

House Bill 428 (AS PASSED HOUSE AND SENATE)

By: Representative Martin of the 49<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 42 of Title 36 of the Official Code of Georgia Annotated, relating to  
2 downtown development authorities, so as to authorize assessments under Code Section  
3 36-42-17; to provide for related matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

6 Chapter 42 of Title 36 of the Official Code of Georgia Annotated, relating to downtown  
7 development authorities, is amended by revising Code Section 36-42-17, relating to priority  
8 of liens regarding assessments for downtown development authorities, as follows:

9 "36-42-17.

10 (a) An assessment under Code Section 36-42-16 that relates to any project described in  
11 subparagraph (B) of paragraph (6) of Code Section 36-42-3 shall be levied and may be  
12 collected when:

13 (1) A written contract regarding such assessment is executed by the property owner, the  
14 authority, and the project administrator;

15 (2) Such contract is administratively acknowledged by the relevant local jurisdiction with  
16 the taxing authority; and

17 (3) A notice of assessment is recorded in the property records of the relevant local  
18 jurisdiction.

19 (b) A lien for any assessment under Code Section 36-42-16 that relates to any project  
20 under subparagraph (B) of paragraph (6) of Code Section 36-42-3 shall have the same  
21 priority as municipal liens under paragraph (4) of subsection (b) and subparagraph  
22 (g)(2)(B) of Code Section 48-2-56."

23 style="text-align:center">**SECTION 2.**

24 All laws and parts of laws in conflict with this Act are repealed.