

The Senate Committee on State and Local Governmental Operations offered the following substitute to HB 1115:

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 **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 "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) Posting a copy of it on the door of the premises where the alleged violation occurred;  
18 (2) Mailing a copy of it by first class mail to the owner of such premises at the address  
19 of record 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) Service under subsection (a) of this section shall not be authorized until there has been  
22 at least one attempt at personal service on the accused, provided that such attempt at  
23 personal service shall only be required if the accused resides or has a registered agent in  
24 this state.

25 (c) When service is perfected as provided in this section and the accused fails to appear  
26 for trial, an in rem judgment and lien against the real property shall be the exclusive  
27 penalty."

28 **SECTION 2.**

29 This Act shall become effective on July 1, 2016, provided that a general bill is enacted in the  
30 2016 session of the General Assembly to authorize service in the manner provided in this  
31 Act. Otherwise, this Act shall be repealed by operation of law on such date.

32 **SECTION 3.**

33 All laws and parts of laws in conflict with this Act are repealed.