

Senate Bill 455

By: Senator Grant of the 25th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 2 of Chapter 16 of Title 50 of the Official Code of Georgia Annotated,  
2 relating to the "State Properties Code," is amended by modifying certain provisions relating  
3 to acquiring real property through commission and procedures and funds for such  
4 acquisitions; to authorize the State Properties Commission to accept deeds containing  
5 reversions; to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 16 of Title 50 of the Official Code of Georgia Annotated, relating to the  
9 "State Properties Code," is amended in Code Section 50-16-38, relating to all state entities  
10 acquiring real property through the state properties commission, exceptions, procedure for  
11 handling acquisition requests, and funds for acquisitions, as follows:

12 "50-16-38.

13 (a) Except for:

14 (1) ~~all~~ All acquisitions of real property by the Department of Transportation and the  
15 Board of Regents of the University System of Georgia, ~~and except for;~~

16 (2) ~~the~~ The Department of Natural Resources acquiring by gift parcels of real property,  
17 not exceeding three acres each, to be used for the construction and operation thereon of  
18 boat-launching ramps, ~~and except for;~~

19 (3) ~~acquisitions~~ Acquisitions of real property by the Technical College System of  
20 Georgia in connection with student live work projects funded through moneys generated  
21 as a result of the sale of such projects, donations, or student supply fees, ~~and except for;~~

22 (4) ~~acquisitions~~ Aquisitions of real property by the commission resulting from transfers  
23 of custody and control of real property to the commission by executive order of the  
24 Governor or by Act or resolution of the General Assembly, ~~and except as;~~

25 (5) Aquisitions of real property by authorities or similar instrumentalities of the state  
26 unless otherwise required by law to have approval of the commission; and

27 (6) Acquisitions otherwise provided for by law, ~~and except as otherwise~~ or required by  
 28 the nature of the transaction conveying real property to the state or any entity thereof,  
 29 ~~(1)~~ All state entities shall acquire real property through the commission,<sup>1</sup> and  
 30 ~~(2)~~ The the title to all real property acquired shall be in the name of the state, ~~except for~~  
 31 ~~state authorities which shall hold title in their own name.~~ The conveyance shall have  
 32 written or printed in the upper right-hand corner of the initial page thereof the name of the  
 33 state entity for which acquired who is the custodian thereof.

34 (b) The commission is authorized to establish, and amend when the commission deems it  
 35 necessary, a procedure to facilitate the handling by the commission of requests for  
 36 acquisition of real property.

37 (c) The state entity requesting acquisition of real property shall provide all of the funds  
 38 necessary to acquire the real property.

39 (d) The commission is authorized to accept a donation or conveyance for nominal  
 40 consideration of real property from a local governing authority with a reversionary interest  
 41 therein, provided that the donation or conveyance shall only be accepted on the condition  
 42 that such real property shall not revert while the property is being used for a public purpose  
 43 as determined by the commission. This subsection shall not be construed as repealing any  
 44 provisions of Code Section 12-6-9 or 35-2-41.

45 (e) Upon reversion of the state's interest in real property or a determination by the State  
 46 Attorney General that the state no longer has an interest in real property, the commission  
 47 is authorized to execute an appropriate instrument of conveyance to clear the record title.  
 48 The commission shall not convey any interest in real property out of this state and any  
 49 instrument purporting to make an out of state conveyance shall be null and void."

50 **SECTION 2.**

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