

House Bill 189 (AS PASSED HOUSE AND SENATE)

By: Representatives Buckner of the 137th, Stephens of the 164th, Jackson of the 128th, Epps of the 144th, Williams of the 168th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated,
2 relating to parks, historic areas, memorials, and recreation generally, so as to require the
3 Department of Natural Resources to notify local governing authorities before making certain
4 significant changes in services at state parks, historic sites, or recreational areas located
5 within the area of the local governing authority; to amend Code Section 36-37-6 of the
6 Official Code of Georgia Annotated, relating to disposition of municipal property generally,
7 so as to provide for the transfer of certain park property; to provide for related matters; to
8 repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Article 1 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to
12 parks, historic areas, memorials, and recreation generally, is amended by adding a new Code
13 section to read as follows:

14 "12-3-12.

15 (a) As used in this Code section, the term 'change in services' means the:

16 (1) Permanent change of a primary existing operational function;

17 (2) Reduction by 50 percent or more of the hours of operation or services; or

18 (3) Closure

19 of any state park, historic site, or recreational area operated by or pursuant to the authority
20 of the department.

21 (b) Prior to making a change in services, the department shall provide 60 days' notice to
22 the governing authority of each municipality and county in which any part of the state park,
23 historic site, or recreational area is located regarding the specific proposed change in
24 services. The notice required by this Code section shall be made in writing and sent to the
25 applicable chairperson of the county commissioners and the mayor of the municipality."

26 **SECTION 1A.**

27 Code Section 36-37-6 of the Official Code of Georgia Annotated, relating to disposition of
28 municipal property generally, is amended by adding a new subsection to read as follows:

29 "(m) Notwithstanding any other provision of law to the contrary, a city may exchange
30 property dedicated as a city park with an institution owning property in or abutting a
31 federal National Historic Site for use in connection with such property, provided that the
32 city receives property in fee simple that is of equal or greater acreage as the city property
33 exchanged and that the city immediately dedicates the property as a public park."

34 **SECTION 2.**

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