

House Bill 815

By: Representative Kidd of the 141st

A BILL TO BE ENTITLED
AN ACT

1 To create the Central State Hospital Local Redevelopment Authority; to provide for a short
2 title; to confer powers and impose duties on the authority; to provide for the membership and
3 the appointment of members of the authority and their terms of office, qualifications, duties,
4 powers, and compensation; to provide for vacancies, organizations, meetings, and expenses;
5 to prohibit authority employees and members from having certain interests; to provide for
6 definitions; to provide for revenue bonds and their forms, signatures thereon, negotiability,
7 sale, and use of proceeds from such sales; to provide for interim documents and for lost or
8 mutilated documents; to provide for conditions for issuance; to prohibit the pledge of credit
9 for the payment of bonds; to provide for trust indentures and a sinking fund; to provide for
10 payment of bond proceeds; to provide for bondholders remedies and protection; to provide
11 for refunding bonds; to provide for bond validation; to provide for venue and jurisdiction;
12 to provide for trust funds; to provide for authority purpose; to provide for chargers; to
13 provide for rules and regulations; to provide for tort immunity; to provide for tax exemptions;
14 to provide for supplemental powers; to provide for effect on other governments; to provide
15 for liberal construction; to provide for an effective date; to repeal conflicting laws; and for
16 other purposes.

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

18 **SECTION 1.**

19 Short title.

20 This Act shall be known and may be cited as the "Central State Hospital Local
21 Redevelopment Authority Act."

22 **SECTION 2.**

23 Definitions.

24 (a) As used in this Act, the term:

25 (1) "Authority" or "redevelopment authority" means the Central State Hospital Local
26 Redevelopment Authority created by this Act.

27 (2) "Cost of the project" means and embraces the cost of construction; the cost of all
28 lands, properties, rights, easements, and franchises acquired; the cost of all machinery and
29 equipment, financing charges, interest prior to and during construction and for one year
30 after completion of construction; the cost of engineering, architectural, fiscal agent, and
31 legal expenses, and of plans and specifications and other expenses necessary or incident
32 to determining the feasibility or practicability of the project, administrative expenses, and
33 such other expenses as may be necessary or incident to the financing authorized in this
34 Act; the cost of the acquisition or construction of any project; and the cost of placing any
35 project in operation. Any obligation or expense incurred for any of the foregoing
36 purposes shall be regarded as a part of the cost of the project and may be paid or
37 reimbursed as such out of the proceeds of revenue bonds issued under the provisions of
38 this Act for such projects.

39 (3) "Economic development conveyance" has the same meaning as provided in 32 C.F.R.
40 174.9(a).

41 (4) "Project" includes:

42 (A) The land and any one or more buildings or structures located in or on the land (the
43 real property) now or formerly occupied by Central State Hospital and the real property
44 adjacent thereto to be used in education, parks and recreation, transportation, health
45 care, research, housing, commerce, or the production, manufacturing, procession,
46 assembling, storing, or handling of any agricultural, manufactured, mining, or industrial
47 products or any combination of the foregoing or similar uses, in every case with all
48 necessary or useful furnishings, machinery, equipment, parking facilities, landscaping,
49 and facilities for outdoor storage, all as determined by the authority, which
50 determination shall be final and not subject to review; and there may be included as part
51 of any such project all improvements necessary to the full utilization thereof, including
52 site preparation, roads and streets, sidewalks, water supply, outdoor lighting, belt line
53 railroad sidings and lead tracks, bridges, causeways, terminals for railroad and
54 automotive transportation, and transportation facilities incidental to the project;

55 (B) The acquisition, construction, leasing, or equipping of new industrial facilities or
56 the improvement, modification, acquisition, expansion, modernization, leasing,
57 equipping, or remodeling of existing industrial or governmental facilities located or to
58 be located in or on the property now or formerly occupied by Central State Hospital and
59 the properties adjacent thereto;

60 (C) The acquisition, construction, improvement, or modification of any property, real
61 or personal, which any industrial concern might desire to use, acquire, or lease in

62 connection with the operation of any plant or facility located or to be located in or on
 63 the property now or formerly occupied by Central State Hospital and the properties
 64 adjacent thereto; and

65 (D) The acquisition and development of land in or on the property now or formerly
 66 occupied by Central State Hospital as the site for an educational facility, historical
 67 preservation site, commercial enterprise, entertainment facility, park or recreational
 68 facility, industrial park, transportation facility, health care facility, research facility,
 69 residential project, or similar uses, provided that, for purposes of this subparagraph, the
 70 term "development of land" includes the provision of water, sewage, drainage, or
 71 similar facilities or transportation, power, or communication facilities which are
 72 incidental to use of the site as an educational facility, historical preservation site,
 73 commercial enterprise, entertainment facility, park or recreational facility, industrial
 74 park, transportation facility, health care facility, research facility, residential project, or
 75 similar use but, except with respect to such facilities, does not include the provision of
 76 structures or buildings.

77 (5) "Revenue bonds" or "bonds" means revenue bonds as defined and provided for in
 78 Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond Law," and such
 79 type of obligations may be issued by the authority as authorized under said "Revenue
 80 Bond Law" and any amendments thereto.

81 (b) Any project shall be deemed self-liquidating if, in the judgment of the authority, the
 82 revenues and earnings to be derived by the authority therefrom and all facilities used in
 83 connection therewith will be sufficient to pay the costs of operating, maintaining, repairing,
 84 improving, and extending the project and to pay the principal of and interest on the revenue
 85 bonds which may be issued to finance, in whole or in part, the cost of such project or
 86 projects.

87 **SECTION 3.**

88 Central State Hospital Local Redevelopment Authority.

89 (a) There is created a body corporate and politic, to be known as the "Central State
 90 Hospital Local Redevelopment Authority," which shall be deemed to be a political
 91 subdivision of the State of Georgia and a public corporation, and by that name, style, and
 92 title, said body may contract and be contracted with, sue and be sued, implead and be
 93 impleaded, and bring and defend actions in all courts. The authority shall have perpetual
 94 existence.

95 (b) The authority shall consist of not less than seven nor more than 11 members. In
 96 addition, the Governor shall select a voting member to represent the State of Georgia. With
 97 the exception of the member selected by the Governor to represent the State of Georgia,

98 the members shall be appointed by the mayor of the City of Milledgeville with the consent
99 of a majority of the Milledgeville City Council. Persons so appointed shall serve for initial
100 terms of office which shall expire on December 31 of the fourth year after their
101 appointment. After the initial terms of office, members of the authority shall serve for
102 terms of office of four years each. Members of the authority shall serve for their respective
103 terms of office specified in this subsection and until their respective successors are
104 appointed and qualified. Any member of the authority may be appointed to succeed
105 himself or herself. After such appointment, the members of such authority shall enter upon
106 their duties. Any vacancy on the authority shall be filled in the same manner as was the
107 original appointment of the member whose term of membership resulted in such vacancy.
108 A person appointed to fill a vacancy shall serve for the remainder of the unexpired term
109 and until the appointment and qualification of a successor. The members of the authority
110 shall be reimbursed, upon submission of sworn vouchers, for all actual expenses incurred
111 in the performance of their duties out of funds of the authority but shall receive no further
112 compensation. The authority shall make rules and regulations for its own government.

113 (c) To be eligible for appointment as a member of the authority, a person shall be at least
114 21 years of age and shall not have been convicted of a felony.

115 (d) The mayor of the City of Milledgeville with the consent of a majority of the
116 Milledgeville City Council shall appoint the chairperson of the authority who shall serve
117 as chairperson for a four-year term. The members of the authority shall elect from their
118 number a vice chairperson, secretary, and treasurer. The secretary may also serve as
119 treasurer. Each of such officers shall serve for a period of four years and until their
120 successors are duly elected and qualified. The chairperson of the authority shall be entitled
121 to vote upon any issue, motion, or resolution.

122 (e) In addition to the members set forth in subsection (b) of this section, there shall be ex
123 officio members who shall be as follows:

124 (1) One member appointed by the members of the Senate whose districts include all or
125 a portion of Central State Hospital and one member appointed by the members of the
126 House of Representatives whose districts include all or a portion of Central State
127 Hospital;

128 (2) The State Property Commission executive director or his or her designee;

129 (3) The commissioner of economic development or his or her designee;

130 (4) The commissioner of community affairs or his or her designee;

131 (5) The commissioner of natural resources or his or her designee;

132 (6) The commissioner of transportation or his or her designee;

133 (7) The Commissioner of Labor or his or her designee; and

134 (8) The chancellor of the University System of Georgia or his or her designee.

135 Such ex officio members shall have all of the rights and duties as other members of the
 136 authority except that they shall not have the right to vote on any matter. At the request of
 137 the authority, the mayor of the City of Milledgeville with the consent of a majority of the
 138 Milledgeville City Council shall be authorized to appoint additional ex officio members of
 139 the authority.

140 (f) The authority may create the following subcommittees: health care, education,
 141 infrastructure, labor, real estate, economic development, housing and homelessness,
 142 environment, quality of life, and others as deemed appropriate. The authority may appoint
 143 as members of the subcommittees such individuals from the community as the authority
 144 deems appropriate, and such members do not have to be members of the authority. The
 145 subcommittees shall serve in an advisory capacity to the authority. The chairperson of the
 146 authority shall choose from among the members of each subcommittee a person to serve
 147 as chairperson of that subcommittee. The chairpersons of the subcommittees shall serve
 148 four-year terms and shall be eligible for reappointment.

149 (g) A majority of the members of the authority, excluding ex officio members, shall
 150 constitute a quorum. No vacancy on the authority shall impair the right of the quorum to
 151 exercise all of the rights and perform all of the duties of the authority.

152 (h) A vacancy on the authority shall exist in the office of any member of the authority who
 153 is convicted of a felony or who enters a plea of nolo contendere thereto; who is convicted
 154 of a crime involving moral turpitude or who enters a plea of nolo contendere thereto; who
 155 is convicted of any act of misfeasance, malfeasance, or nonfeasance of such person's duties
 156 as a member of the authority; or who fails to attend three consecutive regular meetings of
 157 the authority without an excuse approved by a resolution of the authority.

158 (i) All meetings of the authority, regular or special, shall be open to the public.

159 (j) No member or employee of the authority shall have, directly or indirectly, any financial
 160 interest, profit, or benefit in any contract, work, or business of the authority nor in the sale,
 161 lease, or purchase, of any property to or from the authority.

162 **SECTION 4.**

163 Purpose of the authority.

164 Without limiting the generality of any provision of this Act, the general purpose of the
 165 authority is declared to be that of executing and administering the reuse plan for the property
 166 now or formerly occupied by Central State Hospital, executing economic development
 167 conveyances for such property now or formerly occupied by Central State Hospital resulting
 168 from the closure or realignment of Central State Hospital so as to ameliorate the impact of
 169 such closure or realignment on the communities and citizens of the surrounding area;
 170 extending and improving such projects; acquiring the necessary property therefore, both real

171 and personal, with the right to contract for the use of or to lease or sell any or all of such
 172 facilities, including real property, to any persons, firms, or corporations, whether public or
 173 private, if in the sole judgment of the authority such use, lease, or sale supports the general
 174 purposes of the authority; and doing all things deemed by the authority necessary,
 175 convenient, and desirable for and incident to the efficient and proper development and
 176 operation of such type of undertakings.

177 SECTION 5.

178 Powers of the authority.

179 The authority shall have the power:

- 180 (1) To have a seal and alter the same at its pleasure;
- 181 (2) To acquire by purchase, lease, or otherwise, including acquisition of land from the
 182 state government, and to hold, lease, and dispose of real and personal property of every
 183 kind and character for its corporate purpose and to plan, acquire, establish, develop,
 184 construct, enlarge, improve, maintain, equip, and lease all projects which shall come
 185 under the control of the authority under the provisions of this Act or which it may acquire
 186 or plan to acquire; to regulate, protect, and police such projects and all related activities
 187 and facilities; to enter into any contracts, leases, or other charges for the use of property
 188 or services of the authority and collect and use the same as necessary to operate the
 189 projects under control of the authority; and to accomplish any of the purposes of this Act
 190 and make any purchases or sales necessary for such purposes;
- 191 (3) To acquire in its own name by purchase, on such terms and conditions and in such
 192 manner as it may deem proper, real property, or rights or easements therein, or franchises
 193 necessary or convenient for its corporate purpose, and to use the same so long as its
 194 corporate existence shall continue, and to lease or make contracts with respect to the use
 195 of such property, or dispose of the same in any manner it deems to be to the best
 196 advantage of the authority;
- 197 (4) To appoint, select, and employ officers, agents, and employees, including real estate,
 198 environmental, engineering, architectural, and construction experts, fiscal agents, and
 199 attorneys, and to fix their respective compensations;
- 200 (5) To make contracts and leases and to execute all instruments necessary or convenient,
 201 including contracts for construction of projects and leases of projects or contracts with
 202 respect to the use of projects which it causes to be constructed, erected, or acquired. Any
 203 and all persons, firms, and corporations and any and all political subdivisions,
 204 departments, institutions, or agencies of the state and federal government are authorized
 205 to enter into contracts, leases, or agreements with the authority upon such terms and for
 206 such purposes as they deem advisable; and, without limiting the generality of the

207 foregoing, authority is specifically granted to municipal corporations, counties, political
 208 subdivisions, and to the authority relative to entering into contracts, lease agreements, or
 209 other undertakings authorized between the authority and private corporations, both inside
 210 and outside this state, and between the authority and public bodies, including counties
 211 and cities outside this state and the federal government;

212 (6) To construct, erect, acquire, own, repair, remodel, maintain, add to, extend, improve,
 213 equip, operate, and manage projects, the cost of any such project to be paid in whole or
 214 in part from the proceeds of revenue bonds of the authority or from such proceeds and
 215 any grant or contribution from the United States of America or any agency or
 216 instrumentality thereof or from the State of Georgia or any agency or instrumentality
 217 thereof;

218 (7) To accept loans and grants of money or materials or property of any kind from the
 219 United States of America or any agency or instrumentality thereof upon such terms and
 220 conditions as the United States of America or such agency or instrumentality may
 221 require;

222 (8) To accept loans and grants of money or materials or property of any kind from the
 223 State of Georgia or any agency or instrumentality or political subdivision thereof upon
 224 such terms and conditions as the State of Georgia or such agency or instrumentality or
 225 political subdivision may require;

226 (9) To borrow money for any of its corporate purposes and to issue negotiable revenue
 227 bonds payable solely from funds pledged for the purpose and to provide for the payment
 228 of the same and for the rights of the holders thereof;

229 (10) To exercise any power usually possessed by private corporations performing similar
 230 functions, including the power to make short-term loans and approve, execute, and
 231 deliver appropriate evidence of such indebtedness, provided that no such power is in
 232 conflict with the Constitution or general laws of this state;

233 (11) To encourage and facilitate job training and housing rehabilitation programs for
 234 residents surrounding Central State Hospital; and

235 (12) To do all things necessary or convenient to carry out the powers expressly given in
 236 this Act.

237 **SECTION 6.**

238 Revenue bonds.

239 The authority, or any authority or body which had or which may in the future succeed to the
 240 powers, duties, and liabilities vested in the authority created by this Act, is authorized to
 241 provide by resolution for the issuance of negotiable revenue bonds of the authority for the
 242 purpose of paying all or any part of the cost of the project of any one or more projects. The

243 principal of and interest on such revenue bonds shall be payable solely from the special fund
244 provided in this Act for such payment. The bonds of each issue shall be dated, shall bear
245 interest at such rate or rates per annum, payable at such time or times, shall mature at such
246 time or times not exceeding 40 years from their date or dates, shall be payable in such
247 medium of payment as to both principal and interest as may be determined by the authority,
248 and may be redeemable before maturity, at the option of the authority, at such price or prices
249 and under such terms and conditions as may be fixed by the authority in the resolution for
250 the issuance of bonds.

251 **SECTION 7.**

252 Revenue bonds; form; denomination; registration; place of payment.

253 The authority shall determine the form of the bonds, including any interest coupons to be
254 attached thereto, and shall fix the denomination or denominations of the bonds and the place
255 or places of payment of principal and interest thereon, which may be at any bank or trust
256 company inside or outside this state. The bonds may be issued in coupon or registered form,
257 or both, as the authority may determine, and provisions may be made for the registration of
258 any coupon bond as to principal alone and also as to both principal and interest.

259 **SECTION 8.**

260 Revenue bonds; signatures; seal.

261 In case any officer whose signature appears on any bond or whose facsimile signature
262 appears on any coupon ceases to be such officer before the delivery of such bond, such
263 signature shall nevertheless be valid and sufficient for all purposes the same as if such officer
264 had remained in office until such delivery. All such bonds shall be signed by the chairperson
265 of the authority, and the official seal of the authority shall be affixed thereto and attested by
266 the secretary of the authority, and any coupons attached thereto shall bear the facsimile
267 signatures of the chairperson and the secretary of the authority. Any coupon may bear the
268 facsimile signatures of such persons, and any bond may be signed, sealed, and attested on
269 behalf of the authority by such persons as at the actual time of the execution of such bonds
270 shall be duly authorized or hold the proper office, although at the date of such bonds such
271 person may not have been so authorized or shall not have held such office.

272 **SECTION 9.**

273 Revenue bonds; negotiability; exemption from taxation.

274 All revenue bonds issued under the provisions of this Act shall have and are declared to have
275 all the qualities and incidents of negotiable instruments under the laws of this state. Such

276 bonds, their transfer, and the income therefrom shall be exempt from all taxation within this
277 state.

278 **SECTION 10.**

279 Revenue bonds; sale; price; proceeds.

280 The authority may sell such bonds in such manner and for such price as it may determine to
281 be for the best interests of the authority. The proceeds derived from the sale of such bonds
282 shall be used solely for the purpose or purposes provided in the resolutions and proceedings
283 authorizing the issuance of such bonds.

284 **SECTION 11.**

285 Revenue bonds; interim receipts and certificates or temporary bonds.

286 Prior to the preparation of any definitive bonds, the authority may, under like restrictions,
287 issue interim receipts, interim certificates, or temporary bonds, with or without coupons,
288 exchangeable for definitive bonds upon the issuance of the latter.

289 **SECTION 12.**

290 Revenue bonds; replacement of lost or mutilated bonds.

291 The authority may provide for the replacement of any bonds or coupons which become
292 mutilated or are destroyed or lost.

293 **SECTION 13.**

294 Revenue bonds; conditions precedent to issuance.

295 Such revenue bonds may be issued without any other proceedings or the happening of any
296 other conditions or things other than those proceedings, conditions, and things which are
297 specified or required by this Act. In the discretion of the authority, revenue bonds of a single
298 issue may be issued for the purpose of any particular project. Any resolution providing for
299 the issuance of revenue bonds under the provisions of this Act shall become effective
300 immediately upon its passage and need not be published or posted, and any such resolution
301 may be passed at any regular or special meeting of the authority by a majority of its
302 members.

303 **SECTION 14.**

304 Credit not pledged.

305 Revenue bonds issued under the provisions of this Act shall not be deemed to constitute a
306 debt of the State of Georgia or any county or municipality nor a pledge of the faith and credit
307 of the State of Georgia or any county or municipality; but such bonds shall be payable solely

308 from the fund hereinafter provided for, and the issuance of such revenue bonds shall not
309 directly, indirectly, or contingently obligate the State of Georgia or any county or
310 municipality to levy or to pledge any form of taxation whatever therefor to make any
311 appropriation for their payment. All such bonds shall contain recitals on their face covering
312 substantially the foregoing provisions of this section.

313 **SECTION 15.**

314 Trust indenture as security.

315 In the discretion of the authority, any issuance of such revenue bonds may be secured by a
316 trust indenture by and between the authority and a corporate trustee, which may be any trust
317 company or bank having the powers of a trust company inside or outside this state. Such trust
318 indenture may pledge or assign fees, tolls, revenues, and earnings to be received by the
319 authority. Either the resolution providing for the issuance of revenue bonds or such trust
320 indenture may contain such provisions for protecting and enforcing the rights and remedies
321 of the bondholders as may be reasonable and proper and not in violation of law, including
322 covenants setting forth the duties of the authority in relation to the acquisition of property,
323 the construction of the project, the maintenance, operation, repair, and insuring of the project
324 and the custody, safeguarding, and application of all moneys; may also provide that any
325 project shall be constructed and paid for under the supervision and approval of consulting
326 engineers or architects employed or designated by the authority and satisfactory to the
327 original purchasers of the bonds issued therefore; may also require that the security given by
328 contractors and by any depository of the proceeds of the bonds or revenues or other moneys
329 be satisfactory to such purchasers; and may also contain provisions concerning the
330 conditions, if any, upon which additional revenue bonds may be issued. It shall be lawful for
331 any bank or trust company incorporated under the laws of this state to act as such depository
332 and to furnish such indemnifying bonds or pledge such securities as may be required by the
333 authority. Such indenture may set forth the rights and remedies of the bondholders and of the
334 trustee and may restrict the individual right of action of bondholders as is customary in trust
335 indentures securing bonds and debentures of corporations. In addition to the foregoing, such
336 trust indenture may contain such other provisions as the authority may deem reasonable and
337 proper for the security of the bondholders. All expenses incurred in carrying out such trust
338 indenture may be treated as a part of the cost of maintenance, operation, and repair of the
339 project affected by such indenture.

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SECTION 16.

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To whom proceeds of bonds shall be paid.

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In the resolution providing for the issuance of revenue bonds or in the trust indenture, the authority shall provide for the payment of the proceeds of the sale of the bonds to any officer or person who, or any agency, bank, or trust company which, shall act as trustee of such funds and shall hold and apply the same to the purposes of this Act, subject to such regulations as this Act and such resolution or trust indenture may provide.

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SECTION 17.

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Sinking fund.

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The revenues, fees, tolls, and earnings derived from any particular project or projects, regardless of whether or not such fees, earnings, and revenues were produced by a particular project for which bonds have been issued, unless otherwise pledged and allocated, may be pledged and allocated by the authority to the payment of the principal and interest on revenue bonds of the authority as the resolution authorizing the issuance of the bonds or the trust instrument may provide. Such funds so pledged from whatever source received, including funds received from one or more or all sources, shall be set aside at regular intervals as may be provided in the resolution or trust indenture into a sinking fund which shall be pledged to and charged with the payment of:

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(1) The interest upon such revenue bonds as such interest shall fall due;

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(2) The principal of the bonds as the same shall fall due;

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(3) The necessary charges of paying agents for paying principal and interest and other investment charges;

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(4) Any premium upon bonds retired by call or purchase as provided in this Act; and

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(5) Any investment fees or charges.

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The use and disposition of such sinking fund shall be subject to such regulations as may be provided in the resolution authorizing the issuance of the revenue bonds or in the trust indenture, but, except as may otherwise be provided in such resolution or trust indenture, such sinking fund shall be maintained as a trust account for the benefit of all revenue bonds without distinction or priority of one over another. Subject to the provisions of the resolution authorizing the issuance of the bonds or the trust indenture, any surplus moneys in the sinking fund may be applied to the purchase or redemption of bonds, and any such bonds so purchased or redeemed shall forthwith be canceled and shall not again be issued.

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SECTION 18.

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Remedies of bondholders.

374 Any holder of revenue bonds issued under the provisions of this Act or any of the coupons
375 appertaining thereto and the trustee under the trust indenture, if any, except to the extent the
376 rights given in this Act may be restricted by resolution passed before the issuance of the
377 bonds or by the trust indenture, may, either at law or in equity, by suit, action, mandamus,
378 or other proceedings, protect and enforce any and all rights under the laws of this state or
379 granted under this Act or under such resolution or trust indenture and may enforce and
380 compel performance of all duties required by the Act or by such resolution or trust indenture
381 to be performed by the authority or any officer thereof, including the fixing, charging, and
382 collecting of revenues, fees, tolls, and other charges for the use of the facilities and services
383 furnished.

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SECTION 19.

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Refunding bonds.

386 The authority is authorized to provide by resolution for the issuance of bonds of the authority
387 for the purpose of funding or refunding any revenue bonds issued under the provisions of this
388 Act and then outstanding, together with accrued interest thereon and premium, if any. The
389 issuance of such funding or refunding bonds, the maturities and all other details thereof, the
390 rights of the holders thereof, and the duties of the authority in respect to the same shall be
391 governed by the foregoing provisions of this Act insofar as the same may be applicable.

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SECTION 20.

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Validation.

394 Bonds of the authority shall be confirmed and validated in accordance with the procedures
395 of Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond Law." The
396 petition for validation shall also make party defendants to such action the State of Georgia
397 or any municipality, county, authority, political subdivision, or instrumentality of the State
398 of Georgia which has contracted with the authority for the services and facilities of the
399 project for which bonds are to be issued and sought to be validated, and the state or such
400 municipality, county, authority, political subdivision, or instrumentality shall be required to
401 show cause, if any exists, why such contract or contracts and the terms and conditions
402 thereof should not be inquired into by the court and the contract or contracts adjudicated as
403 a part of the basis for the security for the payment of any such bonds of the authority. The
404 bonds, when validated, and the judgment of validation shall be final and conclusive with
405 respect to such bonds and the security of the payment thereof and interest thereon and against
406 the authority issuing the same and the state and any municipality, county, authority, political

407 subdivision, or instrumentality, if a party to the validation proceedings, contracting with the
408 redevelopment authority.

409 **SECTION 21.**

410 Venue and jurisdiction.

411 Any action to protect or enforce any rights under the provisions of this Act or any suit or
412 action against such authority shall be brought in the Superior Court of Baldwin County,
413 Georgia; and any action pertaining to validation of any bonds issued under the provisions of
414 this Act shall likewise be brought in said court which shall have exclusive, original
415 jurisdiction of such actions.

416 **SECTION 22.**

417 Interest of bondholders protected.

418 While any of the bonds issued by the authority remain outstanding, the powers, duties, or
419 existence of said authority or its officers, employees, or agents shall not be diminished or
420 impaired in any manner that will affect adversely the interests and rights of the holders of
421 such bonds. No other entity, department, agency, or authority shall be created which will
422 compete with the authority to such an extent as to affect adversely the interest and rights of
423 the holders of such bonds, nor will the state itself so compete with the authority. The
424 provisions of this Act shall be for the benefit of the authority and the holders of any such
425 bonds and, upon the issuance of bonds under the provisions hereof, shall constitute a contract
426 with the holders of such bonds.

427 **SECTION 23.**

428 Moneys received considered trust funds.

429 All moneys received pursuant to the authority of this Act, whether as proceeds from the sale
430 of revenue bonds, as grants or other contributions, or as revenue, income, fees, and earnings,
431 shall be deemed to be trust funds to be held and applied solely as provided in this Act.

432 **SECTION 24.**

433 Rates, charges, and revenues; use.

434 The authority is authorized to prescribe and fix rates and to revise the same from time to time
435 and to collect fees, tolls, and charges for the services, facilities, and commodities furnished
436 and, in anticipation of the collection of the revenues of such undertaking or project, to issue
437 revenue bonds as herein provided to finance, in whole or in part, the cost of the acquisition,
438 construction, reconstruction, improvement, betterment, or extension of any project and to
439 pledge to the punctual payment of said bonds and interest thereon all or any part of the

440 revenues of such undertaking or project, including the revenues of improvements,
441 betterments, or extensions thereto thereafter made.

442 **SECTION 25.**

443 Rules and regulations for operation of projects.

444 It shall be the duty of the authority to prescribe rules and regulations for the operations of the
445 project or projects constructed or acquired under the provision of this Act.

446 **SECTION 26.**

447 Tort immunity.

448 The authority shall have the same immunity and exemption from liability for torts and
449 negligence as other counties and municipalities in this state; and the officers, agents, and
450 employees of the authority, when in the performance of the work of the authority, shall have
451 the same immunity and exemption from liability for torts and negligence as officers, agents,
452 and employees of other counties and municipalities in this state when in the performance of
453 their public duties or work of such political subdivisions.

454 **SECTION 27.**

455 Tax exemption.

456 It is found, determined, and declared that the creation of the authority and the carrying out
457 of its corporate purpose is in all respects for the benefit of the people of this state; that the
458 authority is an institution of purely public charity and will be performing an essential
459 governmental function in the exercise of the power conferred upon it by this Act; that this
460 state covenants with the holders of the bonds that the authority shall not be required to pay
461 any taxes or assessments upon any of the property acquired or leased by it or under its
462 jurisdiction, control, possession, or supervision or upon its activities in the operation or
463 maintenance of the projects erected by it or any rates, fees, tolls, or other charges for the use
464 of such projects or other income received by the authority; and that the bonds of the
465 authority, their transfer, and the income therefrom shall at all times be exempt from taxation
466 within this state. The exemption from taxation provided for in this section shall not extend
467 to tenants or lessees of the authority and shall not include exemptions from sales and use
468 taxes on property purchased by the authority or for use by the authority.

469 **SECTION 28.**

470 Power declared supplemental and additional.

471 The foregoing sections of this Act shall be deemed to provide an additional and alternative
472 method for the doing of the things authorized by this Act, shall be regarded as supplemental

473 and additional to powers conferred by other laws, and shall not be regarded as in derogation
474 of any powers now existing.

475 **SECTION 29.**

476 Effect on other governments.

477 This Act shall not and does not in any way take from any county or municipality the
478 authority to own, operate, and maintain projects or to issue revenue bonds as is provided by
479 Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond Law."

480 **SECTION 30.**

481 Liberal construction of Act.

482 This Act being for the welfare of various political subdivisions of this state and its
483 inhabitants shall be liberally construed to effect the purposes of this Act.

484 **SECTION 31.**

485 Effective date.

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

488 **SECTION 32.**

489 Repealer.

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