

Senate Bill 120

By: Senators Whitehead, Sr. of the 24th, Grant of the 25th, Murphy of the 27th and Thomas of the 54th

**AS PASSED SENATE**

**A BILL TO BE ENTITLED  
AN ACT**

1 To amend Code Section 50-16-38 of the Official Code of Georgia Annotated, relating to state  
2 agencies acquiring real property through the State Properties Commission, so as to remove  
3 certain exceptions to the requirement that acquisitions of real property generally must be  
4 conducted through the commission; to provide for related matters; to provide for an effective  
5 date and applicability; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 50-16-38 of the Official Code of Georgia Annotated, relating to state agencies  
9 acquiring real property through the State Properties Commission, is amended by revising  
10 subsection (a) as follows:

11 "(a) Except for all acquisitions of real property by the Department of Transportation and  
12 the Board of Regents of the University System of Georgia, and except for the Department  
13 of Natural Resources acquiring by gift parcels of real property, not exceeding three acres  
14 each, to be used for the construction and operation thereon of boat-launching ramps, and  
15 except for acquisitions of real property by the Department of Technical and Adult  
16 Education in connection with student live work projects funded through moneys generated  
17 as a result of the sale of such projects, donations, or student supply fees, and except for  
18 acquisitions of real property by the commission resulting from transfers of custody and  
19 control of real property to the commission by executive order of the Governor or by Act  
20 or resolution of the General Assembly; and except as otherwise provided by law, and  
21 except as otherwise or required by the nature of the transaction conveying real property to  
22 the state or any entity thereof:

23 (1) All state entities shall acquire real property through the commission; and

24 (2) The title to all real property acquired shall be in the name of the state, except for state  
25 authorities which shall hold title in their own name. The conveyance shall have written

1 or printed in the upper right-hand corner of the initial page thereof the name of the state  
2 entity for which acquired who is the custodian thereof."

3 **SECTION 2.**

4 This Act shall become effective upon its approval by the Governor or upon its becoming law  
5 without such approval. This Act shall apply to all acquisition agreements entered into on or  
6 after July 1, 2007.

7 **SECTION 3.**

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