

House Bill 1092

By: Representatives Cole of the 125<sup>th</sup>, Peake of the 137<sup>th</sup>, Epps of the 140<sup>th</sup>, Sellier of the 136<sup>th</sup>, Lucas of the 139<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 7 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated,  
2 relating to state authorities involved with conservation, natural resources, and cultural  
3 activities, so as to reconstitute the governance of the Georgia Sports Hall of Fame Authority;  
4 to provide for a new governing board for the authority and its members and their  
5 appointments, terms, vacancies, duties, and compensation; to provide for appropriate staff  
6 of the authority; to authorize the board to create and enter into a nonprofit corporation to  
7 assist with certain functions of the authority; to provide that the Georgia Sports Hall of Fame  
8 Authority and the Georgia Music Hall of Fame Authority shall to the maximum extent  
9 possible work jointly to realize efficiencies and economies in the operation of their adjacent  
10 facilities; to provide for related matters; to provide an effective date; to repeal conflicting  
11 laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 style="text-align:center">**SECTION 1.**

14 Article 7 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to state  
15 authorities involved with conservation, natural resources, and cultural activities, is amended  
16 by revising Code Section 12-3-562, relating to the Georgia Sports Hall of Fame Authority,  
17 and adding a new Code Section 12-3-562.1 as follows:

18 "12-3-562.

19 (a) There is created a body corporate and politic to be known as the Georgia Sports Hall  
20 of Fame Authority which shall be deemed to be an instrumentality of the State of Georgia  
21 and a public corporation; and by that name, style, and title such body may contract and be  
22 contracted with, bring and defend actions, implead and be impleaded, and complain and  
23 defend in all courts of this state.

24 (b)(1) The terms of all members of the authority who are in office on April 30, ~~1998~~  
25 2010, shall terminate on such date, ~~and new members shall be appointed to the authority~~  
26 ~~for initial terms beginning on May 1, 1998, as specified in this subsection. From May 1,~~

27 ~~1998, until January 1, 1999, the authority shall consist of 16 members. Thereafter, the~~  
 28 ~~authority shall consist of 18 members~~ Effective May 1, 2010, the authority shall be under  
 29 the governance of a new Georgia Sports Hall of Fame Authority Board composed as  
 30 provided in paragraph (2) of this subsection.

31 (2) Members shall be appointed as follows:

32 (A) ~~Three~~ Five members shall be appointed by the Governor for initial terms of office  
 33 ~~ending on January 1, 1999;~~

34 ~~(B) Three members shall be appointed by the Governor for initial terms of office~~  
 35 ~~ending on June 30, 2000;~~

36 ~~(C) Two members shall be appointed by the Governor for initial terms of office ending~~  
 37 ~~on December 31, 2000;~~

38 ~~(D) Five members shall be appointed by the Governor for initial terms of office ending~~  
 39 ~~on December 31, 2002;~~

40 ~~(E) One member shall be appointed by the President of the Senate for an initial term~~  
 41 ~~of office ending on January 1, 1999;~~

42 ~~(F)~~(B) Two members shall be appointed by the President of the Senate for initial terms  
 43 ~~of office ending on December 31, 2002; and~~

44 ~~(G) One member shall be appointed by the Speaker of the House of Representatives~~  
 45 ~~for an initial term of office ending on January 1, 1999; and~~

46 ~~(H)~~(C) Two members shall be appointed by the Speaker of the House of  
 47 ~~Representatives for initial terms of office ending on December 31, 2002.~~

48 (3) ~~A successor to each member shall be appointed by the same appointing official as~~  
 49 ~~provided in paragraph (2) of this subsection, provided that the Governor shall appoint~~  
 50 ~~successors for only two of the members appointed by the Governor with initial terms~~  
 51 ~~ending on January 1, 1999. Following the initial terms specified in paragraph (2) of this~~  
 52 ~~subsection, the terms of all members shall be four years. Each member shall serve for a~~  
 53 ~~term of office concurrent with the term of office of the appointing official, two years for~~  
 54 ~~appointees of the Speaker and four years for the other members, except that the terms of~~  
 55 ~~the members appointed to take office May 1, 2010, shall expire on December 31, 2011.~~  
 56 A member may be appointed to succeed himself or herself.

57 (4) Any elected or appointed state, county, municipal, or school board official or  
 58 employee, except officials and employees of the legislative or judicial branches of state  
 59 government, may be appointed and serve as a member of the authority board.

60 (c) Vacancies in office shall be filled in the same manner as original appointments. An  
 61 appointment to fill a vacancy shall be for the unexpired term. The authority board shall  
 62 elect its own officers. No vacancy on the authority board shall impair the right of the  
 63 quorum to exercise all rights and perform all duties of the authority board.

64 (d) The members of the authority board shall receive for each day that such members are  
 65 in attendance at a meeting of the authority the same daily expense allowance and  
 66 reimbursement for transportation costs as provided for members of the General Assembly,  
 67 as provided for in Code Section 45-7-21; and the members of the authority board may be  
 68 reimbursed from funds of the authority for reasonable actual expenses incurred in  
 69 furtherance of official business of the board. Otherwise, they shall not receive any other  
 70 compensation for their services as such.

71 (e) The authority shall have perpetual existence. Any change in name or composition of  
 72 the authority shall in no way affect the vested rights of any person under this part or impair  
 73 the obligations of any contracts existing under this part.

74 (f) The members of the authority board shall be accountable in all respects as trustees. The  
 75 authority shall keep suitable and proper books and records of all receipts, income, and  
 76 expenditures of every kind and shall submit for inspection all the books, together with the  
 77 proper statement of the authority's financial position, to the state auditor.

78 (g) The authority is assigned to the Department of Economic Development for  
 79 administrative purposes only.

80 (h) The board shall appoint, with the consent of the commissioner of economic  
 81 development, appropriate staff as needed who shall be experienced and competent in such  
 82 areas as management, fund raising, and marketing. The staff shall serve at the pleasure of  
 83 the board and shall be compensated from funds of the authority in such amount as shall be  
 84 fixed by the board.

85 (i) The board may create and may enter into cooperative agreements with a nonprofit  
 86 corporation to serve as a foundation to assist with the raising of funds and the generation  
 87 of revenues for the purposes of the authority.

88 12-3-562.1.

89 The Georgia Sports Hall of Fame Authority and the Georgia Music Hall of Fame Authority  
 90 shall to the maximum extent possible work jointly to realize efficiencies and economies in  
 91 the operation of their adjacent facilities. The two authorities shall make all possible efforts  
 92 to consolidate and coordinate marketing, operational, maintenance, property management  
 93 and other activities so as to achieve such efficiencies and economies."

94 **SECTION 2.**

95 Said article is further amended by adding a new Code Section 12-3-522.1 to read as follows:

96 "12-3-522.1.

97 The Georgia Music Hall of Fame Authority and the Georgia Sports Hall of Fame Authority  
 98 shall to the maximum extent possible work jointly to realize efficiencies and economies in

99 the operation of their adjacent facilities. The two authorities shall make all possible efforts  
100 to consolidate and coordinate marketing, operational, maintenance, property management  
101 and other activities so as to achieve such efficiencies and economies."

102 **SECTION 3.**

103 This Act shall become effective upon its approval by the Governor or upon its becoming law  
104 without such approval.

105 **SECTION 4.**

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