

The House Committee on State Planning and Community Affairs offers the following substitute to HB 1200:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 91 of Title 36 of the Official Code of Georgia Annotated, relating to the
2 "Georgia Local Government Public Works Construction Law," so as to exempt certain
3 development authorities from the requirements of public works contracting, bidding, and
4 bonding; to provide for definitions; to provide for related matters; to repeal conflicting laws;
5 and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 91 of Title 36 of the Official Code of Georgia Annotated, relating to the "Georgia
9 Local Government Public Works Construction Law," is amended by revising Code Section
10 36-91-22, relating to exceptions, by adding a new subsection to read as follows:

11 "(j)(1) As used in this subsection, the term:

12 (A) 'Development authority' means any authority created by law or by or pursuant to
13 a local constitutional amendment for the purpose of promoting the development of
14 trade, commerce, industry, or employment opportunities or for similar purposes.

15 (B) 'Public funds' means:

16 (i) Proceeds of indebtedness of a development authority that is secured by pledging
17 amounts to be received by such authority from one or more counties or municipalities
18 through an intergovernmental contract entered into in accordance with paragraph (20)
19 of Code Section 48-5-220 or Code Section 48-5-350; or

20 (ii) Funds from the state or one or more counties or municipalities for the purpose of
21 financing a public works construction project to be owned by a development authority.

22 (2) The requirements of this chapter shall not apply to public works construction projects
23 that are owned by development authorities and which are not financed by public funds."

24 **SECTION 2.**

25 All laws and parts of laws in conflict with this Act are repealed.