

House Bill 251 (COMMITTEE SUBSTITUTE)

By: Representatives Ealum of the 153rd, Powell of the 171st, Houston of the 170th, Carter of the 175th, Rynders of the 152nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated,
2 relating to emergency management organization and administration, so as to authorize certain
3 personnel and individuals to go upon private property for particular purposes upon
4 declaration of a state of emergency or state of disaster; to provide for related matters; to
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to
9 emergency management organization and administration, is amended by adding a new Code
10 section to read as follows:

11 "38-3-38.

12 During any state of emergency or state of disaster declared by the Governor pursuant to
13 Code Section 38-3-51, Department of Corrections personnel and individuals in their
14 custody and subject to their direction shall be authorized to enter upon private property
15 following such declaration to the extent necessary for property protection, debris removal,
16 restoration of services, and infrastructure repair and relocation; provided, however, that
17 such personnel and individuals shall avoid interfering with the rights of private property
18 owners and shall vacate such private property upon request of any owner thereof."

19 **SECTION 2.**

20 All laws and parts of laws in conflict with this Act are repealed.