

House Bill 382 (AS PASSED HOUSE AND SENATE)

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 style="text-align:center">**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 as defined in paragraph 18 of subsection (a) of Code Section 50-8-2, any  
14 constituted recreation authority registered with the Department of Community Affairs, any  
15 state agency, or any nongovernmental entity of this state having a project proposal which  
16 has been approved by the department. As a condition of eligibility for any such grant, a  
17 project proposal shall have as its primary purpose one of the following conservation  
18 objectives:

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

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

26 (3) To provide stewardship of conservation land. Funds disbursed for purposes of this  
 27 paragraph shall be used for maintenance or restoration projects of the department to  
 28 enhance public access, use, or safe enjoyment of permanently protected conservation  
 29 land; or

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

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

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

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

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

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

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

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

## 46 SECTION 2.

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

50 ~~"(c) Beginning no later than July 1, 2019, and annually thereafter, the~~ The board shall  
 51 accept applications from ~~state agencies,~~ qualified local governments as defined in  
 52 paragraph 18 of subsection (a) of Code Section 50-8-2, ~~nonprofit and for-profit~~  
 53 ~~organizations, private land trusts, and individuals~~ constituted recreation authorities  
 54 registered with the Department of Community Affairs, state agencies, or nongovernmental  
 55 entities annually for project proposals eligible for funding. The board shall evaluate the  
 56 proposals received pursuant to priorities established by the board."

## 57 SECTION 3.

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

61 "(a) The Board of Trustees of the Georgia Outdoor Stewardship Trust Fund shall accept  
62 applications from ~~state agencies~~, qualified local governments as defined in paragraph 18  
63 of subsection (a) of Code Section 50-8-2, ~~nonprofit and for-profit entities~~, ~~private land~~  
64 ~~trusts~~, and ~~individuals~~ constituted recreation authorities registered with the Department of  
65 Community Affairs, state agencies, or nongovernmental entities for project proposals  
66 eligible for funding. The board shall evaluate the proposals received in accordance with  
67 this chapter and pursuant to priorities established by the board."

68 **SECTION 4.**

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

71 "12-6A-10.

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

82 **SECTION 5.**

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