

Senate Bill 70

By: Senators Thompson of the 33rd, Stoner of the 6th, Mullis of the 53rd, Powell of the 23rd and Thompson of the 5th

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Code Section 36-22-2 of the Official Code of Georgia Annotated, relating to
2 definitions concerning community greenspace preservation, so as to include land used as or
3 dedicated for use as a cemetery within the definition of greenspace for a limited purpose; to
4 provide for related matters; to provide an effective date; to repeal conflicting laws; and for
5 other purposes.

6 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

7 **SECTION 1.**

8 Code Section 36-22-2 of the Official Code of Georgia Annotated, relating to definitions
9 concerning community greenspace preservation, is amended by striking paragraph (3) and
10 inserting in lieu thereof a new paragraph (3) to read as follows:

11 " (3) 'Greenspace' means permanently protected land and water, including agricultural and
12 forestry land, that is in its undeveloped, natural state or that has been developed only to
13 the extent consistent with, or is restored to be consistent with, one or more of the
14 following goals:

- 15 (A) Water quality protection for rivers, streams, and lakes;
- 16 (B) Flood protection;
- 17 (C) Wetlands protection;
- 18 (D) Reduction of erosion through protection of steep slopes, areas with erodible soils,
19 and stream banks;
- 20 (E) Protection of riparian buffers and other areas that serve as natural habitat and
21 corridors for native plant and animal species;
- 22 (F) Scenic protection;
- 23 (G) Protection of ~~archaeological~~ archeological and historic resources;
- 24 (H) Provision of recreation in the form of boating, hiking, camping, fishing, hunting,
25 running, jogging, biking, walking, and similar outdoor activities; and
- 26 (I) Connection of existing or planned areas contributing to the goals set out in this
27 paragraph.

For the limited purpose of calculating the amount of greenspace a greenspace program seeks to protect permanently pursuant to Code Section 36-22-6, greenspace shall also include land that is used as or is dedicated for use as a cemetery. Notwithstanding anything contained in this chapter, the inclusion as greenspace of land used or dedicated for use as a cemetery shall not interfere with the burial rights of human remains, the designation of dedicated cemetery property, or cemetery development as provided in Chapter 14 of Title 10, the 'Georgia Cemetery and Funeral Services Act of 2000.'

SECTION 2.

9 This Act shall become effective upon its approval by the Governor or upon its becoming law
10 without such approval.

SECTION 3.

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