

Senate Bill 313

By: Senators Esteves of the 35th, McLaurin of the 14th, Mallow of the 2nd and Jones II of the 22nd

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 36-74-30 of the Official Code of Georgia Annotated, relating to  
2 other enforcement methods and probable cause for investigation required, so as to provide  
3 for investigations or inspections of certain residential rental property when there is a  
4 reasonable suspicion of a code violation; to provide for the registration of certain residential  
5 rental property; to provide for related matters; to repeal conflicting laws; and for other  
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 36-74-30 of the Official Code of Georgia Annotated, relating to other  
10 enforcement methods and probable cause for investigation required, is amended by revising  
11 subsection (b) as follows:

12 ~~"(b) No local government is authorized to perform investigations or inspections of~~  
13 ~~residential rental property unless there is probable cause to believe there is or has been a~~  
14 ~~violation or violations of applicable codes, and in no event may a local government require~~  
15 ~~the registration of residential rental property. Conditions which appear to be code~~  
16 ~~violations which are in plain view may form the basis for probable cause.~~

17 (b)(1) With adequate notice to the owner, a local government is authorized to perform  
18 investigations or inspections of residential rental property containing four or more  
19 dwelling units when there is a reasonable suspicion to believe there is or has been a  
20 violation or violations of applicable codes. Conditions which appear to be code  
21 violations and are in plain view may form the basis for a reasonable suspicion.  
22 (2) A local government may require the registration of residential rental property owned  
23 directly or indirectly by any person or entity that owns at least 20 residential rental  
24 properties in Georgia."

25 **SECTION 2.**

26 All laws and parts of laws in conflict with this Act are repealed.