

House Bill 979

By: Representatives Bonner of the 73rd, Smith of the 18th, Ballard of the 147th, Hong of the 103rd, and Holcomb of the 101st

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 50-2-27 of the Official Code of Georgia Annotated, relating to the
2 retrocession of jurisdiction over lands owned by the United States, so as to provide for
3 procedures for the retrocession of jurisdiction in certain circumstances; to provide for related
4 matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 50-2-27 of the Official Code of Georgia Annotated, relating to the retrocession
8 of jurisdiction over lands owned by the United States, is amended as follows:

9 "50-2-27.

10 (a) The consent of this state is given to the retrocession of jurisdiction, either partially or
11 wholly, by the United States over land owned by the United States within the boundaries
12 of this state; and the Governor is authorized to accept for the state such retrocession of
13 jurisdiction.

14 ~~(b) Retrocession of jurisdiction shall be effected upon written notice by the principal~~
15 ~~officer of the agency of the United States having supervision and control over the land to~~
16 ~~the Governor, such notice describing the land by metes and bounds and specifying the~~

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17 ~~nature of the jurisdiction therein to be retroceded to the state and the entry of acceptance~~
18 ~~upon the written notice by the Governor. The Governor shall not accept a request of~~
19 ~~retrocession of jurisdiction unless the written request:~~

20 (1) States the name, position, and legal authority of the individual requesting the
21 retrocession;

22 (2) Unambiguously states the subject matter for the concurrent jurisdiction request;

23 (3) Describes by metes and bounds the United States military installation subject to the
24 concurrent legislative jurisdiction request; and

25 (4) Indicates whether the request includes future contiguous expansions of land acquired
26 for military purposes.

27 (c) If the Governor accepts a request filed under subsection (b) of this Code section:

28 (1) The Governor's acceptance shall state each element of the request which is accepted;
29 and

30 (2) The Governor shall submit the following documents to the appropriate recording
31 office for indexing and submit copies of the following documents to the person who filed
32 the request for concurrent legislative jurisdiction:

33 (A) The request for concurrent legislative jurisdiction;

34 (B) The Governor's written acceptance of concurrent legislative jurisdiction; and

35 (C) A description by metes and bounds of the United States military installation subject
36 to the concurrent legislative jurisdiction.

37 (d) Upon request by the principal officer of the agency of the United States having
38 supervision and control over the land, the Governor is authorized to execute appropriate
39 documents to accomplish the retrocession granted by this Code section.

40 (e) Upon establishment of concurrent legislative jurisdiction under this Code section, a
41 state agency, local government, or district may enter a reciprocal agreement with a United
42 States agency to designate duties related to the concurrent legislative jurisdiction between
43 the parties."

44

SECTION 2.

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