

## House Bill 382 (COMMITTEE SUBSTITUTE)

By: Representatives Burns of the 159<sup>th</sup>, Watson of the 172<sup>nd</sup>, Smith of the 70<sup>th</sup>, Gaines of the 117<sup>th</sup>, Rhodes of the 120<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 6A of Title 12 of the Official Code of Georgia Annotated, relating to  
2 outdoor stewardship, so as to redefine eligible applicants for and recipients of the grants; to  
3 provide for up to 5 percent of trust moneys for state administrative costs; to provide for  
4 annual reporting of program administration expenditures; 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 Chapter 6A of Title 12 of the Official Code of Georgia Annotated, relating to outdoor  
9 stewardship, is amended in Code Section 12-6A-6, relating to grants, conditions of eligibility,  
10 and loans, by revising subsection (a) and adding a new subsection to read as follows:

11 "(a) From within the Georgia Outdoor Stewardship Trust Fund, moneys shall be made  
12 available in each fiscal year for grants to any ~~city, county, department, agency,~~ qualified  
13 local government or constituted recreation board as such terms are defined by the Board  
14 of Natural Resources, any state agency, or any nongovernmental entity of this state having  
15 a project proposal which has been approved by the department. As a condition of  
16 eligibility for any such grant, a project proposal shall have as its primary purpose one of  
17 the following conservation objectives:

18 (1) To support state parks and trails. Funds disbursed for the purposes of this paragraph  
19 shall be used to aid in the improvement and maintenance of currently owned state parks  
20 and trails;

21 (2) To support local parks and trails of state and regional significance. Funds disbursed  
22 for purposes of this paragraph shall be grants ~~to local governments~~ to acquire and  
23 improve parks and trails within the jurisdiction and under the control of such ~~local~~  
24 governments applicants;

25 (3) To provide stewardship of conservation land. Funds disbursed for purposes of this  
26 paragraph shall be used for maintenance or restoration projects of the department to

27 enhance public access, use, or safe enjoyment of permanently protected conservation  
28 land; or

29 (4)(A) To acquire critical areas for the provision or protection of clean water, wildlife,  
30 hunting, or fishing, for military installation buffering, or for natural resource-based  
31 outdoor recreation. Real property shall only be acquired pursuant to this chapter under  
32 the following circumstances:

33 (i) Where such property is, at the time of acquisition, being leased by the state as a  
34 wildlife management area;

35 (ii) Where such property adjoins state wildlife management areas, state parks, or  
36 would provide better public access to such areas;

37 (iii) Lands identified in any wildlife action plan developed by any agency of the state;

38 (iv) Riparian lands so as to protect any drinking water supply; or

39 (v) Lands surrounding any military base or military installation.

40 (B) Acquisitions of real property or any interests therein pursuant to this chapter shall  
41 not be made through condemnation."

42 "(d) From within the Georgia Outdoor Stewardship Trust Fund, moneys shall also be made  
43 available in each fiscal year for costs incurred by the state in administering the program,  
44 but in an amount not to exceed 5 percent of the total moneys received by the state."

#### 45 SECTION 2.

46 Said chapter is further amended in Code Section 12-6A-7, relating to the establishment of  
47 the Board of Trustees of the Georgia Outdoor Stewardship Trust Fund, membership, role,  
48 and priorities, by revising subsection (c) as follows:

49 ~~"(c) Beginning no later than July 1, 2019, and annually thereafter, the~~ The board shall  
50 accept applications from ~~state agencies, qualified~~ local governments, ~~nonprofit and~~  
51 ~~for-profit organizations, private land trusts, and individuals~~ constituted recreation boards,  
52 state agencies, or nongovernmental entities annually for project proposals eligible for  
53 funding. The board shall evaluate the proposals received pursuant to priorities established  
54 by the board."

#### 55 SECTION 3.

56 Said chapter is further amended in Code Section 12-6A-8, relating to applications and  
57 proposals for funding, quarterly review and approval of proposals, final approvals, and  
58 disbursement of funds, by revising subsection (a) as follows:

59 "(a) The Board of Trustees of the Georgia Outdoor Stewardship Trust Fund shall accept  
60 applications from ~~state agencies, qualified~~ local governments, ~~nonprofit and for-profit~~  
61 ~~entities, private land trusts, and individuals~~ constituted recreation boards, state agencies,

62 or nongovernmental entities for project proposals eligible for funding. The board shall  
63 evaluate the proposals received in accordance with this chapter and pursuant to priorities  
64 established by the board."

65 **SECTION 4.**

66 Said chapter is further amended by revising Code Section 12-6A-10, relating to annual report  
67 by department, as follows:

68 "12-6A-10.

69 Following the close of each state fiscal year, the department shall submit an annual report  
70 of its activities and program administration expenditures for the preceding year pursuant  
71 to this chapter to the Governor, the Lieutenant Governor, the Speaker of the House of  
72 Representatives, the chairperson of the Ways and Means Committee of the House of  
73 Representatives, the chairperson of the Senate Finance Committee, the chairpersons of the  
74 Appropriations Committee of the House of Representatives and the Appropriations  
75 Committee of the Senate, and the chairpersons of the Natural Resources and Environment  
76 Committee of the House of Representatives and the Natural Resources and the  
77 Environment Committee of the Senate, and make such report available to the General  
78 Assembly."

79 **SECTION 5.**

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