

House Bill 317 (COMMITTEE SUBSTITUTE)

By: Representatives Shanahan of the 10th and Royal of the 164th

A BILL TO BE ENTITLED

AN ACT

To amend Chapter 26 of Title 50 of the Official Code of Georgia Annotated, the "Georgia Housing and Finance Authority Act", so as to authorize retailing and signage as authorized enterprises and projects for purposes of such Act; to change certain legislative findings; to change certain definitions; to provide for additional authority with respect to facilitating community development; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 26 of Title 50 of the Official Code of Georgia Annotated, the "Georgia Housing and Finance Authority Act", is amended in subsection (a) of Code Section 50-26-2, relating to legislative findings, by striking "and" at the end of paragraph (2); by striking the period at the end of paragraph (3) and inserting in its place "; and"; and by adding a new paragraph immediately following paragraph (3), to be designated paragraph (4), to read as follows:

"(4) There exists an inadequate supply of, and a pressing need for, financing and financial assistance to Georgia's cities and towns for preservation, development, and redevelopment activities and efforts which are essential to the well-being of Georgia citizens."

SECTION 2.

Said chapter is further amended by adding a new paragraph immediately following paragraph (3) of Code Section 50-26-4, relating to definitions, to be designated paragraph (3.1), to read as follows:

"(3.1) 'Community development' means the construction, reconstruction, or preservation of infrastructure, facilities, landmarks, public services and utilities, business enterprises, and cultural sites that constitute the cities, towns, and communities of Georgia."

SECTION 3.

Said chapter is further amended by striking paragraph (5) of Code Section 50-26-4, relating to definitions, and inserting in its place a new paragraph (5) to read as follows:

"(5) 'Enterprise' means a business engaged in manufacturing, producing, processing, assembling, repairing, extracting, warehousing, handling, or distributing any agricultural, manufactured, mining, or industrial product or any combination of the foregoing; a business engaged in furnishing or facilitating communications, computer services, research, or transportation; a business engaged in tourism; a business engaged in commercial or retail sales or services; a business engaged in construction; and corporate and management offices and services provided in connection with any of the foregoing, in isolation or in any combination that involves, in each case, either the creation of new or additional employment, the retention of existing employment or payroll, or the increase of average payroll for employees of such enterprise; ~~provided, however, that a shopping center, retail store or shop, or other similar undertaking which is solely or predominantly of a commercial retail nature shall not be an enterprise for the purposes of this chapter.~~"

SECTION 4.

Said chapter is further amended by striking subparagraph (D) of paragraph (12) of Code Section 50-26-4, relating to definitions, and inserting in its place a new subparagraph (D) to read as follows:

"(D) Any one or more buildings or structures to be used in the production, manufacturing, processing, assembling, storing, retailing, or handling of any agricultural, manufactured, mining, or industrial product or any combination of the foregoing, in every case with all necessary or useful furnishings, machinery, equipment, parking facilities, landscaping, signage, and facilities for outdoor storage, all as determined by the authority, which determination shall be final and not subject to review; and there may be included as part of any such project all improvements necessary to the full utilization thereof, including site preparation, roads and streets, sidewalks, water supply, outdoor lighting, belt line railroad sidings and lead tracks, bridges, causeways, terminals for railroad, automotive, and air transportation, transportation facilities incidental to the project, and the dredging and improving of harbors and waterways, none of which foregoing descriptive words shall be construed to constitute a limitation, provided that none of the improvements described in this sentence shall be the primary purpose of any project;"

SECTION 5.

Said chapter is further amended by adding a new Code section at the end thereof, to be designated Code Section 50-26-23 to read as follows:

"50-26-23.

Without limiting the generality of the findings and intent of the General Assembly or any provision of this chapter, the authority shall facilitate community development throughout the state by means that shall include, without limitation, the making of loans, grants, and the granting or administration of such other financial assistance as may be available; the provision of technical assistance, planning, and design services; the collection and analysis of data; and the compilation of recommendations. The authority may initiate and do all things deemed by the authority to be necessary, convenient, and desirable for and incident to the efficient and proper development and operation of such undertakings that enhance community development throughout the state."

SECTION 6.

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