

House Bill 1587

By: Representatives Skipper of the 137th, Murphy of the 18th, Walker of the 141st, Coleman of the 142nd and Twiggs of the 8th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 5 of Title 32 of the Official Code of Georgia Annotated,
2 relating to allocation of transportation funds, so as to change certain provisions relating to
3 allocation of state and federal transportation funds and authorization of reduction of funds
4 allocated; to authorize certain waivers of funding allocation requirements; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 3 of Chapter 5 of Title 32 of the Official Code of Georgia Annotated, relating to
9 allocation of transportation funds, is amended by striking Code Section 32-5-30, relating to
10 allocation of state and federal transportation funds and authorization of reduction of funds
11 allocated, and inserting in lieu thereof the following:

12 "32-5-30.

13 (a) The total of expenditures from the State Public Transportation Fund under paragraphs
14 (4), (5), and (6) of Code Section 32-5-21 plus expenditures of federal funds appropriated
15 to the department, not including any state or federal funds specifically designated for
16 maintenance and operations, any project undertaken for purposes of the Developmental
17 Highway System provided by Code Section 32-4-22, or any project of the Georgia
18 Regional Transportation Authority, Georgia Ports Authority, or Metropolitan Atlanta Rapid
19 Transit Authority, shall be budgeted by the department over each five-year period
20 commencing July 1, 1999, and quinquennially thereafter such that at the end of such period
21 funding obligations equivalent to at least 85 percent of such total for such period shall have
22 been divided equally among the congressional districts in this state, as those districts
23 existed at the commencement of such period. for public road and other public
24 transportation purposes in such districts; with the remainder of such total divided among
25 such congressional districts such that ~~five~~ 5 percent of such total for such period shall have
26 been obligated for public road projects incidental to economic development purposes

1 anywhere in this state, and no such congressional district shall have received funding
2 obligations pursuant to this subsection for such period which are more than 20 percent
3 greater than that received by any other such congressional district pursuant to this
4 subsection for such period.

5 (b)(1) The board may upon approval by two-thirds of its membership authorize a
6 reduction in the share of funds allocated pursuant to this Code section to any such
7 congressional district if such supermajority of the board determines that such district does
8 not have sufficient projects available for expenditure of funds within that district to avoid
9 lapsing of appropriated funds.

10 (2) In the event that funding becomes available to the department which could not
11 otherwise be allocated among congressional districts due to the allocation requirements
12 of this Code section, the board may upon approval by a majority of its membership
13 authorize a waiver of such allocation requirements to the extent necessary to allow the
14 expenditure of such funding, and any project, projects, or portion thereof undertaken with
15 such additional funding shall be in addition to those projects funded in accordance with
16 the allocation requirements of this Code section in the fiscal year in which the additional
17 funds became available or any subsequent year; provided, however, that any such waiver
18 shall be valid only for the fiscal year in which it is granted, and any funds budgeted
19 pursuant to a waiver granted by this paragraph which were not obligated by the end of
20 such fiscal year shall not be obligated in violation of the allocation requirements of this
21 Code section in a subsequent fiscal year unless a majority of the board again authorizes
22 a waiver of the allocation requirements in such subsequent fiscal year.

23 (c) Provisions of this Code section may be waived pursuant to subsection (b) of Code
24 Section 32-5-1 only upon approval by two-thirds of the membership of the board."

25 SECTION 2.

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