

Senators McLaurin of the 14th, Albers of the 56th, Strickland of the 17th, Ginn of the 47th, Walker of the 20th and others offered the following amendment #2:

1 *Amend HB 434 SCS (LC 33 9631S) by inserting before "to provide for related matters;" on*
2 *line 10-11 the following:*

3 to amend Code Section 44-1-13 of the Official Code of Georgia Annotated, relating to
4 removal of improperly parked cars or trespassing personal property, concurrent jurisdiction,
5 procedure, automatic surveillance prohibited, and penalty, so as to provide for definitions;
6 to provide for prohibited activities and penalties;

7 *By inserting between lines 217 and 218 the following:*

8 **SECTION 3A.**

9 Code Section 44-1-13 of the Official Code of Georgia Annotated, relating to removal of
10 improperly parked cars or trespassing personal property, concurrent jurisdiction, procedure,
11 automatic surveillance prohibited, and penalty, is amended by revising subsection (a) and
12 subsection (f) as follows:

13 "(a) As used in this Code section, the term:

14 (1) 'Department' means the Department of Public Safety.

15 (2) 'Immobilization device' means any mechanical device designed or used to be attached
16 to a wheel, tire, or other part of a parked motor vehicle so as to prohibit the motor
17 vehicle's usual manner of movement or operation.

18 (3) 'Immobilization device operator' means any person authorized to place an
19 immobilization device upon a trespassing vehicle pursuant to an ordinance or resolution
20 of a local governing authority.

21 ~~(2)~~(4) 'Private property' means any parcel or space of private real property."

22 "(f) It shall be unlawful and punishable by a fine of \$1,000.00 for any immobilization
23 device operator or towing and storage firm, permitted or unpermitted, licensed or
24 unlicensed, to enter into any agreement with any person in possession of private property
25 to provide automatic or systematic surveillance of such property for purposes of
26 immobilization or removal and relocation of any ~~such~~ trespassing vehicle or ~~trespassing~~
27 personal property except upon call by such person in possession of such private property
28 to such immobilization device operator or towing and storage firm for each individual case
29 of trespass; provided, further, that it shall be unlawful and punishable by a fine of
30 \$1,000.00 for any ~~towing and storage firm~~ person to pay to any private property owner or
31 one in possession of private property any fee or emolument, directly or indirectly, for the
32 right to immobilize or remove a trespassing vehicle or ~~trespassing~~ personal property from
33 said private property."