

Senate Bill 455

By: Senator Grant of the 25th

AS PASSED

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,~~ 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.