shall mean and describe individual blocks within a VTD as provided in the report of the Bureau of the Census for the United States decennial census of 2020 for the State of Georgia.

(2) All that tract or parcel of land consisting of 48.43 acres lying and being in Henry County, Georgia, as described at deed book 3557, page 254, recorded in the real property records of the Clerk of the Superior Court of Henry County."

SECTION 2.

Said Act is further amended by adding a new subsection to Section 1.11 to read as follows:

"(e)(1) In addition to all other territory included within the corporate limits of said city, the corporate limits shall specifically include the following described property:

County Henry GA

VTD GROVE PARK

Block 070406

1006 1009 1010 1012 1013 1014 1019 1020 1022 1023 1031 1032

1037 2000 2010 2011 2012 2015

Block 070412

2000 2001 2003 2008 2009 2011 2013 2014

VTD LOCUST GROVE

Block 070411

1019 1020 1021 2012 2013

Block 070412

1000 1001 1002 1003 1005 1009 1013 3007 3010 4005 4006 4007

4008 4009 4010 4011 4012 4013 4015

(2) For the purposes of the description provided in paragraph (1) of this subsection, the term 'VTD' shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2020 for the State of Georgia. The separate numeric designations in a district description which are underneath a 'VTD' heading shall mean and describe individual blocks within a VTD as provided in the report of the Bureau of the Census for the United States decennial census of 2020 for the State of Georgia."

SECTION 3.

The election superintendent of Henry County shall call and conduct a special election as provided in this section for the purpose of submitting the annexation provided for in Section 2 of this Act to the electors of the territory sought to be annexed into the City of Locus Grove under this Act for approval or rejection. The election superintendent shall conduct such election on any permissible special election date under Code Section 21-2-540 of the O.C.G.A., but not later than the Tuesday next following the first Monday in November, 2024, and shall issue the call and conduct such election as provided by general

law. The election 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 Henry County. The ballot shall have written or printed thereon the words:

"() YES Shall the provisions of the Act which annexes certain land into the City of
() NO Locust Grove be approved?"

All persons desiring to vote for approval of the annexation shall vote "Yes," and all persons desiring to vote for rejection of the annexation shall vote "No." If more than one-half of the votes cast on such question are for approval of the annexation, then Section 2 of this Act shall become effective on December 31, 2024. If more than one-half of the votes cast on such question are for rejection of the annexation, this Act shall not become effective and shall be automatically repealed on the first day of July immediately following such election date. The expense of such election shall be borne by the City of Locust Grove. It shall be the election superintendent's duty to certify the result thereof to the Secretary of State. The provisions of this section shall be mandatory upon the election superintendent and are not intended as directory. If the election superintendent fails or refuses to comply with this section, any resident of the City of Locust Grove or an elector of the territory described in Section 2 of this Act may apply for a writ of mandamus to compel the election superintendent to perform his or her duties under this section. If the court finds that the election superintendent has not complied with this section, the court shall fashion appropriate relief requiring the election superintendent to call and conduct such election on the date required by this section or on the next date authorized for special elections as provided for in Code Section 21-2-540 of the O.C.G.A.

SECTION 4.

(a) Section 1 of this Act shall become effective on the first day of the month following the month in which it is approved by the Governor or becomes law without such approval.

(b) Section 2 of this Act shall become effective as provided for in Section 3 of this Act.

96 (c) This section and Sections 3 and 5 of this Act shall become effective upon its approval
97 by the Governor or upon its becoming law without such approval.

98 **SECTION 5.**

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