

Senate Bill 291

By: Senator Hill of the 4th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Code Section 12-3-58 of the Official Code of Georgia Annotated, relating to
2 powers, duties, and authority of the Department of Natural Resources and its Division of
3 Historic Preservation relative to a historic preservation grants program, so as to redefine a
4 certain term; to change certain provisions relating to eligibility of historic property for
5 funding under such program; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 12-3-58 of the Official Code of Georgia Annotated, relating to powers, duties,
9 and authority of the Department of Natural Resources and its Division of Historic
10 Preservation relative to a historic preservation grants program, is amended by striking
11 paragraph (5) of subsection (a) and inserting in lieu thereof the following:

12 "(5) 'Historic property' means a district, site, building, structure, monument, or object
13 significant in prehistory, history, upland and underwater archeology, architecture,
14 engineering, or culture of this state, including artifacts, records, and remains related to
15 a district, site, structure, or object. For purposes of this paragraph, sites significant in the
16 history of this state shall be deemed to include without limitation combat veterans'
17 gravesites in this state."

18 **SECTION 2.**

19 Said Code section is further amended by striking subsection (f) and inserting in lieu thereof
20 the following:

21 "(f) The division shall:

22 (1) Ensure that funding under the grant program for the acquisition, restoration, or
23 rehabilitation of historic properties is used only if the property has been listed in or is
24 eligible for the Georgia Register of Historic Places or is a combat veteran's gravesite in
25 this state; and

1 (2) Require recipients of grants made under the grant program to enter into an agreement
2 to preserve, maintain, and allow limited public access to the historic property. This
3 agreement shall be a recordable ~~historic preservation~~ conservation easement for the
4 purpose of preserving the historical aspects of the property if the property is real property,
5 unless the commissioner has determined that such an agreement or easement is
6 impracticable or infeasible under the circumstances in accordance with the regulations."

7 **SECTION 3.**

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