

House Bill 807 (AS PASSED HOUSE AND SENATE)

By: Representative Cheokas of the 151st

A BILL TO BE ENTITLED
AN ACT

1 To create the Terrell County Land Bank Authority; to provide for a board of directors; to
2 provide for the appointment, membership, terms of office, powers, duties, and authority of
3 the board; to provide for the removal of board members; to provide for related matters; to
4 repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Pursuant to Article 6 of Chapter 4 of Title 48 of the O.C.G.A., the "Georgia Land Bank Act,"
8 there is created the Terrell County Land Bank Authority; provided, however, that the local
9 legislation shall authorize the board of commissioners to change the name of the authority
10 from time to time when municipal corporations located in Terrell County elect to join that
11 authority. Such authority shall have perpetual existence until terminated and dissolved in
12 accordance with Code Section 48-4-111 of the O.C.G.A.

SECTION 2.

13

14 (a) The Land Bank Authority shall consist of seven members appointed to the board of
15 directors by the Terrell County Board of Commissioners. In the event that any municipality
16 located in Terrell County, including the City of Bronwood, the City of Dawson, the City of
17 Parrott, and the City of Sasser, elect to join the Land Bank Authority after the effective date
18 of the local legislation establishing the Land Bank Authority, upon their execution of an
19 appropriate intergovernmental agreement agreeing to become a member of the Land Bank
20 Authority, then the City of Bronwood shall be authorized to appoint one additional member
21 to the board of directors, the City of Dawson shall be authorized to appoint two additional
22 members to the board of directors, the City of Parrott shall be authorized to appoint one
23 additional member to the board of directors, and the City of Sasser shall be authorized to
24 appoint one additional member to the board of directors.

25 (b) The members appointed by Terrell County shall be appointed for staggered terms.
26 Except for the initial staggered terms, which shall be two years, the term of each member of
27 the board of directors shall be four years, or until their successors are appointed and
28 qualified.

29 (c) Each member of the board of directors appointed by the Terrell County Board of
30 Commissioners shall reside in the unincorporated area of Terrell County. Each member of
31 the board of the authority appointed by any municipal corporation located within Terrell
32 County shall reside in the incorporated area of the municipal corporation appointing such
33 member.

34 (d) Persons appointed to the board of directors shall be at least 21 years of age at the time
35 of their appointment, shall have resided in the jurisdiction of the governing body appointing
36 such member for at least two years prior to the date of his or her appointment, and shall take
37 such oath of office as may be prescribed by law upon such appointment.

38 (e) At least one appointment shall be made by the governing body of Terrell County and one
39 appointment shall be made by the governing body of the City of Dawson if the City of

40 Dawson elects to become a member of the authority and executes an intergovernmental
41 agreement for such purpose, and such appointments shall be persons who are experienced
42 and knowledgeable regarding real property transactions, the taxation of real property, and the
43 valuation of real property.

44 (f) The governing body of Terrell County shall be authorized, but not required, to appoint
45 the Tax Commissioner of Lee County to serve ex officio as a member of the board.

46 (g) The appointment of an elected member of the governing body of Terrell County or an
47 elected member of any of the municipal corporations located within Terrell County which
48 elects to become a member of the authority and executes an intergovernmental agreement
49 for such purpose as a board member of the authority shall not be prohibited.

50 (h) Members of the board of directors shall be subject to removal in accordance with the
51 provisions of Code Section 48-4-104 of the O.C.G.A.

52 (i) Vacancies on the board of directors shall be filled in the same manner as the original
53 appointment for the unexpired term of office.

54 (j) Members of the board of directors shall serve without compensation but may be
55 reimbursed for actual expenses incurred in the performance of duties on behalf of the
56 authority.

57 (k) Meetings, determination of quorums, and voting shall be governed by the provisions of
58 Code Section 48-4-104 of the O.C.G.A.

59 **SECTION 3.**

60 (a) The board of directors shall establish rules and regulations for its operation consistent
61 with the provisions of Article 6 of Chapter 4 of Title 48 of the O.C.G.A., the "Georgia Land
62 Bank Act."

63 (b) The board of directors shall at its first meeting of each year select from among its
64 members a chairperson, vice chairperson, secretary, treasurer, and such other officers as the
65 board may determine by its rules.

66

SECTION 4.

67 The authority shall have those powers, duties, abilities, immunities, limitations, and
68 obligations provided in Article 6 of Chapter 4 of Title 48 of the O.C.G.A., the "Georgia Land
69 Bank Act."

70

SECTION 5.

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