

House Bill 1207 (AS PASSED HOUSE AND SENATE)

By: Representative Powell of the 29<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend the "City of Hartwell Recreation Authority Act," approved April 4, 1996 (Ga. L.  
2 1996, p. 3998), so as to authorize the Hartwell Recreation Authority to lease, sell, transfer,  
3 or otherwise dispose of real or tangible personal property owned by the authority; to provide  
4 for the disposition of proceeds resulting from the transfer of ownership interests of such  
5 property; to provide for related matters; to provide an effective date; to repeal conflicting  
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 The "City of Hartwell Recreation Authority Act," approved April 4, 1996 (Ga. L. 1996, p.  
10 3998), is amended by adding immediately after Section 4 a new Section 4A to read as  
11 follows:

12 "SECTION 4A.

13 Power to dispose of real and tangible personal property.

14 (a) The authority shall have the power to sell, transfer, exchange, lease, and otherwise  
15 dispose of all or any part or parcel of real or tangible personal property owned or hereafter  
16 acquired by the authority. Disposition of such property may be by public or private sale  
17 and upon such terms and conditions as the authority shall determine appropriate.

18 (b) The proceeds from any sale, transfer, exchange, lease, or other disposition of real or  
19 tangible personal property may be:

20 (1) Held by the authority and invested in the same manner as funds of the City of  
21 Hartwell are authorized to be invested;

22 (2) Expended for and in furtherance of the authority's corporate, administrative, or  
23 public purposes as set forth in this Act, including projects involving the promotion of

1 recreational activities, tourism, and economic development within the City of Hartwell  
2 and Hart County, Georgia; or

3 (3) Transferred, permanently or temporarily, to the City of Hartwell for its use in the  
4 furtherance of the city's public and corporate purposes.

5 (c) The powers provided by this section are cumulative and in addition to other powers of  
6 the authority which may reasonably be inferred from the provisions of this Act, the  
7 enabling Act, or any other law. This section shall be liberally construed to effect the  
8 described purposes, and, in interpreting this section, the courts shall not apply 'Dillon's  
9 Rule.'"

10 **SECTION 2.**

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

13 **SECTION 3.**

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