

The Senate State and Local Governmental Operations Committee offered the following substitute to HB 833:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 61 of Title 36 of the Official Code of Georgia Annotated, the "Urban Redevelopment Law," so as to include blighted areas; to modernize terminology; to provide for the use of surface transportation projects in urban redevelopment areas; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 61 of Title 36 of the Official Code of Georgia Annotated, the "Urban Redevelopment Law," is amended by revising Code Section 36-61-2, relating to definitions, as follows:

"36-61-2.

As used in this chapter, the term:

(1) 'Agency' or 'urban redevelopment agency' means a public agency created by Code Section 36-61-18.

(2) 'Area of operation' means the area within the corporate limits of the municipality or county and the area within five miles of such limits, except that it shall not include any area which lies within the territorial boundaries of another incorporated municipality or another county unless a resolution is adopted by the governing body of such other municipality or county declaring a need therefor.

(3) 'Blight clearance and redevelopment' may include:

(A) Acquisition of a blighted area or portion thereof;

(B) Rehabilitation or demolition and removal of buildings and improvements;

(C) Installation, construction, or reconstruction of streets, transit facilities, sidewalks, streetscapes, trails, bicycle facilities, utilities, parks, playgrounds, and other public facilities and improvements necessary for carrying out in the area the urban redevelopment provisions of this chapter in accordance with the urban redevelopment plan; and

27 (D) Making the land available for development or redevelopment by private enterprise
 28 or public agencies (including sale, initial leasing, or retention by the municipality or
 29 county itself) at its fair value for uses in accordance with the urban redevelopment plan.

30 (4) 'Blighted area' means an area in which there is a predominance of buildings or
 31 improvements, whether residential or nonresidential, which by reason of dilapidation,
 32 deterioration, age, or obsolescence; inadequate provision for ventilation, light, air,
 33 sanitation, or open spaces; high density of population and overcrowding; existence of
 34 conditions which endanger life or property by fire and other causes; or any combination
 35 of such factors is conducive to ill health, transmission of disease, infant mortality,
 36 juvenile delinquency, or crime and is detrimental to the public health, safety, morals, or
 37 welfare. 'Blighted area' also means an area which by reason of the presence of a
 38 substantial number of blighted, deteriorated, or deteriorating structures; predominance
 39 of defective or inadequate street layout; faulty lot layout in relation to size, adequacy,
 40 accessibility, or usefulness; unsanitary or unsafe conditions; deterioration of site or other
 41 improvements; tax or special assessment delinquency exceeding the fair value of the land;
 42 the existence of conditions which endanger life or property by fire and other causes; by
 43 having development impaired by airport or transportation noise or by other environmental
 44 hazards; or any combination of such factors substantially impairs or arrests the sound
 45 growth of a municipality or county, retards the provisions of housing accommodations,
 46 or constitutes an economic or social liability and is a menace to the public health, safety,
 47 morals, or welfare in its present condition and use.

48 ~~(3)~~(5) 'Board' or 'commission' means a board, commission, department, division, office,
 49 body, or other unit of the municipality or county.

50 ~~(4)~~(6) 'Bonds' means any bonds (including refunding bonds), notes, interim certificates,
 51 certificates of indebtedness, debentures, or other obligations.

52 ~~(5)~~(7) 'Clerk' means the clerk or other official of the municipality or county who is the
 53 custodian of the official records of such municipality or county.

54 ~~(6)~~(8) 'County' means any county in this state.

55 ~~(7)~~(9) 'Downtown development authority' means an authority created pursuant to
 56 Chapter 42 of this title.

57 ~~(8)~~(10) 'Federal government' means the United States of America or any agency or
 58 instrumentality, corporate or otherwise, of the United States of America.

59 ~~(9)~~(11) 'Housing authority' means a housing authority created by and established
 60 pursuant to Article 1 of Chapter 3 of Title 8, the 'Housing Authorities Law.'

61 ~~(10)~~(12) 'Local governing body' means the council or other legislative body charged with
 62 governing the municipality and the board of commissioners or governing authority of the
 63 county.

64 ~~(11)~~(13) 'Mayor' means the mayor of a municipality or other officer or body having the
 65 duties customarily imposed upon the executive head of a municipality.

66 ~~(12)~~(14) 'Municipality' means any incorporated city or town in ~~the~~ this state.

67 ~~(13)~~(15) 'Obligee' includes any bondholder, agents, or trustees for any bondholders, or
 68 any lessor demising to the municipality or county property used in connection with an
 69 urban redevelopment project, or any assignee or assignees of such lessor's interest or any
 70 part thereof, and the federal government when it is a party to any contract with the
 71 municipality or county.

72 ~~(14)~~(16) 'Person' means any individual, firm, partnership, corporation, company,
 73 association, joint-stock association, or body politic and includes any trustee, receiver,
 74 assignee, or other person acting in a similar representative capacity.

75 (17) 'Pocket of blight' means a blighted area as defined by paragraph (4) of this Code
 76 section or a portion of such area.

77 ~~(15)~~(18) 'Public body' means the state or any municipality, county, board, commission,
 78 authority, district, housing authority, urban redevelopment agency, or other subdivision
 79 or public body of the state.

80 ~~(16)~~(19) 'Real property' includes all lands, including improvements and fixtures thereon
 81 and property of any nature appurtenant thereto or used in connection therewith, and every
 82 estate, interest, right, and use, legal or equitable, therein, including terms for years and
 83 liens by way of judgment, mortgage, or otherwise.

84 ~~(17)~~(20) 'Rehabilitation' or 'conservation' may include the restoration and redevelopment
 85 of a ~~slum~~ blighted area or ~~portion thereof~~ pocket of blight, in accordance with an urban
 86 redevelopment plan, by:

87 (A) Carrying out plans for a program of voluntary or compulsory repair and
 88 rehabilitation of buildings or other improvements;

89 (B) Acquisition of real property and rehabilitation or demolition and removal of
 90 buildings and improvements thereon where necessary to eliminate unhealthful,
 91 unsanitary, or unsafe conditions, to lessen or increase density, to reduce traffic hazards,
 92 to eliminate obsolete or other uses detrimental to the public welfare, to otherwise
 93 remove or prevent the spread of ~~slums~~ blight or deterioration, or to provide land for
 94 needed public facilities or improvements, including, but not limited to, surface
 95 transportation projects;

96 (C) Installation, construction, or reconstruction of streets, transit facilities and
 97 improvements, sidewalks, streetscapes, trails, bicycle facilities, utilities, parks,
 98 playgrounds, and other improvements necessary for carrying out in the area the urban
 99 redevelopment provisions of this chapter; and

100 (D) The disposition of any property acquired in such urban redevelopment area,
 101 including sale, initial leasing or retention by the municipality or county itself, at its fair
 102 value for uses in accordance with the urban redevelopment plan.

103 ~~(18) 'Slum area' means an area in which there is a predominance of buildings or~~
 104 ~~improvements, whether residential or nonresidential, which by reason of dilapidation,~~
 105 ~~deterioration, age, or obsolescence; inadequate provision for ventilation, light, air,~~
 106 ~~sanitation, or open spaces; high density of population and overcrowding; existence of~~
 107 ~~conditions which endanger life or property by fire and other causes; or any combination~~
 108 ~~of such factors is conducive to ill health, transmission of disease, infant mortality,~~
 109 ~~juvenile delinquency, or crime and is detrimental to the public health, safety, morals, or~~
 110 ~~welfare. 'Slum area' also means an area which by reason of the presence of a substantial~~
 111 ~~number of slum, deteriorated, or deteriorating structures; predominance of defective or~~
 112 ~~inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or~~
 113 ~~usefulness; unsanitary or unsafe conditions; deterioration of site or other improvements;~~
 114 ~~tax or special assessment delinquency exceeding the fair value of the land; the existence~~
 115 ~~of conditions which endanger life or property by fire and other causes; by having~~
 116 ~~development impaired by airport or transportation noise or by other environmental~~
 117 ~~hazards; or any combination of such factors substantially impairs or arrests the sound~~
 118 ~~growth of a municipality or county, retards the provisions of housing accommodations,~~
 119 ~~or constitutes an economic or social liability and is a menace to the public health, safety,~~
 120 ~~morals, or welfare in its present condition and use.~~

121 ~~(19) 'Slum clearance and redevelopment' may include:~~

122 ~~(A) Acquisition of a slum area or portion thereof;~~

123 ~~(B) Rehabilitation or demolition and removal of buildings and improvements;~~

124 ~~(C) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds,~~
 125 ~~and other improvements necessary for carrying out in the area the urban redevelopment~~
 126 ~~provisions of this chapter in accordance with the urban redevelopment plan; and~~

127 ~~(D) Making the land available for development or redevelopment by private enterprise~~
 128 ~~or public agencies (including sale, initial leasing, or retention by the municipality or~~
 129 ~~county itself) at its fair value for uses in accordance with the urban redevelopment plan.~~

130 ~~(20)~~(21) 'Sponsoring local government' means the municipality or county which
 131 approves and is, directly or indirectly, providing the greatest percentage of the public
 132 funding, exclusive of federal funding, for a surface transportation project.

133 (22) 'Surface transportation project' means a project for public improvement and any
 134 related public facilities which is planned to impact 10,000 or more acres and at least ten
 135 transit miles within the area of operation of the sponsoring local government, including
 136 any related facilities, systems, parks, trails, streets, greenspace, and any other integrated

137 public or private development features included within any adopted infrastructure or
 138 transportation plan, urban redevelopment plan, strategic implementation plan,
 139 redevelopment plan, workable programs, or comprehensive plans. Surface transportation
 140 projects may be undertaken under this chapter in areas proximate to, but lying outside of,
 141 a designated urban redevelopment area, without regard to any requirement that the area
 142 be a blighted area or a pocket of blight, but only within the territorial limits of the
 143 sponsoring local government, provided that:

144 (A) The majority of the applicable surface transportation project is located within one
 145 or more urban redevelopment areas;

146 (B) The elements of such surface transportation project lying outside of one or more
 147 urban redevelopment areas are a functional component of a redevelopment plan
 148 authorized under the provisions of Chapter 44 of this title or a comprehensive
 149 development plan adopted in accordance with the rules of the Department of
 150 Community Affairs under Chapter 8 of Title 50; and

151 (C) The sponsoring local government determines that the elements of the surface
 152 transportation project lying outside of one or more urban redevelopment areas are
 153 essential to the full implementation of such project, which legislative determination
 154 shall be deemed conclusive.

155 ~~(20)~~(23) 'Urban redevelopment area' means a ~~slum~~ blighted area which the local
 156 governing body designates as appropriate for an urban redevelopment project.

157 ~~(21)~~(24) 'Urban redevelopment plan' means a plan, as it exists from time to time, for an
 158 urban redevelopment project, which plan shall:

159 (A) Conform to the general plan for the municipality or county as a whole; and

160 (B) Be sufficiently complete to indicate such land acquisition, demolition and removal
 161 of structures, redevelopment, improvements, and rehabilitation as may be proposed to
 162 be carried out in the urban redevelopment area; zoning and planning changes, if any;
 163 land uses; maximum densities; building requirements; and the plan's relationship to
 164 definite local objectives respecting appropriate land uses, improved traffic, public
 165 transportation, public utilities, recreational and community facilities, and other public
 166 improvements.

167 ~~(22)~~(25) 'Urban redevelopment project' may include undertakings or activities of a
 168 municipality or county in an urban redevelopment area for the elimination and for the
 169 prevention of the development or spread of ~~slums~~ blighted areas and may involve ~~slum~~
 170 blight clearance and redevelopment in an urban redevelopment area, rehabilitation or
 171 conservation in an urban redevelopment area, the implementation of public
 172 improvements, including, but not limited to, surface transportation projects, or any
 173 combination or part thereof, in accordance with an urban redevelopment plan. Although

174 the power of eminent domain may not be exercised for ~~such~~ the following purposes, such
 175 undertakings or activities may include:

176 (A) Acquisition, without regard to any requirement that the area be a ~~slum~~ or blighted
 177 area, of air rights in an area consisting of lands and highways, railway or subway tracks,
 178 bridge or tunnel entrances, or other similar facilities which have a blighting influence
 179 on the surrounding area and over which air rights sites are to be developed for the
 180 elimination of such blighting influences and for the provision of housing and related
 181 facilities and uses designed for, and limited primarily to, families and individuals of low
 182 or moderate income; and

183 (B) Construction of foundations and platforms necessary for the provision of air rights
 184 sites of housing and related facilities and uses designed for, and limited primarily to,
 185 families and individuals of low or moderate income or construction of foundations
 186 necessary for the provision of air rights sites for development of nonresidential
 187 facilities."

188 SECTION 2.

189 Said chapter is further amended by revising Code Section 36-61-3, relating to legislative
 190 findings and declaration of necessity, as follows:

191 "36-61-3.

192 (a) It is found and declared that there exist in municipalities and counties of this state ~~slum~~
 193 blighted areas and pockets of blight, as defined in ~~paragraph (18)~~ paragraphs (4) and (17)
 194 of Code Section 36-61-2, which constitute a serious and growing menace, injurious to the
 195 public health, safety, morals, and welfare of the residents of this state; that the existence
 196 of such areas contributes substantially and increasingly to the spread of disease and crime,
 197 constitutes an economic and social liability, substantially impairs or arrests the sound
 198 growth of municipalities and counties, retards the provision of housing accommodations,
 199 aggravates traffic problems, and substantially impairs or arrests the elimination of traffic
 200 hazards and the improvement of traffic facilities; and that the prevention and elimination
 201 of ~~slums~~ blighted areas is a matter of state policy and state concern, in order that ~~the~~ this
 202 state and its municipalities and counties shall not continue to be endangered by areas which
 203 are local centers of disease, promote juvenile delinquency, and, while contributing little to
 204 the tax income of ~~the~~ this state and its municipalities and counties, consume an excessive
 205 proportion of its revenues because of the extra services required for police, fire, accident,
 206 hospitalization, and other forms of public protection, services, and facilities.

207 (b) It is further found and declared that certain ~~slum~~ blighted areas or portions thereof may
 208 require acquisition, clearance, and disposition, subject to use restrictions, as provided in
 209 this chapter, since the prevailing condition of decay may make impracticable the

210 reclamation of the area by conservation or rehabilitation; that the other areas or portions
 211 thereof, through the means provided in this chapter, may be susceptible of conservation or
 212 rehabilitation in such a manner that the conditions and evils enumerated in subsection (a)
 213 of this Code section may be eliminated, remedied, or prevented and that, to the extent that
 214 is feasible, salvable ~~stump~~ blighted areas should be conserved and rehabilitated through
 215 voluntary action and the regulatory process.

216 (c) It is further found and declared that the powers conferred by this chapter are for public
 217 uses and purposes for which public money may be expended and the power of eminent
 218 domain may be exercised. The necessity, in the public interest, for the provisions enacted
 219 in this chapter is declared as a matter of legislative determination."

220 SECTION 3.

221 Said chapter is further amended by revising Code Section 36-61-5, relating to resolution of
 222 necessity as prerequisite to exercise of powers, as follows:

223 "36-61-5.

224 No municipality or county shall exercise any of the powers conferred upon municipalities
 225 and counties by this chapter until after its local governing body has adopted a resolution
 226 finding that:

- 227 (1) One or more ~~stump~~ blighted areas exist in such municipality or county; and
 228 (2) The rehabilitation, conservation, or redevelopment, or a combination thereof, of such
 229 area or areas is necessary in the interest of the public health, safety, morals, or welfare
 230 of the residents of the municipality or county."

231 SECTION 4.

232 Said chapter is further amended by revising Code Section 36-61-6, relating to formulation
 233 of workable program, as follows:

234 "36-61-6.

235 For the purposes of this chapter, a municipality or county may formulate a workable
 236 program for utilizing appropriate private and public resources, including those specified
 237 in Code Section 36-61-11, to eliminate and prevent the development or spread of ~~stumps~~
 238 blighted areas, to encourage needed urban rehabilitation, to provide for the redevelopment
 239 of ~~stump~~ blighted areas, or to undertake such of the aforesaid activities or such other feasible
 240 municipal or county activities as may be suitably employed to achieve the objectives of
 241 such workable program. Such workable program may include, without limitation,
 242 provision for the prevention of the spread of ~~stumps~~ blighted or distressed areas into areas
 243 of the municipality or county which are free from ~~stumps~~ such areas, through diligent
 244 enforcement of housing, zoning, and occupancy controls and standards; the rehabilitation

245 or conservation of ~~slum~~ blighted areas or portions thereof by replanning, removing
 246 congestion, providing parks, playgrounds, and other public improvements, including,
 247 without limitation, surface transportation projects, encouraging voluntary rehabilitation,
 248 and compelling the repair and rehabilitation of deteriorated or deteriorating structures; and
 249 the clearance and redevelopment of ~~slum~~ blighted areas or portions thereof."

250 **SECTION 5.**

251 Said chapter is further amended by revising Code Section 36-61-7, relating to preparation of
 252 redevelopment plan, approval, modification, and effect of approval, as follows:

253 "36-61-7.

254 (a) A municipality or county shall not approve an urban redevelopment plan for an urban
 255 redevelopment area unless the governing body, by resolution, has determined such area to
 256 be a ~~slum~~ blighted area and designated such area as appropriate for an urban redevelopment
 257 project. Authority is vested in every municipality and county to prepare, to adopt, and to
 258 revise, from time to time, a general plan for the physical development of the municipality
 259 or county as a whole (giving due regard to the environs and metropolitan surroundings),
 260 to establish and maintain a planning commission for such purpose and related municipal
 261 and county planning activities, and to make available and to appropriate the necessary
 262 funds therefor. A municipality or county shall not acquire real property for an urban
 263 redevelopment project unless the local governing body has approved the urban
 264 redevelopment plan in accordance with subsection (d) of this Code section.

265 (b) The municipality or county may itself prepare or cause to be prepared an urban
 266 redevelopment plan; alternatively, any person or agency, public or private, may submit a
 267 plan to a municipality or county.

268 (c) The local governing body of the municipality or county shall hold or shall cause some
 269 agency of the municipality or county to hold a public hearing on an urban redevelopment
 270 plan or a substantial modification of an approved urban redevelopment plan, after public
 271 notice thereof by publication in a newspaper having a general circulation in the area of
 272 operation of the municipality or county. The notice shall describe the time, date, place, and
 273 purpose of the hearing, shall generally identify the urban redevelopment area covered by
 274 the plan, and shall outline the general scope of the urban redevelopment project under
 275 consideration.

276 (d) Following such hearing, the local governing body may approve an urban
 277 redevelopment plan if it finds that:

278 (1) A feasible method exists for the relocation of families who will be displaced from the
 279 urban redevelopment area in decent, safe, and sanitary dwelling accommodations within
 280 their means and without undue hardship to such families;

- 281 (2) The urban redevelopment plan conforms to the general plan of the municipality or
 282 county as a whole; and
- 283 (3) The urban redevelopment plan will afford maximum opportunity, consistent with the
 284 sound needs of the municipality or county as a whole, for the rehabilitation or
 285 redevelopment of the urban redevelopment area by private enterprise.
- 286 (e) An urban redevelopment plan may be modified at any time, provided that, if modified
 287 after the lease or sale by the municipality or county of real property in the urban
 288 redevelopment project area, such modification shall be subject to such rights at law or in
 289 equity as a lessee or purchaser or his or her successor or successors in interest may be
 290 entitled to assert. Any proposed modification which will substantially change the urban
 291 redevelopment plan as previously approved by the local governing body shall be subject
 292 to the requirements of this Code section, including the requirement of a public hearing,
 293 before it may be approved.
- 294 (f) Upon the approval of an urban redevelopment plan by a municipality or county, the
 295 provisions of the plan with respect to the future use and building requirements applicable
 296 to the property covered by the plan shall be controlling with respect thereto."

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SECTION 6.

298 Said chapter is further amended by revising paragraphs (1), (6), and (9) of Code
 299 Section 36-61-8, relating to powers of municipalities and counties generally, as follows:

300 "(1) To undertake and carry out urban redevelopment projects within its area of
 301 operation; to make and execute contracts and other instruments necessary or convenient
 302 to the exercise of its powers under this chapter; and to disseminate ~~slum~~ blight clearance
 303 and urban redevelopment information;"

304 "(6) Within their area of operation, to make or have made all plans necessary to the
 305 carrying out of the purposes of this chapter and to contract with any person, public or
 306 private, in making and carrying out such plans and to adopt or approve, modify, and
 307 amend such plans. Such plans may include, without limitation:

308 (A) A general plan for the locality as a whole;

309 (B) Urban redevelopment plans;

310 (C) Plans for carrying out a program of voluntary or compulsory repair and
 311 rehabilitation of buildings and improvements, to include but not to be limited to making
 312 loans and grants from funds received from the federal government, as well as from
 313 funds received from the repayment of such loans and interest thereon, to persons, public
 314 or private, owning private housing for the purpose of financing the rehabilitation of
 315 such housing;

316 (D) Plans for the enforcement of state and local laws, codes, and regulations relating
 317 to the use of land and the use and occupancy of buildings and improvements and to the
 318 compulsory repair, rehabilitation, demolition, or removal of buildings and
 319 improvements; and

320 (E) Appraisals, title searches, surveys, studies, and other preliminary plans and work
 321 necessary to prepare for the undertaking of urban redevelopment projects.

322 The municipality or county is authorized to develop, test, and report methods and
 323 techniques and to carry out demonstrations and other activities for the prevention and
 324 elimination of ~~slums~~ blighted areas and to apply for, accept, and utilize grants of funds
 325 from the federal government for such purposes;"

326 "(9) Within their areas of operation, to organize, coordinate, and direct the administration
 327 of the provisions of this chapter as they apply to such municipality or county, in order
 328 that the objective of remedying ~~slums~~ blighted areas and preventing the causes thereof
 329 within the municipality or county may be most effectively promoted and achieved, and
 330 to establish such new office or offices of the municipality or county or to reorganize
 331 existing offices in order to carry out such purpose most effectively; and"

332

SECTION 7.

333 Said chapter is further amended by revising Code Section 36-61-10, relating to disposal of
 334 property in redevelopment area generally, notice and bidding procedures, exchange with
 335 veterans' organization, and temporary operation of property, as follows:

336 "36-61-10.

337 (a) A municipality or county may sell, lease, or otherwise transfer real property in an urban
 338 redevelopment area or any interest therein acquired by it and may enter into contracts with
 339 respect thereto, for residential, recreational, commercial, industrial, or other uses or for
 340 public use; or the municipality or county may retain such property or interest for public
 341 use, in accordance with the urban redevelopment plan, subject to such covenants,
 342 conditions, and restrictions, including covenants running with the land and including the
 343 incorporation by reference therein of the provisions of an urban redevelopment plan or any
 344 part thereof, as it may deem to be in the public interest or necessary or desirable to assist
 345 in preventing the development or spread of future ~~slums~~ blighted areas or to otherwise
 346 carry out the purposes of this chapter. Such sale, lease, other transfer, or retention and any
 347 agreement relating thereto may be made only after the approval of the urban redevelopment
 348 plan by the local governing body. The purchasers or lessees and their successors and
 349 assigns shall be obligated to devote such real property only to the uses specified in the
 350 urban redevelopment plan and may be obligated to comply with such other requirements
 351 as the municipality or county may determine to be in the public interest, including the

352 obligation to begin within a reasonable time any improvements on the real property
 353 required by the urban redevelopment plan. Such real property or interest shall be sold,
 354 leased, otherwise transferred, or retained at not less than its fair value for uses in
 355 accordance with the urban redevelopment plan. In determining the fair value of real
 356 property for uses in accordance with the urban redevelopment plan, a municipality or
 357 county shall take into account and give consideration to the uses provided in such plan; the
 358 restrictions upon and the covenants, conditions, and obligations assumed by the purchaser
 359 or lessee or by the municipality or county retaining the property; and the objectives of such
 360 plan for the prevention of the recurrence of ~~slum~~ blighted areas. The municipality or
 361 county in any instrument of conveyance to a private purchaser or lessee may provide that
 362 such purchaser or lessee shall be without power to sell, lease, or otherwise transfer the real
 363 property without the prior written consent of the municipality or county until he or she has
 364 completed the construction of any and all improvements which he or she has obligated
 365 himself or herself to construct thereon. Real property acquired by a municipality or county
 366 which, in accordance with the provisions of the urban redevelopment plan, is to be
 367 transferred shall be transferred as rapidly as feasible in the public interest consistent with
 368 the carrying out of the provisions of the urban redevelopment plan. The inclusion in any
 369 such contract or conveyance to a purchaser or lessee of any such covenants, restrictions,
 370 or conditions, including the incorporation by reference therein of the provisions of an urban
 371 redevelopment plan or any part thereof, shall not prevent the filing of the contract or
 372 conveyance in the land records of the county in such manner as to afford actual or
 373 constructive notice thereof.

374 (b)(1) A municipality or county may dispose of real property in an urban redevelopment
 375 area to private persons only under such reasonable competitive bidding procedures as it
 376 shall prescribe, ~~or~~ as are provided in this subsection or, solely with respect to and for the
 377 benefit of advancing surface transportation projects, as provided in Code Section 36-61-4.
 378 A municipality or county, by public notice by publication once each week for two
 379 consecutive weeks in a newspaper having a general circulation in the community, prior
 380 to the execution of any contract to sell, lease, or otherwise transfer real property and prior
 381 to the delivery of any instrument of conveyance with respect thereto under this Code
 382 section, may invite proposals from and make available all pertinent information to private
 383 redevelopers or any persons interested in undertaking to redevelop or rehabilitate an
 384 urban redevelopment area or any part thereof. The notice shall identify the area or
 385 portion thereof and shall state that such further information as is available may be
 386 obtained at such office as shall be designated in the notice. The municipality or county
 387 shall consider all such redevelopment or rehabilitation proposals and the financial and
 388 legal ability of the persons making such proposals to carry them out and may negotiate

389 with any persons for proposals for the purchase, lease, or other transfer of any real
 390 property acquired by the municipality or county in the urban redevelopment area. The
 391 municipality or county may accept such proposal as it deems to be in the public interest
 392 and in furtherance of the purposes of this chapter. The municipality or county may
 393 execute contracts in accordance with subsection (a) of this Code section and deliver
 394 deeds, leases, and other instruments and take all steps necessary to effectuate such
 395 contracts.

396 (2) Notwithstanding the provisions or requirements of this Code section, any
 397 municipality or county may exchange real property or land, whether vacant or improved,
 398 in any urban redevelopment area for real property or land, whether vacant or improved,
 399 owned by any post, barracks, encampment, chapter, subsidiary, or any other division or
 400 unit of any veterans' organization chartered by the United States Congress, provided such
 401 real property or land was owned by the veterans' organization on March 6, 1962, and,
 402 provided, further, that the municipality or county owning such urban redevelopment area
 403 desires to obtain the real property or land owned by the veterans' organization for civic
 404 improvements, including, but not limited to, the building of art theaters, stadiums, parks,
 405 playgrounds, auditoriums, civic theaters, and performing arts theaters.

406 (c) A municipality or county may temporarily operate and maintain real property acquired
 407 in an urban redevelopment area, pending the disposition of the property for redevelopment,
 408 without regard to subsection (a) of this Code section, for such uses and purposes as may
 409 be deemed desirable, even if such uses and purposes are not in conformity with the urban
 410 redevelopment plan."

411 **SECTION 8.**

412 Said chapter is further amended by revising subsection (b) of Code Section 36-61-14, related
 413 to property exempt from taxes and from levy and sale by virtue of an execution, as follows:

414 "(b) The property of a municipality, ~~or~~ county, or any other public body, acquired or held
 415 for the purpose of this chapter, is declared to be public property used for essential public
 416 and governmental purposes and such property shall be exempt from all taxes of the
 417 municipality, the county, the state, or any political subdivision thereof. Such tax exemption
 418 shall terminate when the municipality or county sells, leases, or otherwise disposes of
 419 property in an urban redevelopment area to a purchaser or lessee who or which is not a
 420 public body."

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SECTION 9.

422

Said chapter is further amended by revising subsection (b) of Code Section 36-61-17, relating to exercise of redevelopment powers by municipalities and counties and delegation to redevelopment agency or housing authority, as follows:

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"(b) As used in this Code section, the term 'urban redevelopment project powers' shall include all of the rights, powers, functions, duties, privileges, immunities, and exemptions granted to a municipality or county under this chapter, except the following:

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(1) The power to determine an area to be a ~~slum~~ blighted area and to designate such area as appropriate for an urban redevelopment project;

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430

(2) The power to approve and amend urban redevelopment plans;

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(3) The power to establish a general plan for the locality as a whole;

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(4) The power to formulate a workable program under Code Section 36-61-6;

433

(5) The powers, duties, and functions referred to in Code Section 36-61-11;

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(6) The power to make the determinations and findings provided for in Code Section 36-61-4, Code Section 36-61-5, and subsection (d) of Code Section 36-61-7;

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(7) The power to issue general obligation bonds; and

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(8) The power to appropriate funds, to levy taxes and assessments, and to exercise other powers provided for in paragraph (8) of Code Section 36-61-8."

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SECTION 10.

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