

House Bill 523

By: Representative Davis of the 109th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 9 of Chapter 9 of Title 46 of the Official Code of Georgia Annotated,
2 relating to the Georgia Rail Passenger Authority, so as to prohibit expenditures under certain
3 conditions; to require signed agreements before expenditures are made; to provide for related
4 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 9 of Chapter 9 of Title 46 of the Official Code of Georgia Annotated, relating to the
8 Georgia Rail Passenger Authority, is amended by inserting new Code Section 46-9-276.1
9 immediately following Code Section 46-9-276 to read as follows:

10 "46-9-276.1.

11 Notwithstanding any provision of this chapter or in Chapter 10 of Title 28 to the contrary,
12 the Georgia Rail Passenger Authority and the Georgia Department of Transportation shall
13 not make any capital expenditures, including the expenditures defined as being included
14 in 'cost of the project' in Code Section 46-9-272, relating to a commuter rail project without
15 first obtaining a binding contract with the rail service provider to provide an agreed upon
16 level of service on the commuter rail project for a period of 20 years. In addition,
17 agreements with all of the county and municipal governments along the proposed
18 commuter rail project must be executed, including a provision that calls for the county and
19 municipal governments to put into escrow the estimated amount of operating subsidies they
20 would be responsible for over a ten-year period. After the first ten-year period the amount
21 of the escrow would be based on actual operating subsidies from the prior ten-year period,
22 and that amount would again be paid into escrow in ten-year increments."

23 **SECTION 2.**

24 This Act shall become effective upon its approval by the Governor or upon its becoming law
25 without such approval.

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SECTION 3.

2 All laws and parts of laws in conflict with this Act are repealed.