

House Resolution 66 (AS PASSED HOUSE AND SENATE)

By: Representatives Smith of the 168th, Smith of the 70th, Sheldon of the 105th, Barnes of the 78th, Meadows of the 5th, 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.