

Senate Bill 278

By: Senators Esteves of the 6th, Merritt of the 9th, Islam of the 7th, Anderson of the 43rd, McLaurin of the 14th and others

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
23 containing four or more dwelling units when the owner or the owner's immediate family
24 do not reside in any of the units."

25 **SECTION 2.**

26 All laws and parts of laws in conflict with this Act are repealed.