

House Bill 694

By: Representative Waites of the 60th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 9 of Chapter 9 of Title 46 of the Official Code of Georgia Annotated,
2 relating to the "Georgia Rail Passenger Authority Law," so as to revise the short title; to
3 revise the legislative purpose; to revise a definition; to revise certain general powers of the
4 authority; to revise the statement of public purpose of the authority; to amend the Official
5 Code of Georgia Annotated to change references to the short title; to provide for related
6 matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 9 of Chapter 9 of Title 46 of the Official Code of Georgia Annotated, relating to the
10 "Georgia Rail Passenger Authority Law," is amended by revising Code Section 46-9-270,
11 relating to the short title, as follows:

12 "46-9-270.

13 This article shall be known and may be cited as the 'Georgia Rail Passenger and High
14 Speed Rail Facilities Authority Law."

15 **SECTION 2.**

16 Said article is further amended by revising Code Section 46-9-271, relating to legislative
17 purpose, as follows:

18 "46-9-271.

19 There is created the Georgia Rail Passenger and High Speed Rail Facilities Authority for
20 the purpose of construction, financing, operation, and development of rail passenger
21 service, high speed rail systems and facilities, and other public transportation projects
22 within and without the State of Georgia."

23 **SECTION 3.**

24 Said article is further amended by revising paragraph (4) of Code Section 46-9-272, relating
25 to definitions, as follows:

26 "(4) 'Project' means the acquisition, construction, installation, operation, modification,
27 renovation, or rehabilitation of any rail passenger facilities, high speed rail systems and
28 facilities, or any other public transportation facilities other than roads, either directly or
29 through contract with another public or private agency, ~~after approval by the State~~
30 ~~Transportation Board, pursuant to state or federal law as part of any regional or~~
31 ~~state-wide transportation plan.~~ A project may also include any fixtures, machinery, or
32 equipment used on, in, or in connection with any of the transportation facilities listed
33 ~~above in this paragraph.~~ A project may be for any public passenger transportation
34 purpose, provided that a majority of the members of the authority determines, by a
35 resolution duly adopted, that the project will further the public purpose of this article."

36 **SECTION 4.**

37 Said article is further amended by revising paragraphs (18) and (19) of Code Section
38 46-9-273, relating to general powers of the authority, as follows:

39 "(18) To encourage and promote by means of rail passenger transportation, high speed
40 rail systems and facilities, and other public transportation projects the improvement and
41 advancement of ~~the~~ this state and the enhancement and profitability of tourism to ~~the~~ this
42 state and its citizens;

43 (19) To make, contract for, or otherwise cause to be made long-range plans or proposals
44 for rail passenger transportation, high speed rail systems and facilities, and other public
45 transportation projects within the service area, in cooperation with those political
46 subdivisions within which such projects are located;"

47 **SECTION 5.**

48 Said article is further amended by revising Code Section 46-9-277, relating to public
49 purpose, as follows:

50 "46-9-277.

51 The implementation of rail passenger service, high speed rail systems and facilities, and
52 public transportation projects within the State of Georgia develops and promotes, for the
53 public good and general welfare, trade, commerce, tourism, industry, and employment
54 opportunities and promotes the general welfare of ~~the~~ this state by creating a climate
55 favorable to the location of new industry, trade, and commerce and the development of
56 existing industry, trade, and commerce within the State of Georgia. Implementation of rail
57 passenger service, high speed rail systems and facilities, and public transportation projects

58 within this state under ~~the~~ this article will develop and promote, for the public good and
 59 general welfare, trade, commerce, tourism, industry, and employment opportunities and
 60 will promote the general welfare of ~~the~~ this state. It is therefore in the public interest and
 61 is vital to the public welfare of the people of Georgia, and it is declared to be the public
 62 purpose of this article, to so develop public transportation projects within this state. No
 63 bonds, notes, or other obligations, except refunding bonds, shall be issued by the authority
 64 pursuant to this article unless its membership adopts a resolution finding that the project
 65 for which such bonds, notes, or other obligations are to be issued will promote the
 66 foregoing objectives."

67 **SECTION 6.**

68 The Official Code of Georgia Annotated is amended by replacing "Georgia Rail Passenger
 69 Authority" with "Georgia Rail Passenger and High Speed Rail Facilities Authority" wherever
 70 the former occurs in:

- 71 (1) Code Section 28-10-1, relating to the creation, membership, and terms of office of the
 72 Georgia Rail Passenger Authority Overview Committee;
- 73 (2) Code Section 28-10-2, relating to duties of the Georgia Rail Passenger Authority
 74 Overview Committee;
- 75 (3) Code Section 28-10-4, relating to cooperation of the Georgia Rail Passenger Authority
 76 and committee reports;
- 77 (4) Code Section 28-10-5, relating to committee evaluation of the Georgia Rail Passenger
 78 Authority;
- 79 (5) Code Section 28-10-7, relating to effect of the chapter on the responsibilities of the
 80 Georgia Rail Passenger Authority;
- 81 (6) Code Section 32-6-51, relating to the placement, erection, and maintenance of
 82 commercial advertisements by transit agencies;
- 83 (7) Code Section 32-9-11, relating to transit services with local governments;
- 84 (8) Code Section 45-7-21, relating to expense allowance and travel cost reimbursement for
 85 members of certain boards and commissions; and
- 86 (9) Code Section 50-32-15, relating to the issuance of bonds by the Georgia Regional
 87 Transportation Authority.

88 **SECTION 7.**

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