

House Bill 1567

By: Representatives LaHood of the 175th, Cannon of the 172nd, Taylor of the 173rd, Dickey of the 134th, and Ford of the 170th

A BILL TO BE ENTITLED

AN ACT

1 To repeal an Act to amend, consolidate, and supersede the several Acts of the General
2 Assembly of the State of Georgia pertaining to the City of Quitman in the County of Brooks,
3 approved March 3, 1962 (Ga. L. 1962, p. 2894), as amended; to provide for transfer of duties
4 and obligations to Brooks County; to provide for transfer of all legal rights, privileges, and
5 assets to Brooks County; to establish a special tax and service district for outstanding bonded
6 indebtedness and other obligations; to mandate that Brooks County assume certain
7 obligations and duties of the city; to provide for legislative intent; to authorize an advisory
8 panel; to provide for transfer of all federal and state permits and licenses; to provide for the
9 transfer of ongoing judicial actions; to provide for the continuation of zoning and land use
10 regulations; to provide for future proceeds of special and regular local option sales taxes; to
11 provide for the designation of the Historic Quitman Community; to provide for related
12 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 **SECTION 1.**

15 An Act to amend, consolidate, and supersede the several Acts of the General Assembly of
16 the State of Georgia pertaining to the City of Quitman in the County of Brooks, approved
17 March 3, 1962 (Ga. L. 1962, p. 2894), as amended, is hereby repealed in its entirety.

18 **SECTION 2.**

19 Brooks County, Georgia, shall be vested with full authority to provide all governmental
20 services within that area comprising the former jurisdictional boundary of the City of
21 Quitman, including, but not limited to, and to the maximum extent provided, any powers of
22 the City of Quitman pursuant to Chapter 3 of Title 46 of the O.C.G.A., relating to electrical
23 service. To the maximum extent authorized by law, Brooks County shall be successor in
24 right and obligation to all contracts, bonds, and other obligations of the City of Quitman
25 relating to electrical services and shall assume all powers of such city relating to such
26 obligations. All ordinances, rules, and regulations of Brooks County shall apply within that
27 area as they do in other unincorporated areas of the county, and the appropriate courts of
28 Brooks County shall have jurisdiction to enforce such ordinances, provided that this
29 transition shall not impact any vested rights accrued prior to the effective date of this Act.

30 **SECTION 3.**

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

37

SECTION 4.

38 (a) There is hereby created a special tax and service district to be known as the Quitman
39 Services District which shall correspond to and be coterminous with the corporate limits of
40 the City of Quitman as those corporate limits existed on the effective date of this Act. Upon
41 the completion of the purposes provided in this Act for such service district, the tax and
42 service district may be abolished by resolution of the governing authority of Brooks County.

43 (b) Brooks County may establish an advisory panel composed of residents and taxpayers of
44 the special tax and service district established pursuant to subsection (a) of this section to
45 advise said county on the provisions of services within such special district. The members
46 of such advisory panel shall be appointed by the governing authority of Brooks County, and
47 the number of such panel members and the terms of such members shall be provided for by
48 said governing authority.

49

SECTION 5.

50 (a) Except as provided herein, all legal rights, privileges, and assets of the City of Quitman
51 and all records of such assets shall pass to Brooks County without the necessity or formality
52 of a deed, bill of sale, or other instrument of transfer. The assets that shall transfer include
53 all real property assets of the City of Quitman of any nature, including, without limitation,
54 freehold estates, easements, life estates, future interests, and co-owned interests; all tangible
55 and intangible personal property assets of the City of Quitman of any nature, including,
56 without limitation, vehicles, heavy equipment, office equipment, and software; all accounts
57 receivable, rights to payment under contracts fully performed by the City of Quitman, and
58 similar financial assets of the City of Quitman of any nature; and all digital and electronic
59 papers and records of the City of Quitman. Expressly excluded from this section are any
60 rights or assets that derive from executory contracts of the City of Quitman addressed in
61 Section 6 of this Act.

62 (b) Those amounts in any general fund for the City of Quitman shall be immediately
63 transferred to the general fund of Brooks County and segregated by Brooks County for the
64 provision of services within the Quitman Services District.

65 (c) Those amounts in any special or enterprise fund for the City of Quitman shall
66 immediately be transferred to a special fund of Brooks County and segregated by Brooks
67 County for their designated special purpose.

68

SECTION 6.

69 (a) Except as specifically provided in this Act, neither Brooks County nor the State of
70 Georgia nor any political subdivision of the State of Georgia shall bear any responsibility or
71 liability for obligations, amounts, claims, debts, causes of action, judgments, or liabilities that
72 have accrued to the City of Quitman or its local public authorities, up to and including the
73 effective date of this Act. Nothing in this Act shall in any manner obligate Brooks County
74 to provide continued employment for any employee of the City of Quitman or any local
75 public authority of the city.

76 (b) Any bonded indebtedness of the City of Quitman shall become the debt and obligation
77 of the special tax and service district established pursuant to Section 4 of this Act. Brooks
78 County shall be the successor to the City of Quitman for all purposes relating to such bonded
79 indebtedness, including the enforcement of rights and remedies of bondholders. The county
80 shall be required to levy a special district tax, fee, or assessment within the Quitman Services
81 District for the purpose of paying the amounts due on such bonded debt. It is the specific
82 intent of the General Assembly that the special tax and service district established pursuant
83 to Section 4 of this Act shall assume all outstanding obligations, amounts, claims, debts,
84 causes of action, judgments, and liabilities that have accrued to the City of Quitman or its
85 local public authorities relating to the provisions of electrical services, including, but not
86 limited to, any contracts the city has entered into with the Municipal Electric Authority of
87 Georgia, any other political subdivision of this state providing electrical services, and the

88 holders of any bonds or obligations issued by such authority or political subdivisions, and
89 that Brooks County, on behalf of such special district, shall be empowered and required to
90 undertake any and all actions the City of Quitman was authorized to undertake to ensure that
91 such responsibilities and obligations are maintained, kept, and performed in full.

92 (c) Other than those bonded debts provided for in subsection (b) of this section and
93 Section 11 of this Act, Brooks County, on behalf of the special tax and service district
94 established pursuant to Section 4 of this Act, shall assume the rights and duties of any
95 executory contract of the City of Quitman in effect as of the effective date of this Act. If
96 assumed, any rights and obligations of such contracts that by their nature are personal to the
97 city shall be deemed to apply to the personnel, services, and assets formerly belonging to the
98 city so as to reasonably fulfill the basic purpose and bargain of the original contract. The
99 county shall be authorized but not required to levy a special district tax, fee, or assessment
100 within the Quitman Services District for the purpose of paying the amounts due under
101 contracts assumed pursuant to this subsection, to the extent that the financial obligations
102 under such contracts cannot be fully funded by funds and assets devolved to the county from
103 the City of Quitman.

104 (d) Financial assets and property devolved to Brooks County that are deemed by the county
105 to be excess for purposes of serving the Quitman Services District shall be used to satisfy any
106 obligations and retire any indebtedness of the City of Quitman.

107 **SECTION 7.**

108 To the maximum extent permitted by law, all federal and state permits and licenses issued
109 to the City of Quitman or its local authorities shall be transferred by operation of law to
110 Brooks County, and Brooks County may succeed to any rights, duties, contracts, or other
111 obligations of the City of Quitman pursuant to Chapter 3 of Title 46 of the O.C.G.A., relating
112 to electrical service.

113 **SECTION 8.**

114 Notwithstanding any provisions of this Act to the contrary, on the effective date of this Act,
115 if any person is held in the custody of the City of Quitman, such person may be transferred
116 over to the custody of the Brooks County Sheriff's Office or other appropriate law
117 enforcement agency.

118 **SECTION 9.**

119 All cases pending in the Municipal Court for the City of Quitman shall be automatically
120 transferred to the Brooks County Magistrate Court or the appropriate court of competent
121 jurisdiction in Brooks County if jurisdiction does not lie in the magistrate court. Any transfer
122 of law enforcement jurisdiction to Brooks County shall not in and of itself abate any pending
123 prosecution of any violation of any ordinance of the City of Quitman, and the county shall
124 be entitled to enforce such city ordinance as if a violation occurred while the city ordinances
125 were in effect. As for any other lawsuits involving the City of Quitman in the Georgia
126 judicial system, the city shall cease to exist and therefore shall no longer be a proper party
127 to any legal action.

128 **SECTION 10.**

129 The zoning and land use regulations of the City of Quitman shall be deemed Brooks County
130 ordinances and shall apply within the Quitman Services District only, unless and until Brooks
131 County adopts zoning and land use regulations covering the properties within the Quitman
132 Services District.

133 **SECTION 11.**

134 Brooks County shall be entitled to receive the City of Quitman's share of proceeds of any
135 special purpose local option sales tax imposed pursuant to Article 3 of Chapter 8 of Title 48
136 of the O.C.G.A. and shall use those proceeds to complete the city projects authorized by the

137 applicable referendum or otherwise abandon the projects in accordance with general law.
138 To the extent that any intergovernmental agreement has been approved between Brooks
139 County and its qualified municipalities in connection with such special purpose local option
140 sales tax, the county shall have the power to act in place of the City of Quitman for purposes
141 of that agreement.

142 **SECTION 12.**

143 Brooks County and its qualified municipalities shall divide the City of Quitman's share of
144 proceeds of any local option sales tax in accordance with the provisions of Code
145 Section 48-8-89.2 of the O.C.G.A.

146 **SECTION 13.**

147 There is hereby designated a Historic Quitman Community which shall correspond to and
148 be coterminous with the corporate limits of the City of Quitman as those corporate limits
149 existed on the effective date of this Act. Brooks County is authorized to provide appropriate
150 signage so as to mark the boundaries of such historic community.

151 **SECTION 14.**

152 This Act shall become effective on July 1, 2026.

153 **SECTION 15.**

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