

1 A RESOLUTION EXPRESSING SUPPORT FOR THE COBB COUNTY BOARD OF
2 COMMISSIONERS IN THE APPLICATION OF HOME RULE; TO EXPRESS
3 CONCERN AT THE PRACTICE OF THE PASSAGE OF GENERAL BILLS
4 ADDRESSING ISSUES OF LOCAL CONCERN TO CIRCUMVENT HOME RULE
5 PROVISIONS OF THE GEORGIA CONSTITUTION; AND FOR OTHER PURPOSES.
6

7 WHEREAS, the Cobb County Board of Commissioners acknowledge the purpose
8 of Home Rule as a legal protection and power enshrined to counties in the Georgia
9 Constitution; and

10 WHEREAS, the Cobb County Board of Commissioners sees the value in this
11 protection as it fosters collaboration and communication between the State and its
12 counties in matters that solely impact counties; and

13 WHEREAS, the Georgia General Assembly has presented a situation of historic
14 concern for Cobb County with the enactment and signing of HB 1154, which included no
15 input from Cobb County through the inferred process of approving a local bill; and

16 WHEREAS, the Cobb County Local Delegation proposed an alternate bill, HB
17 1256, inclusive of all members of the Cobb County governing Board, which was selected
18 to not advance by a non-Cobb representative group of the Georgia General Assembly;
19 and

20 WHEREAS, the legislative legal counsel, during a special hearing, advised of the
21 unprecedented nature of the selected bill on behalf of the Cobb County Local Delegation;
22 and

23 WHEREAS, the Georgia General Assembly had reasonable time to create an
24 alternative proposal in collaboration with the governing board in acknowledgement of the
25 legal concerns raised in the special hearing; and

WHEREAS, the Georgia General Assembly instead passed a bill designated to be a local bill as a general bill, but which still falls under the scope of a local bill since its impact is limited to a single jurisdiction; and

WHEREAS, the practice by the Georgia General Assembly of using general bills to address issues of local concern infringes on the Home Rule authority provided to counties by the Georgia Constitution and fosters uncertainty and mistrust between levels of government; and

WHEREAS, upon the passing of a precedent-setting bill which impacts all 159 counties of Georgia, Cobb County has chosen to invoke Home Rule as provided in the Georgia Constitution under the narrow scope of amending a local bill as set forth in the Georgia Constitution after review of the associated limitations to the Home Rule power.

NOW, THEREFORE, BE IT RESOLVED, that the Fulton County Board of Commissioners, through this Resolution, values and supports the invocation of Home Rule for Cobb County on the bill HB 1154.

SO PASSED AND ADOPTED, this _____ day of November, 2022.

SPONSORED BY:

Marvin S. Arrington, Jr.
Commissioner, District 5

ATTEST:

Tonya R. Grier, Clerk to the Commission

APPROVED AS TO FORM:

Y. Soo Jo, County Attorney

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