

House Bill 1646

By: Representatives Bannister of the 70th, Post 1, Franklin of the 17th, Joyce of the 2nd, Cooper of the 30th, and Chambers of the 53rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 22 of the Official Code of Georgia Annotated, relating to
2 general provisions relative to eminent domain, so as to provide that a municipal corporation
3 shall not transfer an interest in real property acquired through exercise of the right of eminent
4 domain for at least five years after such acquisition; to provide for a presumption; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 1 of Title 22 of the Official Code of Georgia Annotated, relating to general
9 provisions relative to eminent domain, is amended by inserting at the end thereof the
10 following:

11 "22-1-9.

12 A municipal corporation and any authority of a municipal corporation shall not transfer to
13 a private person, corporation, firm, partnership, or any other private entity any interest in
14 property acquired through the exercise of the right of eminent domain for at least five years
15 after such property was acquired. Any such transfer of property prior to such time shall
16 give rise to a presumption that the property was not acquired for a public purpose."

17 **SECTION 2.**

18 All laws and parts of laws in conflict with this Act are repealed.