

Senate Bill 300

By: Senator Cagle of the 49<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 5 of Title 32 of the Official Code of Georgia Annotated, relating to funds  
2 for public roads, so as to change certain provisions relating to allocation of funds; to repeal  
3 conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Chapter 5 of Title 32 of the Official Code of Georgia Annotated, relating to funds for public  
7 roads, is amended by striking Article 3 and inserting in lieu thereof the following:

8 style="text-align:center">"ARTICLE 3

9 32-5-30.

10 (a) The total of expenditures from the State Public Transportation Fund under paragraphs  
11 (4), (5), and (6) of Code Section 32-5-21 plus expenditures of federal funds appropriated  
12 to the department, not including any state or federal funds specifically designated for  
13 maintenance and operations, any project undertaken for purposes of the Developmental  
14 Highway System provided by Code Section 32-4-22, or any project of the Georgia  
15 Regional Transportation Authority, Georgia Ports Authority, or Metropolitan Atlanta Rapid  
16 Transit Authority, shall be budgeted by the department over each five-year period  
17 commencing July 1, 1999, and ~~quinquennially~~ quinquennially thereafter such that at the end  
18 of such period funding obligations ~~equivalent to at least 85 percent of such total~~ for such  
19 period shall have been divided ~~equally~~ among the congressional districts in this state for  
20 public road and other public transportation purposes in such districts; ~~with the remainder~~  
21 ~~of such total divided among congressional districts such that five percent of such total for~~  
22 ~~such period shall have been obligated for public road projects incidental to economic~~  
23 ~~development purposes anywhere in this state, and no congressional district shall have~~  
24 ~~received funding obligations pursuant to this subsection for such period which are more~~

1 ~~than 20 percent greater than that received by any other congressional district pursuant to~~  
 2 ~~this subsection for such period, with each congressional district receiving such allocation~~  
 3 ~~as the board in its discretion deems appropriate in meeting the transportation requirements~~  
 4 ~~of the state as a whole after having given due consideration to the needs of any areas of~~  
 5 ~~rapidly increasing population.~~

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

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

13 32-5-31.

14 In each calendar year, the board shall provide to the Governor, Lieutenant Governor, and  
 15 Speaker of the House of Representatives a written report detailing the allocation of funding  
 16 obligations among congressional districts pursuant to Code Section 32-5-30 for the fiscal  
 17 year ending June 30 of that same calendar year. Such report shall include without limitation  
 18 the annual funding obligations and the projected expenditures of funds for the five-year  
 19 period and any and all documents or information indicating how the department intends to  
 20 allocate the applicable state and federal funds among congressional districts ~~as required by~~  
 21 ~~Code Section 32-5-30 or a detailed explanation of why the department is unable to allocate~~  
 22 ~~such funds as required."~~

## 23 SECTION 2.

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