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**SENATE RESEARCH OFFICE**

 **2015 Session April 2, 2015**

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| **Bill:**  HB 515 | **Sponsor:**  Representative Mitchell of the 88th |
| **Version:** LC 28 7638ERS | **Amends:**  NA |
| **Status:**  As Passed – Final Version | **Committee:** SLOGO |

**Incorporation of the City of Tucker**

**ANALYSIS**

This legislation proposes the incorporation of the City of Tucker in DeKalb County, contingent upon voter approval by the qualified voters of the proposed city on November 3, 2015. The legislation establishes the city government structure, its powers and duties, as well as its corporate limits (Appendix A).

Other significant provisions include the following:

* Should voters approve the proposed city, the first general municipal elections will be held in conjunction with the 2016 presidential preference primary. Thereafter, general municipal elections will be held in November in each odd-numbered year beginning in 2017;
* Councilmembers will serve staggered four-year terms so that three seats are chosen every two years;
* The first mayor and initial councilmembers will take office on the first business day following the certification of the initial election; and
* Starting from the day the referendum results are certified, a two-year transition period will be carried out for an orderly transition of various government functions from DeKalb County to the City of Tucker.

Article I – Creation, Incorporation, Powers

* SECTION 1.01 - Incorporation
* SECTION 1.02 - Corporate boundaries
* SECTION 1.03 - Powers and construction
* SECTION 1.04 - Exercise of powers
* SECTION 1.05 - Tourism, conventions, and trade shows

Article II – Government Structure, Elections, and Legislative Branch

* SECTION 2.01 - City council creation; number; election
* SECTION 2.02 - Mayor and councilmembers; terms, and qualifications for office
* SECTION 2.03 - Vacancy; filling of vacancies; suspensions
* SECTION 2.04 - Nonpartisan elections
* SECTION 2.05 - Election votes
* SECTION 2.06 - Applicability of general laws; qualifying; other provisions
* SECTION 2.07 - Compensation and expenses
* SECTION 2.08 - Inquiries and investigations
* SECTION 2.09 - Meetings and oath of office
* SECTION 2.10 - Quorum; voting
* SECTION 2.11 - General power and authority of the city council
* SECTION 2.12 - Administrative and service departments
* SECTION 2.13 - Prohibitions
* SECTION 2.14 - Boards, commissions, and authorities
* SECTION 2.15 - Ordinance form; procedures
* SECTION 2.16 - Submission of ordinances to the city clerk

Article III - Executive Branch

* SECTION 3.01 - Powers and duties of the mayor
* SECTION 3.02 - City manager; appointment, qualification, and compensation
* SECTION 3.03 - City manager; chief administrative officer
* SECTION 3.04 - City manager; powers and duties
* SECTION 3.05 - City council interference with administration
* SECTION 3.06 - City manager; removal
* SECTION 3.07 - Acting city manager
* SECTION 3.08 - City attorney
* SECTION 3.09 - City clerk
* SECTION 3.10 - Tax Collector
* SECTION 3.11 - City accountant
* SECTION 3.12 - City internal auditor
* SECTION 3.13 - Consolidation of functions
* SECTION 3.14 - Position classification and pay plans; employment at-will

Article IV - Municipal Court

* SECTION 4.01 - Creation
* SECTION 4.02 - Judges
* SECTION 4.03 - Convening
* SECTION 4.04 - Jurisdiction; powers
* SECTION 4.05 - Certiorari
* SECTION 4.06 - Rules for court

Article V - Finance And Fiscal

* SECTION 5.01 - Fiscal year
* SECTION 5.02 - Preparation of budgets
* SECTION 5.03 - Submission of operating budget to city council
* SECTION 5.04 - Action by city council on budget
* SECTION 5.05 - Procurement and property management
* SECTION 5.06 - Procurement
* SECTION 5.07 - External Audits
* SECTION 5.08 - Homestead exemption; freeze
* SECTION 5.09 - Homestead exemption; senior citizens; disabled
* SECTION 5.10 - Homestead exemption; general
* SECTION 5.11 - Homestead exemption; surviving spouses

Article VI - General Provisions

* SECTION 6.01 - DeKalb county special services tax district
* SECTION 6.02 - Referendum and initial election
* SECTION 6.03 - Effective dates and transition
* SECTION 6.04 - Directory nature of dates
* SECTION 6.05 - Charter commission
* SECTION 6.06 - Effective date
* SECTION 6.07 - Repealer

**Analyst: Alex Azarian**

**House Vote: 128-31**