

Senate Bill 397

By: Senators Williams of the 25th, Strickland of the 17th and Jones of the 10th

**AS PASSED**

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act to create a new Charter for the City of Locust Grove, Georgia, in the  
 2 county of Henry, approved April 7, 1976 (Ga. L. 1976, p. 4426), as amended, to change the  
 3 corporate limits of such city; to provide descriptions; to provide for a referendum, effective  
 4 dates, automatic repeal, mandatory execution of election, and judicial remedies regarding  
 5 failure to comply; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act to create a new Charter for the City of Locust Grove, Georgia, in the county of  
 9 Henry, approved April 7, 1976 (Ga. L. 1976, p. 4426), as amended, is amended by adding  
 10 a new subsection to Section 1.11 to read as follows:

11 "(d) In addition to all other territory included within the corporate limits of said city, the  
 12 corporate limits shall specifically include the following described property:

13 (1)(A) County Henry GA

14 VTD GROVE PARK

15 Block 070412

16 2005 2006

17 VTD LOCUST GROVE

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18 Block 070411  
 19 1022 1028 1030 1032 1033 2000 2001 2002 2024

20 Block 070412  
 21 1007 1014 1015 1018 3002 3003

22 VTD LOWES

23 Block 070411  
 24 3013 3015 3019 3020 3029 3032

25 VTD UNITY GROVE

26 Block 070411  
 27 3012

28 (B) For the purposes of the description provided in subparagraph (A) of this paragraph,  
 29 the term 'VTD' shall mean and describe the same geographical boundaries as provided  
 30 in the report of the Bureau of the Census for the United States decennial census of 2020  
 31 for the State of Georgia. The separate numeric designations in a district description  
 32 which are underneath a 'VTD' heading shall mean and describe individual blocks within  
 33 a VTD as provided in the report of the Bureau of the Census for the United States  
 34 decennial census of 2020 for the State of Georgia.

35 (2) All that tract or parcel of land consisting of 48.43 acres lying and being in Henry  
 36 County, Georgia, as described at deed book 3557, page 254, recorded in the real property  
 37 records of the Clerk of the Superior Court of Henry County."

38 **SECTION 2.**

39 Said Act is further amended by adding a new subsection to Section 1.11 to read as follows:

40 "(e)(1) In addition to all other territory included within the corporate limits of said city,  
 41 the corporate limits shall specifically include the following described property:

42 County Henry GA

43 VTD GROVE PARK

44 Block 070406

45 1006 1009 1010 1012 1013 1014 1019 1020 1022 1023 1031 1032

46 1037 2000 2010 2011 2012 2015

47 Block 070412

48 2000 2001 2003 2008 2009 2011 2013 2014

49 VTD LOCUST GROVE

50 Block 070411

51 1019 1020 1021 2012 2013

52 Block 070412

53 1000 1001 1002 1003 1005 1009 1013 3007 3010 4005 4006 4007

54 4008 4009 4010 4011 4012 4013 4015

55 (2) For the purposes of the description provided in paragraph (1) of this subsection, the  
 56 term 'VTD' shall mean and describe the same geographical boundaries as provided in the  
 57 report of the Bureau of the Census for the United States decennial census of 2020 for the  
 58 State of Georgia. The separate numeric designations in a district description which are  
 59 underneath a 'VTD' heading shall mean and describe individual blocks within a VTD as  
 60 provided in the report of the Bureau of the Census for the United States decennial census  
 61 of 2020 for the State of Georgia."

62

### SECTION 3.

63 The election superintendent of Henry County shall call and conduct a special election as  
 64 provided in this section for the purpose of submitting the annexation provided for in  
 65 Section 2 of this Act to the electors of the territory sought to be annexed into the City of  
 66 Locus Grove under this Act for approval or rejection. The election superintendent shall  
 67 conduct such election on any permissible special election date under Code Section 21-2-540  
 68 of the O.C.G.A., but not later than the Tuesday next following the first Monday in  
 69 November, 2024, and shall issue the call and conduct such election as provided by general

70 law. The election superintendent shall cause the date and purpose of the election to be  
71 published once a week for two weeks immediately preceding the date thereof in the official  
72 organ of Henry County. The ballot shall have written or printed thereon the words:

73 "( ) YES Shall the provisions of the Act which annexes certain land into the City of  
74 ( ) NO Locust Grove be approved?"

75 All persons desiring to vote for approval of the annexation shall vote "Yes," and all persons  
76 desiring to vote for rejection of the annexation shall vote "No." If more than one-half of the  
77 votes cast on such question are for approval of the annexation, then Section 2 of this Act  
78 shall become effective on December 31, 2024. If more than one-half of the votes cast on  
79 such question are for rejection of the annexation, this Act shall not become effective and  
80 shall be automatically repealed on the first day of July immediately following such election  
81 date. The expense of such election shall be borne by the City of Locust Grove. It shall be  
82 the election superintendent's duty to certify the result thereof to the Secretary of State. The  
83 provisions of this section shall be mandatory upon the election superintendent and are not  
84 intended as directory. If the election superintendent fails or refuses to comply with this  
85 section, any resident of the City of Locust Grove or an elector of the territory described in  
86 Section 2 of this Act may apply for a writ of mandamus to compel the election  
87 superintendent to perform his or her duties under this section. If the court finds that the  
88 election superintendent has not complied with this section, the court shall fashion appropriate  
89 relief requiring the election superintendent to call and conduct such election on the date  
90 required by this section or on the next date authorized for special elections as provided for  
91 in Code Section 21-2-540 of the O.C.G.A.

92 **SECTION 4.**

93 (a) Section 1 of this Act shall become effective on the first day of the month following the  
94 month in which it is approved by the Governor or becomes law without such approval.

95 (b) Section 2 of this Act shall become effective as provided for in Section 3 of this Act.

96 (c) This section and Sections 3 and 5 of this Act shall become effective upon its approval  
97 by the Governor or upon its becoming law without such approval.

98 **SECTION 5.**

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