

House Bill 1249 (AS PASSED HOUSE AND SENATE)

By: Representatives Welch of the 110th, Douglas of the 78th, Holly of the 111th, Mathiak of the 73rd, Knight of the 130th, and others

A BILL TO BE ENTITLED
AN ACT

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

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **PART I.**
9 **SECTION 1-1.**

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

20 **PART II.**
21 **SECTION 2-1.**

22 Each municipality located within Henry County, Georgia, shall be and is authorized to
23 exercise all redevelopment and other powers under Chapter 44 of Title 36 of the O.C.G.A.,

24 the "Redevelopment Powers Law," as amended. The intention of this Act is to authorize
 25 each municipality located within Henry County, Georgia, individually, to undertake and
 26 carry out community redevelopment, to create tax allocation districts, to issue tax allocation
 27 bonds, and to incur other obligations within the meaning of and as fully permitted under the
 28 provisions of Article IX, Section II, Paragraph VII(b) of the Constitution of the State of
 29 Georgia of 1983, as amended, and to authorize each municipality located within Henry
 30 County, Georgia, to exercise redevelopment powers as fully as the "Redevelopment Powers
 31 Law" may now or hereafter permit and not to limit any redevelopment powers permitted
 32 under the "Redevelopment Powers Law."

33 **PART III.**

34 **SECTION 3-1.**

35 The election superintendent of Henry County, Georgia, shall call and conduct an election,
 36 as provided in this section, for the purpose of submitting this Act to the electors of Henry
 37 County, Georgia, for approval or rejection. The election superintendent shall conduct that
 38 election on the Tuesday next following the first Monday in November, 2020, and shall issue
 39 the call and conduct that election as provided by general law. The election superintendent
 40 shall cause the date and purpose of the election to be published once at least 90 days
 41 immediately preceding the date thereof and once a week for two weeks immediately
 42 preceding the date thereof in the official organ of Henry County, Georgia. The ballot shall
 43 have written or printed thereon the words:

44 " YES Shall the Act be approved which authorizes Henry County, Georgia, and
 45 NO each municipality located within Henry County, to exercise all
 46 redevelopment powers allowed under the 'Redevelopment Powers Law,' as
 47 it may be amended from time to time?"

48 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring
 49 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on
 50 such question are for approval of the Act, then Part I and Part II of this Act shall become of
 51 full force and effect immediately. If this Act is not so approved or if the election is not
 52 conducted as provided in this section, Part I and Part II of this Act shall not become effective
 53 and this Act shall be automatically repealed on the first day of January immediately
 54 following such election date. The expense of such election shall be borne by Henry County,
 55 Georgia. It shall be the election superintendent's duty to certify the result thereof to the
 56 Secretary of State.

57 **SECTION 3-2.**

58 If any part, section, subsection, paragraph, sentence, or part thereof of this Act shall be held
59 to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or
60 impair other parts of this Act unless it clearly appears that such other parts are wholly and
61 necessarily dependent upon the part held to be invalid or unconstitutional, it being the
62 legislative intent in enacting this charter that each part, section, subsection, paragraph,
63 sentence, or part thereof be enacted separately and independent of each other.

64 **SECTION 3-3.**

65 Except as otherwise provided in Section 3-1 of this Act, this Act shall become effective upon
66 its approval by the Governor or upon its becoming law without such approval.

67 **SECTION 3-4.**

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