

House Bill 1555 (AS PASSED HOUSE AND SENATE)

By: Representatives Ballard of the 147th and Stinson of the 150th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing a new charter for the City of Fort Valley, approved
2 August 22, 1907 (Ga. L. 1907, p. 651), as amended, so as to deannex certain territory from
3 the city limits; to provide that the city shall be obligated to transfer title in any real or
4 personal property related to the operation of the utility system upon the request of the utility
5 commission; to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act providing a new charter for the City of Fort Valley, approved August 22, 1907
9 (Ga. L. 1907, p. 651), as amended, is revised by adding a new section following Section 1A
10 to read as follows:

11 **"SECTION 1B.**

12 Notwithstanding any other provisions of this charter to the contrary, the right-of-way of
13 State Route 96 east of a point found at 32.554019, -83.865025 and any portion of the
14 right-of-way of Houser's Mill Road shall be removed from the corporate limits of the city."

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SECTION 2.

15

16 Said Act is further amended in Section 1.1 by revising subsection (f) as follows:

17 "(f) The commission is hereby expressly authorized to purchase or sell real or personal
18 property at public or private sale in its own name and under such terms and conditions and
19 for whatever consideration the commission deems necessary. The commission is further
20 authorized to trade, exchange, lease, rent, and otherwise contract in its own name
21 concerning any real or personal property that the city may now or hereafter own or have
22 an interest in and which forms a part of the commission's utility system, provided that the
23 commission satisfies any indebtedness thereon. All proceeds from any such sale shall be
24 used solely for the benefit of the utility system, provided that the commission has satisfied
25 any indebtedness thereon or purchased the same, as applicable, from commission proceeds.
26 All such property acquired after July 1, 2019, shall be the property of the commission, but
27 the commission shall have the right and responsibility to manage and operate any real or
28 personal property that the city may now or hereafter own or have an interest in and which
29 forms a part of the commission's utility system; provided, however, that nothing in this
30 subsection shall impair obligations or covenants entered into in respect of such property
31 or revenues prior to the date of its enactment; and provided, further, that the terms of
32 existing agreements permitting additional and future obligations to be issued or refinanced
33 by the replugging of such property or revenues shall be unaffected by the terms of this Act.
34 Notwithstanding any other provision of this charter to the contrary, the city shall be
35 obligated to transfer title to the commission of any real or personal property that the city
36 may now or hereafter own or have an interest in and which forms a part of the
37 commission's utility system upon the commission adopting a resolution requesting that title
38 in such property be transferred to the commission."

39

SECTION 3.

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