

House Bill 257 (AS PASSED HOUSE AND SENATE)

By: Representatives Tankersley of the 160th, Smith of the 70th, Powell of the 171st, Epps of the 144th, Hatchett of the 150th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 36 of the Official Code of Georgia Annotated, relating to local government,
2 so as to require local government authorities to register with the Department of Community
3 Affairs in order to be eligible for state funds; to change the deadline for local government
4 authorities to register with said department; to prohibit authorities from incurring debt or
5 credit obligations prior to submitting a report to said department; to provide for related
6 matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended
10 by revising subsections (f) and (j) of Code Section 36-80-16, relating to Local Government
11 Authorities Registration, as follows:

12 "(f) Any local government authority which fails to register with the Department of
13 Community Affairs shall not incur any debt or credit obligations, nor shall it be eligible for
14 receipt of any state funds, until such time as it meets the registration requirement. Failure
15 to register shall not have any adverse affect on any outstanding debt or credit obligation."

16 "(j) Local government authorities shall initially register on or before January 1, 1996, and
17 shall register ~~on or before January 1~~ of each year thereafter by the date corresponding with
18 the due date of that authority's report as provided for in subsection (b) of Code Section
19 36-81-8."

20 **SECTION 2.**

21 Said title is further amended by revising subsection (c) of Code Section 36-81-8, relating to
22 annual local government finances reports and local independent authority indebtedness
23 reports, assistance by Department of Community Affairs, and community indicators report,
24 as follows:

25 "(c) The department shall have the authority to require local governments and local
26 independent authorities to submit the reports as provided for in subsection (b) of this Code
27 section as a condition of such local government or local independent authority receiving
28 state appropriated funds from the department. Furthermore, a local government authority
29 or a local independent authority shall not incur debt or credit obligations until such time
30 as it meets such reporting requirement. Failure to comply with the reporting requirement
31 shall have no adverse effect on any outstanding debt or credit obligation of any local
32 government authority or local independent authority. Upon the receipt of the report of
33 local government finance from a local government or the report of local independent
34 authority debt from a local independent authority, the department is authorized to release
35 any state appropriated grant funds that may be due at such time to the local government or
36 the local independent authority."

37

SECTION 3.

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