

House Bill 521

By: Representatives Anderson of the 10th, LaHood of the 175th, Leverett of the 123rd, Cannon of the 172nd, Kelley of the 16th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 8 of Chapter 36 of Title 36 of the Official Code of Georgia Annotated,
2 relating to municipal deannexation, so as to revise procedures related to the deannexation of
3 certain properties; to provide for related matters; to provide for an effective date; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 8 of Chapter 36 of Title 36 of the Official Code of Georgia Annotated, relating to
8 municipal deannexation, is amended in Code Section 36-36-131, relating to application for
9 deannexation, scope, filing of notification of deannexation, and reannexation, by revising
10 subsection (a) as follows:

11 "(a) Authority is granted to the governing authority of any municipality to deannex an area
12 or areas of the existing corporate limits thereof, in accordance with the procedures provided
13 in this article and in Article 1 of this chapter, upon the written and signed applications of
14 all of the owners of all of the land, except the owners of any public street, road, highway,
15 or right of way, proposed to be deannexed, containing a complete description of the lands
16 to be deannexed; provided, however, that no more than ten parcels of property may be

17 deannexed in one action and only upon the adoption of a resolution by the governing
18 authority of the county in which such property is located consenting to such deannexation.
19 If the governing authority of the county consents to the deannexation and the deannexation
20 conforms with the requirements of this article, the governing authority of the municipal
21 corporation shall approve such deannexation unless it finds that the deannexation would
22 be detrimental to the health, safety, and welfare of the residents and property owners of the
23 area to be deannexed or to the area remaining within the municipality. If the county is the
24 owner of all parcels proposed for deannexation and the governing authority of the county
25 consents, the governing authority of the municipal corporation shall approve such
26 deannexation within 90 days of the date of the filing of a deannexation application unless
27 it finds that the deannexation would be detrimental to the health, safety, and welfare of the
28 residents and property owners of the area to be deannexed or to the area remaining within
29 the municipality."

30 **SECTION 2.**

31 This Act shall become effective upon its approval by the Governor or upon its becoming law
32 without such approval.

33 **SECTION 3.**

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