

Senate Bill 560

By: Senator Harrell of the 40th

**AS PASSED**

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act creating a new charter for the City of Doraville, approved October 13, 1971  
 2 (Ga. L. 1971, Ex. Sess., p. 2154), as amended, so as to change the corporate limits of such  
 3 city; to provide descriptions; to provide for a referendum, effective dates, automatic repeal,  
 4 mandatory execution of election, and judicial remedies regarding failure to comply; to repeal  
 5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act reincorporating the City of Doraville in the County of DeKalb, approved  
 9 October 13, 1971 (Ga. L. 1971, Ex. Sess., p. 2154), as amended, is amended by revising the  
 10 description of the corporate limits of the City of Doraville in Appendix A by adding at the  
 11 end the following:

12 "(2024-C)(1) In addition to all other territory included within the corporate limits of said  
 13 city, the corporate limits shall specifically include the following described property, all  
 14 of which is located in DeKalb County, Georgia:

15 Doraville-Annex-2024

16 District C

17 County DeKalb GA

S. B. 560

- 1 -

18 VTD Oakcliff Elem  
 19 Block 021307  
 20 2000 3006  
 21 Block 021309  
 22 1002 1003 1004 2002  
 23 Block 021310  
 24 1020 1024 1026 1027 1028 1029 1030 1031 1033 3004 3005 3006  
 25 3007

26 (A) The term 'VTD' shall mean and describe the same geographical boundaries as  
 27 provided in the report of the Bureau of the Census for the United States decennial  
 28 census of 2020 for the State of Georgia. The separate numeric designations in a district  
 29 description which are underneath a VTD heading shall mean and describe individual  
 30 Blocks within a VTD as provided in the report of the Bureau of the Census for the  
 31 United States decennial census of 2020 for the State of Georgia; and

32 (B) Except as otherwise provided in the description of any district, whenever the  
 33 description of any district refers to a named city, it shall mean the geographical  
 34 boundaries of that city as shown on the census maps for the United States decennial  
 35 census of 2020 for the State of Georgia.

36 (2) For the purposes of the description provided in this Act, the term 'VTD' shall mean  
 37 and describe the same geographical boundaries as provided in the report of the Bureau  
 38 of the Census for the United States decennial census of 2020 for the State of Georgia.  
 39 The separate numeric designations in a district description which are underneath a 'VTD'  
 40 heading shall mean and describe individual blocks within a VTD as provided in the report  
 41 of the Bureau of the Census for the United States decennial census of 2020 for the State  
 42 of Georgia.

43 (3) Any property described in this Act which on the effective date of this Act is already  
 44 incorporated within the corporate limits of a municipality other than the City of Doraville

45 shall not be included within the boundaries of the City of Doraville by operation of this  
 46 Act; provided, however, that nothing in this paragraph shall operate to prevent any such  
 47 property from being annexed into the City of Doraville in the future if such property is  
 48 no longer located within the corporate limits of another municipality.

49 (4) Any property described in this Act which on the effective date of this Act is the right  
 50 of way of State Route 403, also known as Interstate 85, or the right of way of State  
 51 Route 407, also known as Interstate 285, shall not be included within the boundaries of  
 52 the City of Doraville by operation of this Act; provided, however, that nothing in this  
 53 paragraph shall operate to prevent any such property from being annexed into the City  
 54 of Doraville in the future."

55

## SECTION 2.

56 The election superintendent of DeKalb County shall call and conduct a special election as  
 57 provided in this section for the purpose of submitting the annexation provided for in this Act  
 58 to the electors of the territory sought to be annexed into the City of Doraville under this Act  
 59 for approval or rejection. The election superintendent shall conduct such election on the  
 60 Tuesday next following the first Monday in November, 2024, and shall issue the call and  
 61 conduct such election as provided by general law. The election superintendent shall cause  
 62 the date and purpose of the election to be published once a week for two weeks immediately  
 63 preceding the date thereof in the official organ of DeKalb County. The ballot shall have  
 64 written or printed thereon the words:

65 "( ) YES Shall the provisions of the Act which annexes certain land, identified as  
 66 ( ) NO 2024 Annexation District C, into the City of Doraville be approved?"

67 All persons desiring to vote for approval of the annexation shall vote "Yes," and all persons  
 68 desiring to vote for rejection of the annexation shall vote "No." If more than one-half of the  
 69 votes cast on such question are for approval of the annexation, then this Act shall become  
 70 effective on the first day of the month following the month during which the voters approve

71 such question for all purposes other than ad valorem tax purposes and on  
72 December 31, 2024, for ad valorem tax purposes. If more than one-half of the votes cast on  
73 such question are for rejection of the annexation, this Act shall not become effective and  
74 shall be automatically repealed on July 1, 2025. The expense of such election shall be borne  
75 by the City of Doraville. It shall be the election superintendent's duty to certify the result  
76 thereof to the Secretary of State. The provisions of this section shall be mandatory upon the  
77 election superintendent and are not intended as directory. If the election superintendent fails  
78 or refuses to comply with this section, any resident of the City of Doraville or an elector of  
79 the territory described in Section 1 of this Act may apply for a writ of mandamus to compel  
80 the election superintendent to perform his or her duties under this section. If the court finds  
81 that the election superintendent has not complied with this section, the court shall fashion  
82 appropriate relief requiring the election superintendent to call and conduct such election on  
83 the date required by this section or on the next date authorized for special elections as  
84 provided for in Code Section 21-2-540 of the O.C.G.A.

85 **SECTION 3.**

86 Except as provided in Section 2, this Act shall become effective upon its approval by the  
87 Governor or upon its becoming law without such approval.

88 **SECTION 4.**

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