

House Bill 1267

By: Representatives Setzler of the 35th, Carson of the 43rd, Morgan of the 39th, Evans of the 40th, Parsons of the 42nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to create the Acworth Area Convention and Visitors Bureau, approved
2 April 4, 1997 (Ga. L. 1997, p. 3793), so as to change the name of the bureau to the Acworth
3 Tourism Bureau Authority; to provide for change in membership, terms, and vacancy
4 provisions; to 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 to create the Acworth Area Convention and Visitors Bureau, approved April 4, 1997
8 (Ga. L. 1997, p. 3793), is amended by revising Section 1 as follows:

9 "SECTION 1.

10 This Act will be known and may be cited as the 'Acworth Tourism Bureau Authority Act.'"

11 **SECTION 2**

12 Said Act is further amended by revising Section 2 as follows:

13 "SECTION 2.

14 As used in this Act, the term:

15 (1) 'Area' means the geographic area of the city and of the county.

16 (2) 'Authority' means the Acworth Tourism Bureau Authority.

17 (3) 'City' means the City of Acworth.

18 (4) 'Conventions' means that term as defined in Chapter 13 of Title 48 of the O.C.G.A.

19 (5) 'County' means Cobb County, Georgia.

20 (6) 'Special events' means events which, in the judgment of the authority, will promote
21 tourism in the area.

22 (7) 'Tourism' means that term as defined in Chapter 13 of Title 48 of the O.C.G.A.

23 (8) 'Trade show' means that term as defined in Chapter 13 of Title 48 of the O.C.G.A."

24

SECTION 3.

25 Said Act is further amended by revising subsection (a) of Section 3 as follows:

26 "(a) There is created a body public and politic to be known as the Acworth Tourism Bureau
27 Authority. The authority shall be deemed to be a political subdivision of the state and a
28 public corporation and by that name may contract and be contracted with, sue and be sued,
29 implead and be impleaded, and bring and defend actions. Said authority shall be a convention
30 and visitors bureau authority created by an Act of the General Assembly for a municipality
31 for purposes of Code Section 48-13-51 of the O.C.G.A. and is intended to be an agency and
32 instrumentality of the city and a governmental unit for purposes of Section 103 and Sections
33 141 and 150 of the Internal Revenue Code of 1986, as amended, and, as to the city, is
34 intended to be a subordinated entity for purposes of Section 265(b)(3)(E)(ii) of the Internal
35 Revenue Code of 1986, as amended. The authority shall not be a state institution nor a
36 department or agency of the state but shall be a creation of the state, having a distinct
37 corporate identity and being exempt from the provisions of Article 2 of Chapter 17 of Title
38 50 of the O.C.G.A., the 'Georgia State Financing and Investment Commission Act.'"

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SECTION 4.

40 Said Act is further amended by revising subsection (a) of Section 4 as follows:

41 "(a) The authority shall consist of seven members who shall be natural persons who shall
42 serve for a term of two years and who shall be eligible for reappointment. The members
43 shall be appointed by the mayor and board of aldermen of the City of Acworth. No official
44 or employee of the city shall serve as a member of the authority. The mayor has the right to
45 vote on such appointments. The terms shall be appointed for staggered terms as determined
46 by the mayor and board of aldermen of the City of Acworth, and thereafter their successors
47 shall be appointed for terms of two years expiring on the last day of January. Appointments
48 for the succeeding term shall be made in January with such appointments being effective as
49 of the next February 1. Any member may resign at any time by filing a written notice of
50 resignation with the city clerk. Vacancies shall be filled for an unexpired terms by the mayor
51 and board of aldermen. Members shall serve at the pleasure of the mayor and board of
52 aldermen, and any member may be removed by majority vote of the mayor and board of
53 aldermen, with or without cause, and neither the city nor the mayor nor any member of the
54 board of aldermen shall be subject to any liability on account of such removal."

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SECTION 5.

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

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SECTION 6.

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