

House Bill 857

By: Representatives Heckstall of the 62nd, Smith of the 168th, Mitchell of the 88th, Johnson of the 37th, Fludd of the 66th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 37 of Title 36 of the Official Code of Georgia Annotated, relating to the
2 acquisition and disposition of real and personal property generally, so as to provide that
3 certain persons be granted first right to purchase property previously condemned by the
4 municipality; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 37 of Title 36 of the Official Code of Georgia Annotated, relating to the acquisition
9 and disposition of real and personal property generally, is amended by revising paragraph (3)
10 of subsection (i) of Code Section 36-37-6, relating to the sale or disposition of municipal
11 property, as follows:

12 "(3) In disposing of property, as authorized under this subsection, the municipality shall
13 notify the owner of such property at the time of its acquisition. If the original owner of
14 the property at the time of the municipality's acquisition of such property is deceased, the
15 municipality shall make every effort to locate and give notice to the original owner's next
16 of kin. Provided that the municipality successfully contacted the original owner's next
17 of kin, such next of kin shall have the first opportunity to purchase the property which the
18 municipality is disposing of pursuant to this subsection. If, after 180 days, the
19 municipality is unable to identify the next of kin of the original owner of the property at
20 the time of such property's acquisition or; if the tract from which the municipality
21 acquired its property has been subsequently sold, the municipality shall notify the owner
22 of abutting land holding title through the owner from whom the municipality acquired its
23 property. The notice shall be in writing and delivered to the appropriate owner or shall
24 be by publication if such owner's address is unknown; and such owner shall have the right
25 to acquire, as provided in this subsection, the property with respect to which the notice

26 is given. Publication, if necessary, shall be in a newspaper of general circulation in the
27 municipality where the property is located."

28 **SECTION 2.**

29 All laws and parts of laws in conflict with this Act are repealed.