

Senate Bill 443

By: Senators Watson of the 1st, Strickland of the 17th, Tillery of the 19th, Brass of the 28th, Robertson of the 29th and others

AS PASSED SENATE

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 41 of the Official Code of Georgia Annotated, relating to
2 abatement of nuisances generally, so as to provide for inclusion of claims against promoters
3 and organizers for costs incurred by local governments due to unpermitted events in
4 complaints filed on behalf of the public; to provide for related matters; to provide for an
5 effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 2 of Title 41 of the Official Code of Georgia Annotated, relating to abatement of
9 nuisances generally, is amended by revising Code Section 41-2-2, relating to filing of
10 complaint to abate public nuisance, as follows:

11 "41-2-2.

12 (a) Private citizens may not generally interfere to have a public nuisance abated. A
13 complaint must be filed by the district attorney, solicitor-general, city attorney, or county
14 attorney on behalf of the public. However, a public nuisance may be abated upon filing of
15 a complaint by any private citizen specially injured.

16 (b)(1) This subsection shall apply to any event hosted by a promoter or organizer that is
17 not properly permitted by the appropriate local governing authority that results in a public
18 nuisance that impedes travel by police, fire service, emergency medical services
19 personnel, other public safety personnel, or employees or officials of local, state, or
20 federal governments acting in their official capacities.

21 (2) Where a district attorney, solicitor-general, city attorney, or county attorney on behalf
22 of the public files a complaint pursuant to subsection (a) of this Code section and the
23 complaint includes a statement that the conditions set forth in paragraph (1) of this
24 subsection have been satisfied, he or she may seek in such complaint and recover on
25 behalf of the public from a promoter or organizer of the unpermitted event reimbursement
26 of all expenses incurred by a local governing authority associated with public safety,
27 including, but not limited to, costs and fees for the provision of traffic control,
28 supplemental law enforcement, fire suppression services, emergency medical technician
29 or paramedic services, and sanitation services."

30 **SECTION 2.**

31 This Act shall become effective upon its approval by the Governor or upon its becoming law
32 without such approval.

33 **SECTION 3.**

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