

Senate Bill 144

By: Senators Tippins of the 37th, Gooch of the 51st, Cowser of the 46th, Miller of the 49th,
Summers of the 13th and others

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 1 of Chapter 3 of Title 8 of the Official Code of Georgia
2 Annotated, relating to general provisions for housing authorities, so as to limit the ability of
3 city housing authorities to operate outside municipal boundaries without authorization; to
4 revise a definition; to restate that such operations must conform to local planning and zoning
5 requirements; to provide for related matters; to repeal conflicting laws; and for other
6 purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 Part 1 of Article 1 of Chapter 3 of Title 8 of the Official Code of Georgia Annotated, relating
10 to general provisions for housing authorities, is amended in Code Section 8-3-3, relating to
11 definitions, by revising paragraph (1) as follows:

12 "(1) 'Area of operation,' in the case of a housing authority of a city, means such city and
13 ~~the area within ten miles of the territorial boundaries thereof but does not mean any area~~
14 which lies within the territorial boundaries of any other city unless, provided that a
15 resolution shall have been adopted by the governing body of such other city declaring that
16 there is a need for the city housing authority to exercise its powers within the territorial

17 boundaries of said other city. No city, county, regional, or consolidated authority shall
18 operate in any area in which an authority already established is operating without the
19 consent by resolution of the authority already operating therein."

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SECTION 2.

21 Said part is further amended in Code Section 8-3-14, relating to consolidated housing
22 authorities for two or more municipalities, by revising subsection (c) as follows:

23 "(c) The creation of a consolidated housing authority and the finding of need therefor shall
24 be subject to the same provisions and limitations as are applicable to the creation of a
25 regional housing authority; and all of the provisions of this article applicable to regional
26 housing authorities and the commissioners thereof shall be applicable to consolidated
27 housing authorities and the commissioners thereof; provided, however, that
28 Code Section 8-3-107 shall not be applicable to the consolidation of housing authorities
29 into a designated existing housing authority; and provided, further, that the area of
30 operation of a consolidated housing authority shall include all of the territory within the
31 boundaries of each municipality joining in the creation of such authority ~~together with the~~
32 ~~territory within ten miles of the boundaries of each such municipality;~~ and provided,
33 further, that for all such purposes, the term 'county' shall be construed as meaning
34 'municipality,' the term 'governing body' in Code Section 8-3-106 shall be construed as
35 meaning 'mayor or other executive head of the municipality,' and the terms 'county housing
36 authority' and 'regional housing authority' shall be construed as meaning 'housing authority
37 of the city' and 'consolidated housing authority,' respectively."

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SECTION 3.

39 Said part is further amended in Code Section 8-3-15, relating to extraterritorial operation of
40 city housing authorities, by adding a new subsection to read as follows:

41 "(f) Any city housing authority operating housing projects that are outside such city and
42 within ten miles of the boundaries of such city on July 1, 2021, shall be entitled to continue
43 to operate such extraterritorial housing projects; provided, however, that no new housing
44 projects outside such city shall be authorized without the governing body of the county or
45 municipality where such housing project will be located consenting to the expansion of the
46 housing authority's area of operation into such county or other municipality. Any such
47 project shall conform to existing zoning classifications and land use plans of the political
48 subdivision in which the proposed project will be located."

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SECTION 4.

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