

House Bill 1146 (AS PASSED HOUSE AND SENATE)

By: Representatives Kendrick of the 93rd, Mayo of the 84th, Williams of the 87th, Carter of the 92nd, Oliver of the 82nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act revising, superseding, and consolidating the laws relating to the governing
2 authority of DeKalb County and creating a chairman and board of commissioners of said
3 county, approved March 8, 1956 (Ga. L. 1956, p. 3237), as amended, particularly by an Act
4 approved April 9, 1981 (Ga. L. 1981, p. 4304), so as to provide for the regulation of land use;
5 to provide for the completion of an audit by an outside auditor; to provide for purchases
6 without sealed bid through an existing contract or schedule with a county, municipality, the
7 State of Georgia or the federal government; to provide for related matters; to repeal
8 conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 SECTION 1.

11 An Act revising, superseding, and consolidating the laws relating to the governing authority
12 of DeKalb County and creating a chairman and board of commissioners of said county,
13 approved March 8, 1956 (Ga. L. 1956, p. 3237), as amended, particularly by an Act approved
14 April 9, 1981 (Ga. L. 1981, p. 4304), is amended by revising paragraph (10) of subsection (a)
15 of Section 9 as follows:

16 "(10) To regulate land use by the adoption of a comprehensive development plan and by
17 the adoption of other planning and zoning ordinances which relate reasonably to the
18 public health, safety, morality, and general welfare of the county and its citizens;
19 provided, however, that no planning or zoning ordinances shall become effective unless
20 approved, prior to consideration and adoption by the governing authority, by the member
21 or members of the Commission representing the district or super district in which the
22 subject property is located."

23 SECTION 2.

24 Said Act is further amended by revising subsection (c) of Section 10 as follows:

25 "(c) The outside auditor shall complete the audit in compliance with Article 1 of Chapter
26 81 of Title 36 of the Official Code of Georgia Annotated each year, and, within ten days
27 after its completion, the auditor shall deliver a copy of the audit to each commissioner, the
28 Chief Executive, and the grand jury of the DeKalb County superior court then in session."

29 **SECTION 3.**

30 Said Act is further amended by revising subsection (a) of Section 18 as follows:

31 "(a) The Chief Executive, subject to the approval of the Commission, shall establish rules
32 to regulate purchasing for all county departments, offices, and agencies of the county
33 government, with the exception of the tax commissioner, clerk of the superior court, district
34 attorney, and sheriff. Except as hereinafter provided, formal sealed bids, after notice of
35 same has been published one time in the official organ of DeKalb County, must be
36 obtained on all purchases exceeding \$50,000.00. Purchases exceeding \$50,000.00 may be
37 made without formal sealed bids from any vendor who, at the time of purchase, has an
38 existing contract or schedule with a county or municipality if such contract was procured
39 by a competitive process, or the State of Georgia or the federal government so long as all
40 such purchases are made pursuant to the price, terms, and conditions of said contract and
41 if the county receives all the benefits of such contract."

42 **SECTION 4.**

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