

## House Resolution 66

By: Representatives Smith of the 168<sup>th</sup>, Smith of the 70<sup>th</sup>, Sheldon of the 105<sup>th</sup>, Barnes of the 78<sup>th</sup>, Meadows of the 5<sup>th</sup>, and others

## A RESOLUTION

1 Providing that the Department of Community Affairs may provide that the service area of  
2 any nonprofit corporation created by a regional development center and designated as a  
3 certified development company by the federal Small Business Administration may include  
4 all or part of the entire State of Georgia solely for the purpose of providing authorized  
5 program services in accordance with SBA regulations; to provide for procedures; to provide  
6 for the transmission of copies of this resolution; to provide for an effective date; and for other  
7 purposes.

8 WHEREAS, subparagraph (f)(1)(A) of Code Section 50-8-35 of the Official Code of Georgia  
9 Annotated authorizes each regional development center to create nonprofit corporations to  
10 administer federal or state revolving loan programs or loan packaging programs; and

11 WHEREAS, the Central Savannah River Area, Coastal Georgia, South Georgia, Middle  
12 Georgia, North Georgia, and Georgia Mountains Regional Development Centers have  
13 created and operated such nonprofit corporations, each of which has been designated as a  
14 certified development company by the federal Small Business Administration for the express  
15 purpose of delivering SBA program services; and

16 WHEREAS, under SBA regulation 13 CFR Part 120, pertaining to certified development  
17 companies, the minimum area of operations is the state in which the CDC is incorporated;  
18 and

19 WHEREAS, the regional development centers and their respective certified development  
20 companies desire to provide SBA program services to small businesses statewide for  
21 competitive purposes, as authorized by federal regulations; and

22 WHEREAS, in accordance with subsection (f) of Code Section 50-8-4 of the Official Code  
23 of Georgia Annotated, the Board of Community Affairs has adopted procedures to provide  
24 for the state-wide provision of such services; and

1 WHEREAS, the board action delineating such boundary changes shall not be effective until  
2 approved by a joint resolution or Act of the General Assembly.

3 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF  
4 GEORGIA that each regional development center's board of directors may adopt a resolution  
5 or amend an existing resolution establishing the specific operating area for the certified  
6 development company it created to include areas within the state beyond the geographic  
7 boundaries of the regional development center.

8 BE IT FURTHER RESOLVED that a certified development company's articles of  
9 incorporation be amended to establish its area of operations consistent with such resolution  
10 by the regional development center's board of directors.

11 BE IT FURTHER RESOLVED that, if so authorized by such resolution of the regional  
12 development center's board and the certified development company's articles of  
13 incorporation, the service area of any nonprofit corporation created by a regional  
14 development center and so designated as a certified development company by the federal  
15 Small Business Administration may include all or part of the entire State of Georgia solely  
16 for the purpose of providing authorized program services in accordance with SBA  
17 regulations.

18 BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized  
19 and directed to transmit copies of this resolution to the Department of Community Affairs  
20 and to each regional development center.

21 BE IT FURTHER RESOLVED that the provisions of this resolution shall become effective  
22 upon approval of the Governor.