

The Senate State Institutions and Property Committee offered the following substitute to SB 130:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 10 of Title 2 of the Official Code of Georgia Annotated, relating to  
2 agricultural marketing facilities, organizations, and programs, so as to repeal Article 1,  
3 relating to the Georgia Building Authority (Markets); to amend Chapter 7 of Title 31 of the  
4 Official Code of Georgia Annotated, relating to the regulation and construction of hospitals  
5 and other health care facilities, so as to repeal Article 2, relating to the Georgia Building  
6 Authority (Hospital); to amend Title 42 of the Official Code of Georgia Annotated, relating  
7 to penal institutions, so as to repeal Chapter 3, relating to the Georgia Building Authority  
8 (Penal); to amend Article 1 of Chapter 9 of Title 50 of the Official Code of Georgia  
9 Annotated, relating to general provisions for the Georgia Building Authority, to subrogate  
10 the Georgia Building Authority for certain repealed agencies by transferring the rights,  
11 privileges, functions, assets, obligations, employees, and immunities of the Georgia Building  
12 Authority (Markets), the Georgia Building Authority (Hospital), the Georgia Building  
13 Authority (Penal), and the Agency for Removal of Hazardous Materials to the Georgia  
14 Building Authority; to amend Chapter 9 of Title 50 of the Official Code of Georgia  
15 Annotated, relating to the Georgia Building Authority, so as to repeal Article 4, relating to  
16 the Hazardous Materials Removal Agency; to reserve certain chapters and articles; to provide  
17 for related matters; to provide an effective date; to repeal conflicting laws; and for other  
18 purposes.

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

20 Chapter 10 of Title 2 of the Official Code of Georgia Annotated, relating to agricultural  
21 marketing facilities, organizations, and programs, is amended by repealing Article 1, relating  
22 to the Georgia Building Authority (Markets), and designating said article as reserved.  
23

**SECTION 2.**

Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to the regulation and construction of hospitals and other health care facilities, is amended by repealing Article 2, relating to the Georgia Building Authority (Hospital), and designating said article as reserved.

**SECTION 3.**

Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, is amended by repealing Chapter 3, relating to the Georgia Building Authority (Penal), and designating said chapter as reserved.

**SECTION 4.**

Article 1 of Chapter 9 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions for the Georgia Building Authority, is amended by adding a new Code section to read as follows:

"50-9-17.

(a) As used in this Code section, the term:

(1) 'Authority' means the Georgia Building Authority as set forth in Code Section 50-9-2.

(2) 'Transferred authorities' means the Georgia Building Authority (Markets) set forth in Article 1 of Chapter 10 of Title 2, the Georgia Building Authority (Hospital) set forth in Article 2 of Chapter 7 of Title 31, the Georgia Building Authority (Penal) set forth in Chapter 3 of Title 42, and the Agency for Removal of Hazardous Materials set forth in Article 4 of Chapter 9 of Title 50, as each entity existed as of June 30, 2007.

(b) Beginning July 1, 2007, all functions, duties, responsibilities, and obligations of the transferred authorities shall belong to the authority. The authority shall also succeed to the rights, claims, remedies, securities, and any other debt or obligation owing to the transferred authorities.

(c) The authority shall be substituted for the transferred authorities on any bonds, claims, causes of action, contracts, leases, agreements, or other indebtedness or obligations of the transferred authorities. Contracts held by the transferred authorities shall be considered contracts of the authority, and any rights of renewal, prerogatives, benefits, and rights of enforcement under such contracts shall also be transferred to the authority.

(d) Appropriations for functions transferred from the transferred authorities to the authority may be transferred as provided in Code Section 45-12-90, relating to disposition of appropriations for duties, purposes, and objects which have been transferred. Personnel, equipment, and facilities previously employed for such transferred functions shall likewise be transferred to the authority. Upon the effective date of the transfer, all personnel

1 positions authorized for the transferred authorities shall be transferred to the authority and  
2 all employees whose positions are transferred to the authority shall become employees of  
3 the authority in the unclassified service as provided in Code Section 45-20-6.

4 (e) All assets, moneys, properties both tangible and intangible, and other valuable  
5 instruments and consideration belonging to the transferred authorities on the date of  
6 transfer shall become the property and assets of the authority.

7 (f) Rules and regulations previously adopted by the transferred authorities shall remain in  
8 full force and effect as rules and regulations of the authority until amended, repealed, or  
9 superseded by action of the authority."

#### 10 **SECTION 5.**

11 Chapter 9 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia  
12 Building Authority, is amended by repealing Article 4, relating to the Hazardous Materials  
13 Removal Agency, and designating said article as reserved.

#### 14 **SECTION 6.**

15 This Act shall become effective on July 1, 2007.

#### 16 **SECTION 7.**

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