

The Senate State and Local Governmental Operations Committee offered 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; to require
4 resolutions and referendums prior to issuing bonds for new projects; to provide that certain
5 authorities located in counties that have activated or activate public safety and judicial
6 facilities authorities shall obtain approval by resolution and referendum prior to issuing
7 bonds; to provide that counties or municipalities that activate a public safety and judicial
8 facilities authority shall not activate a joint public safety and judicial facilities authority; to
9 provide for related matters; to provide an effective date; to repeal conflicting laws; and for
10 other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

14 "36-75-11.

15 (a) On and after the effective date of this Code section, no public safety and judicial
16 facilities authority created and activated pursuant to this chapter shall be authorized to issue
17 bonded indebtedness for new projects unless a resolution approving such projects passed
18 by a majority vote of the governing authority of the county or municipality that created and
19 activated such authority was ratified by the electors of the county or municipality in a
20 referendum.

21 (b) If a public safety and judicial facilities authority created and activated pursuant to this
22 chapter desires to fund multiple projects in a bond issue, such projects shall be ranked in
23 the order they will be funded after approval by the governing authority and ratification by
24 the electors under this Code section. Such order of funding shall be binding on the public
25 safety and judicial facilities authority and such projects shall be funded in the order
26

1 approved unless a different order is submitted to the governing authority for approval and
 2 electors for ratification.

3 (c) Any authority:

4 (1) Which is authorized by general or local Act to operate and incur bonded indebtedness
 5 in a single county or municipality that has activated or that activates a public safety and
 6 judicial facilities authority pursuant to this chapter; and

7 (2) Which constructs or operates buildings or facilities for use by any department,
 8 agency, division, or commission of any county or municipality that has activated or that
 9 activates a public safety and judicial facilities authority pursuant to this chapter

10 shall obtain approval by resolution and referendum as provided in this Code section prior
 11 to issuing bonds for any new buildings or facilities or improvements to existing buildings
 12 or facilities.

13 36-75-12.

14 Those public safety and judicial facilities authorities created and activated pursuant to this
 15 chapter that have issued the \$50 million maximum aggregate amount of bonds permitted
 16 under paragraph (13) of Code Section 36-75-7 shall be subject to the provisions of Code
 17 Section 36-75-11 when such bonded indebtedness is reduced and such authorities desire
 18 to issue additional bonds for new projects.

19 36-75-13.

20 On and after the effective date of this Code section, no county or municipality that has
 21 activated or that activates a public safety and judicial facilities authority shall also activate
 22 a joint public safety and judicial facilities authority."

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.