

Senate Bill 130

By: Senators Miles of the 43rd, Williams of the 19th, Butler of the 55th, Goggans of the 7th,
Moody of the 56th and others

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 1 of Title 44 of the Official Code of Georgia Annotated, relating to
2 general provisions regarding property, so as to provide that churches shall be exempt from
3 the provisions regulating the removal and storage of vehicles from private real property; to
4 provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 1 of Title 44 of the Official Code of Georgia Annotated, relating to general
8 provisions regarding property, is amended by striking subsection (a) of Code Section
9 44-1-13, relating to removal of improperly parked cars or trespassing personal property, and
10 inserting in its place the following:

11 "(a) Any person or his or her authorized agent entitled to the possession of any parcel or
12 space of private real property, hereinafter referred to as 'private property,' shall have the
13 right to remove or cause to be removed from the property any vehicle or trespassing
14 personal property thereon which is not authorized to be at the place where it is found and
15 to store or cause to be stored such vehicle or trespassing personal property, provided that
16 there shall have been conspicuously posted on the private real property notice that any
17 vehicle or trespassing personal property which is not authorized to be at the place where
18 it is found may be removed at the expense of the owner of the vehicle or trespassing
19 personal property. Such notice shall also include information as to the location where the
20 vehicle or personal property can be recovered, the cost of said recovery, and information
21 as to the form of payment; provided, however, that the owner of private residential property
22 containing not more than four residential units or the owners of places of religious worship,
23 as defined in paragraph (2.1) of subsection (a) of Code Section 48-5-41, including
24 churches, synagogues, and temples, shall not be required to comply with the posting
25 requirements of this subsection. Only towing and storage firms issued permits or licenses
26 by the local governing authority of the jurisdiction in which they operate or by the
27 Department of Motor Vehicle Safety, and having a secure impoundment facility, shall be

1 permitted to remove trespassing property and trespassing personal property at the request
2 of the owner or authorized agent of the private property."

3 **SECTION 2.**

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