

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated,
2 relating to state parks and recreational areas generally, so as to authorize the Department of
3 Natural Resources to transfer certain operating responsibilities for state parks and
4 recreational areas to local governing authorities on certain conditions; to provide for related
5 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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8 Article 2 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to state
9 parks and recreational areas generally, is amended by adding a new Code section to read as
10 follows:

11 "12-3-35.

12 (a) For purposes of this Code section, the term 'change in services' means the closing of
13 a state park or recreational area or a significant reduction in the hours of operation or
14 services offered at a state park or recreational area location which reduction is reasonably
15 likely to lead to fewer visitors to the state park or recreational area.

16 (b) Prior to making a change in services, the Department of Natural Resources shall notify
17 the governing authority of each municipality and county in which the state park or
18 recreational area is located regarding the specific proposed change in services. The notice
19 required by this Code section shall be made in writing and sent to each member of the
20 governing authority of the county and the mayor and councilmembers of the governing
21 authority of the municipality. Notice shall be provided 60 days prior to the Board of
22 Natural Resources voting upon such proposed change or prior to the department
23 implementing the change, whichever shall first occur.

24 (c) The department is authorized to enter into a memorandum of agreement for the purpose
25 of transferring control, operating, and management responsibilities for a state park or
26 recreational area which is the subject of a proposed change in services to a local governing

27 authority in which the state park or recreational area is located. In addition, the department
28 is authorized to enter into a memorandum of agreement for the transfer of operating and
29 management responsibilities for a specific operation or function within a state park or
30 recreational area to a local governing authority in which the state park or recreational area
31 is located. The transferring of any management responsibilities pursuant to this Code
32 section shall include the authority of the local governing authority to provide staff and
33 funding for designated operations and functions within the management and control of the
34 local governing authority. The transfer of total or partial management responsibilities
35 provided for under this Code section shall occur only upon a finding by the Board of
36 Natural Resources and the local governing authority that such a transfer is in the best
37 interest of the public.
38 (d) Upon the request of a local governing authority, the department shall submit a request
39 and recommendation in writing to each member of the Board of Natural Resources for the
40 board's consideration of the transfer of total or partial management responsibility for a state
41 park or recreational area. The board shall make the final determination regarding each
42 transfer request."

43 **SECTION 2.**

44 This Act shall become effective upon its approval by the Governor or upon its becoming law
45 without such approval.

46 **SECTION 3.**

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