

House Bill 1145

By: Representatives Reece of the 11th, Parham of the 94th, Snow of the 1st, and Childers of the 13th, Post 1

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 44-1-13 of the Official Code of Georgia Annotated, relating to the
2 removal of improperly parked cars or trespassing personal property, procedure, prohibition
3 of automatic surveillance, and a penalty, so as to provide that the governing authority of any
4 county or consolidated government having towing and storage firms operating within its
5 territorial boundaries may issue a license or permit to engage in private trespass towing; to
6 repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 44-1-13 of the Official Code of Georgia Annotated, relating to the removal of
10 improperly parked cars or trespassing personal property, procedure, prohibition of automatic
11 surveillance, and a penalty, is amended by striking in its entirety subsection (d) and inserting
12 in lieu thereof the following:

13 "(d) The governing authority of each municipality, county, or consolidated government
14 having towing and storage firms operating within its territorial boundaries may issue a
15 license or permit to engage in private trespass towing pursuant to this Code section to any
16 firm meeting the qualifications imposed by said governing authority. The fee for the
17 license or permit shall be set by such governing authority. The maximum reasonable costs
18 of removal, relocation, and storage pursuant to the provisions of this Code section shall be
19 compensatory, as such term is used in the public utility rate-making procedures, and shall
20 be established annually by the governing authority of each municipality having towing and
21 storage firms operating within its territorial boundaries; provided, however, that no storage
22 fees shall be charged for the first 24 hour period which begins at the time the vehicle is
23 removed from the property, and no such fees shall be allowed for the removal and storage
24 of vehicles removed by towing and storage firms found to be in violation of this Code
25 section."

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SECTION 2.

2 All laws and parts of laws in conflict with this Act are repealed.