

Senate Bill 18

By: Senators Harp of the 29th, Unterman of the 45th, Weber of the 40th, Chapman of the 3rd, Moody of the 56th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2 of Article 3 of Chapter 6 of Title 32 of the Official Code of Georgia
2 Annotated, relating to the state highway system, so as to provide for an inventory of scenic
3 areas; to change certain provisions relating to restrictions on outdoor advertising authorized
4 by Code Sections 32-6-72 and 32-6-73; to restrict outdoor advertising near certain scenic
5 areas; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 2 of Article 3 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated,
9 relating to the state highway system, is amended by adding a new Code section to read as
10 follows:

11 "32-6-74.1.

12 (a) Not later than six months after the effective date of this Code section, the department
13 shall complete an inventory that identifies scenic areas that are within 660 feet of the
14 nearest edge of the right of way of the interstate and primary highways in this state. Such
15 inventory shall be a public record and shall include:

16 (1) Areas and rights of way with substantial scenic qualities that are unique to this state,
17 including but not limited to scenic highways previously designated as such by the
18 department;

19 (2) Visually sensitive areas or scenic landscapes or viewsheds, such as locations that
20 have panoramic views, vistas, or locations used by a substantial number of participants
21 for astronomy, as designated by the department;

22 (3) Properties subject to conservation use assessment for ad valorem tax purposes
23 pursuant to Code Section 48-5-7.4 or 48-5-7.7;

24 (4) Locations of historic trees as identified by the State Forestry Commission;

25 (5) Locations of historical markers erected by the former Georgia Historical Commission
 26 created by an Act approved February 21, 1951 (Ga. L. 1951, p. 789), the Department of
 27 Natural Resources, or political subdivisions of this state;

28 (6) Areas that have been designated as scenic areas by political subdivisions of this state;

29 (7) Heritage tourism sites as identified by the Department of Economic Development;

30 (8) Centennial farms as identified by the Department of Agriculture; and

31 (9) Locations on the federal National Register of Historic Places.

32 (b) The department shall maintain and update annually the inventory required by
 33 subsection (a) of this Code section.

34 (c) Other departments and agencies of state government and political subdivisions of this
 35 state shall cooperate with the department for purposes of the inventory and updates
 36 required by this Code section."

37 **SECTION 2.**

38 Said part is further amended in subsection (a) of Code Section 32-6-75, relating to
 39 restrictions on outdoor advertising authorized by Code Sections 32-6-72 and 32-6-73, by
 40 revising paragraph (14) and adding a new paragraph (14.1) as follows:

41 "(14) Is within 500 feet in any direction of a public park, public playground, public
 42 recreation area, public forest, ~~scenic area~~, or cemetery; provided, however, that such sign
 43 may be located within 500 feet of a public park, public playground, public recreation
 44 area, public forest, ~~scenic area~~, or cemetery when the sign is separated by buildings or
 45 other obstructions so that the sign located within the 500 foot zone is not visible from the
 46 public park, public playground, public recreation area, public forest, ~~scenic area~~, or
 47 cemetery;

48 (14.1) Is within 660 feet in any direction of any scenic area listed in the most current
 49 inventory maintained by the department pursuant to Code Section 32-6-74.1;"

50 **SECTION 3.**

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