

House Bill 974 (AS PASSED HOUSE AND SENATE)

By: Representatives Elrod of the 25th and Massey of the 24th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act entitled "An Act to create and establish the Jackson County Airport
2 Authority," approved June 30, 1964 (Ga. L. 1964, p. 2260), so as to change the membership
3 and method of appointing members of said authority; to provide for compensation; to provide
4 for a chairperson and other officers; to provide for a quorum; to provide for the dissolution
5 of the authority; to provide for limited sovereign immunity; to provide for exemption from
6 certain taxes; to provide for an effective date; to repeal conflicting laws; and for other
7 purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 An Act entitled "An Act to create and establish the Jackson County Airport Authority,"
11 approved June 30, 1964 (Ga. L. 1964, p. 2260), is amended by striking Section 3 and
12 inserting in lieu thereof the following:

13 **"SECTION 3.**
14 **Membership.**

15 (a) Effective January 1, 2004, the authority shall consist of five members who shall be
16 appointed by the Jackson County Board of Commissioners. One member shall be from
17 each of the four commission districts and the fifth member shall be at large from anywhere
18 within Jackson County. All appointments shall be made for terms of one year and until
19 successors are appointed and qualified. Immediately after such appointments, the members
20 of the authority shall enter upon their duties. To be eligible for appointment as a member
21 of the authority, a person shall be at least 21 years of age, a resident of Jackson County for
22 at least two years prior to the date of his or her appointment, and shall not have been
23 convicted of a felony. Any member of the authority may be selected and appointed to
24 succeed himself or herself.

1 (b) The Jackson County Board of Commissioners may provide by resolution for
2 compensation for the services of the members of the authority in such amounts as it may
3 deem appropriate; provided, however, that such members shall be reimbursed for their
4 actual expenses necessarily incurred in the performance of their duties.

5 (c) The members of the authority shall elect one of their number as chairperson and
6 another as a vice chairperson. The members of the authority shall also elect a secretary,
7 who need not be a member of the authority, and may also elect a treasurer, who need not
8 be a member of the authority. The secretary may also serve as treasurer. If the secretary
9 or treasurer are not members of the authority, such officer shall have no voting rights.
10 Each of such officers shall serve for a period of one year and until their successors are duly
11 elected and qualified.

12 (d) Three members of the authority shall constitute a quorum. No vacancy on the authority
13 shall impair the right of the quorum to exercise all of the rights and perform all of the
14 duties of the authority.

15 (e) The authority may be dissolved by the Jackson County Board of Commissioners if the
16 authority has no outstanding debt. Upon such dissolution, all property owned by the
17 authority shall be transferred to the county or to a municipality if such municipality has
18 paid the debt service on the debt which financed a project."

19 **SECTION 2.**

20 Said Act is further amended by inserting immediately following Section 7 two new sections
21 to read as follows:

22 "SECTION 7A.

23 Limited tort liability.

24 To the extent permitted by law, the authority shall have the same immunity and exemption
25 from liability for torts and negligence as Jackson County; and the officers, agents, and
26 employees of the authority when in the performance of the work of the authority shall have
27 the same immunity and exemption from liability for torts and negligence as the officers,
28 agents, and employees of Jackson County when in the performance of their public duties
29 or work of the county.

SECTION 7B.

Exemption from certain taxes.

The properties of the authority, both real and personal, are declared to be public properties used for the benefit and welfare of the people of the state and not for purposes of private or corporate benefit and income, and such properties and the authority shall be exempt from all taxes and special assessments of any municipality, county, or the state and any political subdivision thereof."

SECTION 3.

Section 1 of this Act shall become effective on January 1, 2004. The remaining portions of this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 4.

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