

House Bill 1108

By: Representatives Frye of the 122nd, Gaines of the 120th, Reeves of the 99th, Washburn of the 144th, Holly of the 116th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 1 of Chapter 3 of Title 8 of the Official Code of Georgia
2 Annotated, relating to general provisions relative to housing authorities, so as to provide that
3 housing authorities are deemed to be political subdivisions of the state; to provide that
4 housing authorities enjoy the same sovereign immunity as that enjoyed by the counties and
5 cities of this state; to provide for related matters; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 1 of Article 1 of Chapter 3 of Title 8 of the Official Code of Georgia Annotated, relating
10 to general provisions relative to housing authorities, is amended by revising Code
11 Section 8-3-4, relating to creation of housing authorities, as follows:

12 "8-3-4.

13 In each city and in each county of the state there is created a public body corporate and
14 politic to be known as the 'housing authority' of the city or county, which shall be deemed
15 to be a political subdivision of the state and shall enjoy the same sovereign immunity as
16 that enjoyed by the city or county; provided, however, that such authority shall not transact

17 any business or exercise its powers under this article until or unless the governing body of
18 the city or the county, as the case may be, by proper resolution shall declare at any time
19 hereafter that there is need for an authority to function in such city or county. The
20 determination as to whether there is such need for an authority to function may be made
21 by the governing body on its own motion or shall be made by the governing body upon the
22 filing of a petition signed by 25 residents of the city or county, as the case may be,
23 asserting that there is need for an authority to function in such city or county and requesting
24 that the governing body so declare."

25 **SECTION 2.**

26 All laws and parts of laws in conflict with this Act are repealed.