

Senate Bill 539

By: Senators Fort of the 39th, Tate of the 38th, James of the 35th and Orrock of the 36th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend an Act creating the McPherson Implementing Local Redevelopment Authority,
2 approved May 14, 2008 (Ga. L. 2008, p. 4328), so as to modify certain provisions relating
3 to the membership of the authority, to ensure community representation on the authority; to
4 provide for an effective date; to repeal conflicting laws; and for other purposes.

5 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

6 **SECTION 1.**

7 An Act creating the McPherson Implementing Local Redevelopment Authority, approved
8 May 14, 2008 (Ga. L. 2008, p. 4328), is amended in Sections 3 and 31 as follows:

9 "SECTION 3.

10 McPherson Implementing Local Redevelopment Authority.

11 (a) There is created a body corporate and politic, to be known as the "McPherson
12 Implementing Local Redevelopment Authority," which shall be deemed to be a political
13 subdivision of the State of Georgia and a public corporation and by that name, style, and title
14 said body may contract and be contracted with, sue and be sued, implead and be impleaded,
15 and bring and defend actions in all courts. The authority shall have perpetual existence.

16 (b) The authority shall consist of not less than 11 nor more than 15 members, the majority
17 of whom shall come from the City of Atlanta. In addition, the Governor shall select a voting
18 member to represent the State of Georgia. With the exception of the member selected by the
19 Governor to represent the State of Georgia and as otherwise provided in this subsection, the
20 members shall be appointed by the Governor from a list of nominees submitted by the
21 governing authorities of any county and the mayor of any municipality in which Fort
22 McPherson is located and the mayor of any municipality which abuts Fort McPherson.
23 Persons so appointed shall serve for initial terms of office which shall expire on December
24 31 of the fourth year after their appointment. After the initial terms of office, members of

25 the authority shall serve for terms of office of four years each. Members of the authority
26 shall serve for their respective terms of office specified in this subsection and until their
27 respective successors are appointed and qualified. Any member of the authority may be
28 appointed to succeed himself or herself. After such appointment, the members of such
29 authority shall enter upon their duties. Any vacancy on the authority shall be filled in the
30 same manner as was the original appointment of the member whose term of membership
31 resulted in such vacancy, except that if a nomination of a person to fill a vacancy in
32 membership is not submitted to the Governor within 30 days after the vacancy occurs, the
33 vacancy shall be filled by an appointment made by the Governor without the necessity of a
34 nomination from the affected area. A person appointed to fill a vacancy shall serve for the
35 remainder of the unexpired term and until the appointment and qualification of a successor.
36 In addition to the members appointed by the Governor, the following shall be ex officio
37 members:

38 (1) Members of the Senate whose districts include all or a portion of Fort McPherson and
39 members of the House of Representatives whose districts include all or a portion of Fort
40 McPherson;

41 (2) One member appointed by the members of the Atlanta City Council whose districts
42 include all or a portion of Fort McPherson; and

43 (3) One member appointed by the members of the Senate and the members of the House
44 of Representatives whose districts include all or a portion of Fort McPherson which
45 appointed member shall be a resident, residing within one mile of property adjoining the
46 boundaries of Fort McPherson and who is an active member of a local community
47 organization.

48 (c) To be eligible for appointment as a member of the authority, a person shall be at least 21
49 years of age and shall not have been convicted of a felony.

50 (d) The Governor shall select one of the members of the authority to serve as chairperson.
51 Also, the members of the authority shall elect one of their number as vice chairperson, shall
52 elect one of their number as secretary, and may elect one of their number as treasurer. The
53 secretary may also serve as treasurer. Each of such officers shall serve for a period of two
54 years and until their successors are duly elected and qualified. The chairperson of the
55 authority shall be entitled to vote upon any issue, motion, or resolution.

56 (e) The members of the authority shall be reimbursed, upon submission of sworn vouchers,
57 for all actual expenses incurred in the performance of their duties out of funds of the
58 authority but shall receive no further compensation. The authority shall make rules and
59 regulations for its own government.

60 (f) In addition to the members set forth in subsection (b) of this section, there shall be
61 nonvoting ex officio members who shall be as follows:

- 62 (1) The commissioner of the Department of Economic Development or his or her
63 designee;
- 64 (2) The commissioner of the Department of Community Affairs or his or her designee;
- 65 (3) The commissioner of the Department of Natural Resources or his or her designee;
- 66 (4) The commissioner of the Department of Transportation or his or her designee;
- 67 (5) The Commissioner of Labor or his or her designee; and
- 68 (6) The chancellor of the University System of Georgia or his or her designee.
- 69 The ex officio members designated in this subsection shall have all of the rights and duties
70 as other members of the redevelopment authority except that they shall not have the right to
71 vote on any matter.
- 72 (g) The redevelopment authority may create the following subcommittees: health care,
73 education, infrastructure, labor, real estate, economic development, housing and
74 homelessness, environment, and quality of life and others as deemed appropriate. The
75 redevelopment authority may appoint as members of the subcommittees such individuals
76 from the community as the authority deems appropriate and such members do not have to
77 be members of the authority. The subcommittees shall serve in an advisory capacity to the
78 redevelopment authority. The chairperson of the authority shall choose from among the
79 members of each subcommittee a person to serve as chairperson of that subcommittee. The
80 chairpersons of the subcommittees shall serve two-year terms and shall be eligible for
81 reappointment.
- 82 (h) A majority of the members of the authority, excluding nonvoting ex officio members
83 designated in subsection (f), shall constitute a quorum. No vacancy on the authority shall
84 impair the right of the quorum to exercise all of the rights and perform all of the duties of the
85 authority.
- 86 (i) A vacancy on the authority shall exist in the office of any member of the authority who
87 is convicted of a felony or who enters a plea of nolo contendere thereto; who is convicted of
88 a crime involving moral turpitude or who enters a plea of nolo contendere thereto; who is
89 convicted of any act of misfeasance, malfeasance, or nonfeasance of such person's duties as
90 a member of the authority; or who fails to attend three consecutive regular meetings of the
91 authority without an excuse approved by a resolution of the authority.
- 92 (j) All meetings of the authority, regular or special, shall be open to the public.
- 93 (k) No member or employee of the authority shall have, directly or indirectly, any financial
94 interest, profit, or benefit in any contract, work, or business of the authority nor in the sale,
95 lease, or purchase of any property to or from the authority."

96 "SECTION 31.

97 Effective date.

98 This Act shall become effective upon its approval by the Governor or upon its becoming law
99 without such approval."

100 **SECTION 2.**

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