

House Bill 1136 (COMMITTEE SUBSTITUTE)

By: Representatives Jacobs of the 80<sup>th</sup>, Holcomb of the 81<sup>st</sup>, and Oliver of the 82<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To authorize the City of Brookhaven to exercise all redevelopment and other powers under  
2 Article IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the  
3 O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to  
4 provide effective dates; to provide for automatic repeal under certain circumstances; to repeal  
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 The City of Brookhaven shall be and is authorized to exercise all redevelopment and other  
9 powers under Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as  
10 amended. The intention of this Act is to authorize the City of Brookhaven to undertake and  
11 carry out community redevelopment, to create tax allocation districts, to issue tax allocation  
12 bonds, and to incur other obligations within the meaning of and as fully permitted under the  
13 provisions of Article IX, Section II, Paragraph VII(b) of the Constitution of the State of  
14 Georgia of 1983, as amended, and to authorize the City of Brookhaven to exercise  
15 redevelopment powers as fully as the "Redevelopment Powers Law" may now or hereafter  
16 permit and not to limit any redevelopment powers permitted under the "Redevelopment  
17 Powers Law."

18 **SECTION 2.**

19 The municipal election superintendent of the City of Brookhaven shall call and conduct an  
20 election as provided in this section for the purpose of submitting this Act to the electors of  
21 the City of Brookhaven for approval or rejection. The municipal election superintendent  
22 shall conduct that election on the date of the general primary in May, 2014, and shall issue  
23 the call and conduct that election as provided by general law. The municipal election  
24 superintendent shall cause the date and purpose of the election to be published once a week

25 for two weeks immediately preceding the date thereof in the official organ of DeKalb  
 26 County. The ballot shall have written or printed thereon the words:

27 " YES Shall the Act be approved which authorizes the City of Brookhaven to  
 28 utilize tax allocation districts and redevelopment powers under the  
 29  NO 'Redevelopment Powers Law,' as it may be amended from time to time?"

30 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring  
 31 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on  
 32 such question are for approval of the Act, then Section 1 of this Act shall become of full  
 33 force and effect immediately. If Section 1 of this Act is not so approved or if the election is  
 34 not conducted as provided in this section, Section 1 of this Act shall not become effective  
 35 and this Act shall be automatically repealed on the first day of January immediately  
 36 following that election date. The expense of such election shall be borne by the City of  
 37 Brookhaven. It shall be the municipal election superintendent's duty to certify the result  
 38 thereof to the Secretary of State.

39 **SECTION 3.**

40 Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon  
 41 its approval by the Governor or upon its becoming law without such approval.

42 **SECTION 4.**

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