Senate Bill 144
By: Senators Tippins of the 37th, Gooch of the 51st, Cowsert of the 46th, Miller of the 49th, Summers of the 13th and others

AS PASSED

A BILL TO BE ENTITLED
AN ACT

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

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

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

S. B. 144
- 1 -
boundaries of said other city. No city, county, regional, or consolidated authority shall
operate in any area in which an authority already established is operating without the
consent by resolution of the authority already operating therein.

SECTION 2.
Said part is further amended in Code Section 8-3-14, relating to consolidated housing
authorities for two or more municipalities, by revising subsection (c) as follows:
"(c) The creation of a consolidated housing authority and the finding of need therefor shall
be subject to the same provisions and limitations as are applicable to the creation of a
regional housing authority; and all of the provisions of this article applicable to regional
housing authorities and the commissioners thereof shall be applicable to consolidated
housing authorities and the commissioners thereof; provided, however, that
Code Section 8-3-107 shall not be applicable to the consolidation of housing authorities
into a designated existing housing authority; and provided, further, that the area of
operation of a consolidated housing authority shall include all of the territory within the
boundaries of each municipality joining in the creation of such authority together with the
territory within ten miles of the boundaries of each such municipality; and provided,
further, that for all such purposes, the term 'county' shall be construed as meaning
'municipality,' the term 'governing body' in Code Section 8-3-106 shall be construed as
meaning 'mayor or other executive head of the municipality,' and the terms 'county housing
authority' and 'regional housing authority' shall be construed as meaning 'housing authority
of the city' and 'consolidated housing authority,' respectively."

SECTION 3.
Said part is further amended in Code Section 8-3-15, relating to extraterritorial operation of
city housing authorities, by adding a new subsection to read as follows:
“(f) Any city housing authority operating housing projects that are outside such city and within ten miles of the boundaries of such city on July 1, 2021, shall be entitled to continue to operate such extraterritorial housing projects; provided, however, that no new housing projects outside such city shall be authorized without the governing body of the county or municipality where such housing project will be located consenting to the expansion of the housing authority's area of operation into such county or other municipality. Any such project shall conform to existing zoning classifications and land use plans of the political subdivision in which the proposed project will be located.”

SECTION 4.

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