

The House Committee on Governmental Affairs offers the following substitute to HB 181:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 75 of Title 36 of the Official Code of Georgia Annotated, relating to war  
2 on terrorism local assistance, so as to provide for limitations with respect to the creation,  
3 activation, and activities of public safety and judicial facilities authorities and joint public  
4 safety and judicial facilities authorities; to require resolutions and referendums prior to  
5 issuing bonds for new projects; to provide for related matters; to provide an effective date;  
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 75 of Title 36 of the Official Code of Georgia Annotated, relating to war on  
10 terrorism local assistance, is amended by adding new Code sections to read as follows:

11 "36-75-11.

12 (a) On and after the effective date of this Code section, no public safety and judicial  
13 facilities authority or joint public safety and judicial facilities authority created and  
14 activated under Code Section 36-75-4 shall be authorized to issue bonded indebtedness for  
15 new projects unless:

16 (1) In the case of a public safety and judicial facilities authority of a county or  
17 municipality, a resolution approving such projects passed by a majority vote of the  
18 governing authority of the county or municipality that created and activated such  
19 authority was ratified by the electors of the county or municipality in a referendum; or

20 (2) In the case of a joint public safety and judicial facilities authority, a resolution  
21 approving such projects passed by a majority vote of each of the governing authorities  
22 of the counties and municipalities that created and activated such authority was ratified  
23 by the electors of each such county or municipality in a referendum.

24 (b) If a public safety and judicial facilities authority or joint public safety and judicial  
25 facilities authority created and activated under Code Section 36-75-4 desires to fund  
26 multiple projects in a bond issue, such projects shall be ranked in the order they will be

1 funded after approval by the appropriate governing authority or governing authorities and  
2 ratification by the electors under this Code section. Such order of funding shall be binding  
3 on the public safety and judicial facilities authority or joint public safety and judicial  
4 facilities authority and such projects shall be funded in the order approved unless a  
5 different order is submitted to the appropriate governing authority or authorities for  
6 approval and electors for ratification.

7 (c) Any authority authorized by general or local Act to operate and incur bonded  
8 indebtedness in a county or municipality authorized by this chapter to activate a public  
9 safety and judicial facilities authority or joint public safety and judicial facilities authority  
10 and which constructs or operates buildings or facilities for use by any department, agency,  
11 division, or commission of any county or municipality authorized by this chapter to  
12 activate a public safety and judicial facilities authority or joint public safety and judicial  
13 facilities authority shall obtain approval by resolution and referendum as provided in this  
14 Code section prior to issuing bonds for any new buildings or facilities or improvements to  
15 existing building or facilities.

16 36-75-12.

17 Those public safety and judicial facilities authorities or joint public safety and judicial  
18 facilities authorities created and activated under Code Section 36-75-4 that have issued the  
19 \$50 million maximum aggregate amount of bonds permitted under paragraph (13) of Code  
20 Section 36-75-7 shall be subject to the provisions of Code Section 36-75-11 when such  
21 bonded indebtedness is reduced and such authorities desire to issue additional bonds for  
22 new projects."

## 23 SECTION 2.

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

## 26 SECTION 3.

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