

House Bill 1388 (AS PASSED HOUSE AND SENATE)

By: Representatives Bearden of the 68<sup>th</sup>, Lunsford of the 110<sup>th</sup>, Willard of the 49<sup>th</sup>, Porter of the 143<sup>rd</sup>, Abrams of the 84<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 36-42-3 of the Official Code of Georgia Annotated, relating to  
2 definitions regarding downtown development authorities, so as to change a certain definition;  
3 to provide that downtown development authorities may finance certain conservation projects;  
4 to amend Code Section 36-62-2 of the Official Code of Georgia Annotated, relating to  
5 definitions regarding development authorities, so as to change a certain definition; to provide  
6 that development authorities may finance certain conservation projects; to provide for related  
7 matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Code Section 36-42-3 of the Official Code of Georgia Annotated, relating to definitions  
11 regarding downtown development authorities, is amended by revising paragraph (6) as  
12 follows:

13 "(6) 'Project' means:

14 (A) The the acquisition, construction, installation, modification, renovation, or  
15 rehabilitation of land, interests in land, buildings, structures, facilities, or other  
16 improvements located or to be located within the downtown development area, and the  
17 acquisition, installation, modification, renovation, rehabilitation, or furnishing of  
18 fixtures, machinery, equipment, furniture, or other property of any nature whatsoever  
19 used on, in, or in connection with any such land, interest in land, building, structure,  
20 facility, or other improvement, any undertaking authorized by Chapter 43 of this title  
21 as part of a city business improvement district, any undertaking authorized in Chapter  
22 44 of this title, the 'Redevelopment Powers Law,' when the downtown development  
23 authority has been designated as a redevelopment agency, or any undertaking  
24 authorized in Chapter 61 of this title, the 'Urban Redevelopment Law,' when the  
25 downtown development authority has been designated as an urban redevelopment

26 agency, all for the essential public purpose of the development of trade, commerce,  
27 industry, and employment opportunities in its authorized area of operation; and  
28 (B) The provision of financing to property owners for the purpose of installing or  
29 modifying improvements to their property in order to reduce the energy or water  
30 consumption on such property or to install an improvement to such property that  
31 produces energy from renewable resources.

32 A project may be for any industrial, commercial, business, office, parking, public, or  
33 other use, provided that a majority of the members of the authority determine, by a duly  
34 adopted resolution, that the project and such use thereof would further the public purpose  
35 of this chapter. Such term shall include any one or more buildings or structures used or  
36 to be used as a not for profit hospital, not for profit skilled nursing home, or not for profit  
37 intermediate care home subject to regulation and licensure by the Department of  
38 Community Health and all necessary, convenient, or related interests in land, machinery,  
39 apparatus, appliances, equipment, furnishings, appurtenances, site preparation,  
40 landscaping, and physical amenities."

41 **SECTION 2.**

42 Code Section 36-62-2 of the Official Code of Georgia Annotated, relating to definitions  
43 regarding development authorities, is amended in paragraph (6) by adding a new  
44 subparagraph to read as follows:

45 "(K.1) The provision of financing to property owners for the purpose of installing or  
46 modifying improvements to their property in order to reduce the energy or water  
47 consumption on such property or to install an improvement to such property that  
48 produces energy from renewable resources:"

49 **SECTION 3.**

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