

Senate Bill 308

By: Senators Kirkpatrick of the 32nd, Albers of the 56th, Robertson of the 29th, Harper of the 7th and Seay of the 34th

**AS PASSED SENATE**

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 3 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated,  
2 relating to abandoned vessels, so as to remove certain redundant processes regarding  
3 unattended vessels in public waters; to provide for related matters; to repeal conflicting laws;  
4 and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 3 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to  
8 abandoned vessels, is amended in Code Section 52-7-71, relating to removal and storage of  
9 vessels and procedure, by revising subsections (e), (h), and (i) as follows:

10 "(e) If the person identified as the owner fails to redeem such vessel as described in  
11 subsection (d) of this Code section, or if a vessel being repaired by a repair facility or being  
12 stored by an insurance company providing insurance to cover damages to the vessel  
13 becomes abandoned, the person removing or storing such vessel shall, within seven  
14 calendar days of the day such vessel became an abandoned vessel, give notice in writing,  
15 by sworn statement, to the Department of Natural Resources ~~and the Georgia Bureau of~~  
16 ~~Investigation~~, stating the vessel certificate of number, the hull identification number, the  
17 fact that such vessel is an abandoned vessel, the model, year, and make of the vessel, if  
18 known or if readily ascertainable, the date the vessel became an abandoned vessel, the date  
19 the vessel was removed, and the present location of such vessel and requesting the name  
20 and address of all owners, lessors, lessees, security interest holders, and lienholders of such  
21 vessel. If a person removing or storing the vessel has knowledge of facts which reasonably  
22 indicate that the vessel is registered or titled in a certain other state, such person shall check  
23 the vessel records of that other state in the attempt to ascertain the identity of the owner of  
24 the vessel."

25 ~~"(h) Information forwarded to the Georgia Bureau of Investigation as required by this Code~~  
26 ~~section shall be placed by the bureau on the National Crime Information Center Network.~~

27 (i) Any person storing a vessel under the provisions of this Code section shall notify the  
 28 Department of Natural Resources ~~and the Georgia Bureau of Investigation~~ if the vessel is  
 29 recovered, is claimed by the owner, is determined to be stolen, or is for any reason no  
 30 longer an abandoned vessel. Such notice shall be provided within seven calendar days of  
 31 such event."

32 **SECTION 2.**

33 Said article is further amended in Code Section 52-7-72, relating to authority of peace officer  
 34 to cause removal of unattended vessels, notifications, and duties, by revising subsection (d)  
 35 as follows:

36 "(d)(1) Any peace officer who finds a vessel under such conditions as described in  
 37 subsection (a) or (b) of this Code section shall within 72 hours from the time of such  
 38 finding:

39 (A) Notify the Department of Natural Resources ~~and the Georgia Crime Information~~  
 40 ~~Center~~ of the description of the vessel, whether the vessel has been removed or not,  
 41 and, if removed, the location to which such vessel has been removed; and

42 (B) If available on the Georgia Crime Information Center Network, determine the  
 43 name and address of the last known registered owner of such vessel.

44 If vessel information is not in the files of the Department of Natural Resources, the  
 45 department may require such other information or confirmation as it determines is  
 46 necessary or appropriate to determine the identity of the vessel.

47 (2) If any such vessel is determined to be a stolen vessel, the local law enforcement  
 48 officer or agency shall notify the Georgia Crime Information Center and the owner, if  
 49 known, of the location of such vessel within 72 hours after receiving notice that such  
 50 vessel is a stolen vessel.

51 (3) If the vessel is removed and the name and address of the last known registered owner  
 52 of the vessel is obtained from the Georgia Crime Information Center, the peace officer  
 53 who causes the vessel to be removed shall, within three calendar days of removal, make  
 54 available to the person removing such vessel the name and address of the last known  
 55 registered owner of such vessel. If such information is not available, the peace officer  
 56 shall, within three calendar days of removal, notify the person removing or storing such  
 57 vessel of such fact."

58 **SECTION 3.**

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