

House Bill 1115

By: Representatives Henson of the 86th, Drenner of the 85th, Oliver of the 82nd, Taylor of the 79th, Holcomb of the 81st, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to make provisions for the Magistrate Court of DeKalb County, approved
2 March 28, 1985 (Ga. L. 1985, p. 4819), as amended, so as to allow for service of a citation
3 for or accusation of a violation of an ordinance concerning the condition of real property by
4 leaving a copy at the premises where the violation is allegedly to have occurred, mailing a
5 copy to the owner of the premises, and filing with the clerk of the magistrate court; to limit
6 sanctions for violations when such form of service is used; to provide for related matters; to
7 provide for a contingent effective date and automatic repeal; to repeal conflicting laws; and
8 for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 An Act to make provisions for the Magistrate Court of DeKalb County, approved March 28,
12 1985 (Ga. L. 1985, p. 4819), as amended, is amended by adding a new section to read as
13 follows:

14 style="text-align:center">"SECTION 6A.

15 (a) A citation for or accusation of a violation of an ordinance concerning the condition of
16 real property may be served by:

- 17 (1) Leaving a copy of it at the premises where the alleged violation occurred;
18 (2) Mailing a copy of it to the owner of such premises at the address of record
19 maintained by the tax commissioner and tax assessor; and
20 (3) Filing a copy of it with the clerk of the magistrate court.

21 (b) When service is perfected as provided in this section and the accused fails to appear
22 for trial, an in rem judgment for a fine shall be the exclusive penalty."

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SECTION 2.

24 This Act shall become effective on July 1, 2016, provided that a general bill is enacted in the
25 2016 session of the General Assembly to authorize service in the manner provided in this
26 Act. Otherwise, this Act shall be repealed by operation of law on such date.

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SECTION 3.

28 All laws and parts of laws in conflict with this Act are repealed.