

House Bill 999

By: Representatives Smith of the 70th, Greene of the 154th, Jackson of the 128th, Stinson of the 150th, and Cannon of the 172nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 36 of the Official Code of Georgia Annotated, relating to
2 general provisions applicable to counties only, so as to provide for a new category of district;
3 to provide for legislative intent; to provide for definitions; to provide for new authority for
4 the Department of Community Affairs; to provide for application procedures; to provide for
5 authority to seek state and federal funds; to provide for related matters; to repeal conflicting
6 laws; and for other purposes.

7

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9

SECTION 1.

10 Chapter 1 of Title 36 of the Official Code of Georgia Annotated, relating to general
11 provisions applicable to counties only, is amended by adding a new Code section to read as
12 follows:

13 "36-1-28.

14 (a) The General Assembly finds that there are numerous rural counties in this state that do
15 not have financial resources sufficient to provide all of the services needed by their
16 residents. In order to promote the health, prosperity, and general welfare of the residents
17 in such counties, a new category of district titled 'special rural district' shall be created.

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18 Such districts shall be eligible to seek out the state and federal funds described in
19 Chapter 10 of Title 44 and such other funds as may become available.

20 (b) As used in this Code section, the term:

21 (1) 'Local governing body' means the elected governing body or governing authority of
22 a county of this state.

23 (2) 'Rural county' means a county that has a population of less than 25,000 with 10
24 percent or more of such population living in poverty based upon the most recent, reliable,
25 and applicable data published by the United States Bureau of the Census.

26 (3) 'Special rural district' means three or more rural counties with contiguous borders
27 with at least one of the other rural counties within such district, in which each county
28 within such district has had declining revenue for the three previous consecutive years;
29 had a declining population for the three previous consecutive years; and has entered into
30 an agreement with all other counties in such special rural district to consolidate all
31 services within such district and to use a joint administrator for the administration or
32 support of the administration of all such services.

33 (c) The local governing body of one or more rural counties may elect to apply to the
34 Department of Community Affairs or its successor for the designation of special rural
35 district.

36 (d) On or before December 31 of each year, the Department of Community Affairs shall
37 publish a list of all counties in this state which qualify as rural counties in accordance with
38 this Code section.

39 (e) The Department of Community Affairs shall be authorized to:

40 (1) Review all applications submitted pursuant to subsection (c) of this Code section;

41 (2) Require all information to be included in such application, in accordance with this
42 Code section; and

43 (3) Reject or approve such application.

44 (f) Failure of the Department of Community Affairs to reject or approve an application
45 within 45 days after the filing of such application shall constitute approval.

46 (g) In the event that the Department of Community Affairs rejects an application, it shall
47 state its reasons for doing so and shall transmit a record of such action and the reasons
48 therefore, in writing, to the applicant.

49 (h) All special rural districts shall be eligible to seek out the state and federal funds
50 otherwise provided for historic preservation as described in Chapter 10 of Title 44 or such
51 other funds as may become available."

52 **SECTION 2.**

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