

House Bill 575 (AS PASSED HOUSE AND SENATE)

By: Representative Rice of the 95th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to incorporate the City of Peachtree Corners, approved May 11, 2011
2 (Ga. L. 2011, p. 3729), so as to change certain provisions relating to the city's ability to enter
3 into agreements with other governmental entities; to provide for the city's inclusion to the
4 Gwinnett County Police Service District, the Gwinnett County Fire and Emergency Medical
5 Service District, the Gwinnett County Recreation District, and the Gwinnett County
6 Emergency 9-1-1 System at the conclusion of the city's transition period; to clarify the city's
7 municipal elections through the transition period; to provide for related matters; to repeal
8 conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 An Act to incorporate the City of Peachtree Corners, approved May 11, 2011 (Ga. L. 2011,
12 p. 3729), is amended by adding a new subsection to Section 1.12 to read as follows:

13 "(d) Notwithstanding the limitations of subsections (b) and (c) of this section, the city may,
14 without the necessity of a referendum, enter into agreements with other governmental
15 entities, including federal and state agencies and other local governments, to provide for
16 any services not currently authorized by this charter but necessary for the general health,
17 safety, and welfare of the citizens."

18 style="text-align:center">**SECTION 2.**

19 Said Act is further amended by adding new subsections to Section 8.11 to read as follows:

20 "(j)(1) At the conclusion of the transition period as defined herein, the City of Peachtree
21 Corners shall be deemed to be a part of the existing special service district located in
22 Gwinnett County known as the Police Service District. The participation of the City of
23 Peachtree Corners in the Police Service District shall be subject to, and in accordance
24 with, the existing terms and conditions of participation as established by Gwinnett
25 County with other participating cities, including, but not limited to, those terms and

26 conditions related to costs, funding, duration, and modification of services. Gwinnett
27 County is expressly authorized to provide police services within the City of Peachtree
28 Corners and, for the purpose of funding such services, to establish and levy a tax on
29 property located within the City of Peachtree Corners at a millage rate that is uniform
30 with property located in other cities and unincorporated areas participating in the Police
31 Service District, but the millage rate shall not be counted against the 1 mill maximum
32 imposed on taxes established and levied by the City of Peachtree Corners.

33 (2) At the conclusion of the transition period as defined herein, the City of Peachtree
34 Corners shall be deemed to be a part of the existing special service district located in
35 Gwinnett County known as the Fire and Emergency Medical Service District. The
36 participation of the City of Peachtree Corners in the Fire and Emergency Medical Service
37 District shall be subject to, and in accordance with, the existing terms and conditions of
38 participation as established by Gwinnett County with other participating cities, including,
39 but not limited to, those terms and conditions related to costs, funding, duration, and
40 modification of services. Gwinnett County is expressly authorized to provide fire and
41 emergency medical services within the City of Peachtree Corners and, for the purpose of
42 funding such services, to establish and levy a tax on property located within the City of
43 Peachtree Corners at a millage rate that is uniform with property located in other cities
44 and unincorporated areas participating in the Fire and Emergency Medical Service
45 District, but the millage rate shall not be counted against the 1 mill maximum imposed
46 on taxes established and levied by the City of Peachtree Corners.

47 (3) At the conclusion of the transition period as defined herein, the City of Peachtree
48 Corners shall be deemed to remain a part of the existing special service district known
49 as the Gwinnett County Recreation District, approved and created by the electors of
50 Gwinnett County by referendum held on November 4, 1986, for the purpose of
51 establishing and maintaining a county-wide parks and recreation system. The
52 participation of the City of Peachtree Corners in the Gwinnett County Recreation District
53 shall be subject to, and in accordance with, the existing terms and conditions of
54 participation as established by Gwinnett County. Gwinnett County is expressly
55 authorized to provide recreational services within the City of Peachtree Corners and, for
56 the purpose of funding such services, to establish and levy a tax on property located
57 within the City of Peachtree Corners at a millage rate that is uniform with other property
58 located in the Gwinnett County Recreation District, but the millage rate shall not be
59 counted against the 1 mill maximum imposed on taxes established and levied by the City
60 of Peachtree Corners.

61 (4) At the conclusion of the transition period as defined herein, the City of Peachtree
62 Corners shall continue to be served by Gwinnett County's Emergency 9-1-1 System for

63 the provision of emergency 9-1-1 services, including, but not limited to, call-taking and
64 emergency dispatch services, and shall continue to be served by the existing public safety
65 answering points established and operated by Gwinnett County, all pursuant to the
66 authority of the Georgia Emergency Telephone Number 9-1-1 Service Act of 1977. The
67 City of Peachtree Corners shall not create or operate its own Emergency 9-1-1 System
68 or public safety answering point and shall not impose or collect a 9-1-1 charge from
69 suppliers of telephone services, including local exchange telephone service or other
70 telephone communication service, wireless service, prepaid wireless service, mobile
71 telecommunications service, computer service, Voice over Internet Protocol service, or
72 any technology that delivers or is required by law to deliver a call to a public safety
73 answering point.

74 (k) Only for the purposes of holding and conducting municipal elections during the
75 transition period, the election superintendent of Gwinnett County shall be vested with the
76 powers and duties of the election superintendent of the City of Peachtree Corners. During
77 the transition period, the election superintendent of Gwinnett County shall conduct all
78 municipal elections for the City of Peachtree Corners during the 2013 election cycle. The
79 expense of any such election, or necessary runoff, shall be borne by the City of Peachtree
80 Corners and remitted to Gwinnett County within 60 days after any such election or runoff.
81 It shall be the election superintendent's duty to certify the result of any election or runoff
82 to the Secretary of State."

83 **SECTION 3.**

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