

House Bill 1261 (AS PASSED HOUSE AND SENATE)

By: Representatives Knight of the 126<sup>th</sup> and Yates of the 73<sup>rd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To create and establish an airport authority in and for the County of Spalding and City of  
2 Griffin; to authorize such authority to acquire, construct, equip, maintain, operate, own, and  
3 improve airports and landing fields for the use of aircraft which shall include related  
4 buildings, equipment, and the usual and convenient facilities appertaining to such  
5 undertaking; to authorize the authority to acquire, lease, own, and hold a fee simple title, or  
6 any interest therein, to all necessary property therefor, both real and personal, within and  
7 outside the confines of Spalding County and to lease and sell any and all such facilities  
8 including real property; to confer powers and to impose duties on the authority; to provide  
9 for the membership and for the appointment of members of the authority and their term of  
10 tenure and their compensation; to authorize the authority to contract with others, both within  
11 and outside the confines of Spalding County, pertaining to airports and landing fields for the  
12 use of aircraft and to execute leases of such facilities and to do all things deemed necessary  
13 or convenient for the operation of such undertaking; to authorize the issuance of revenue  
14 bonds or obligations of the authority payable from the revenues, tolls, fees, charges, and  
15 earnings of the authority, including, but not limited to, earnings derived from leases and the  
16 use of the facilities, to pay the costs of such undertakings and to authorize the collection and  
17 pledging of the revenues and earnings of the authority for the payment of such bonds or  
18 obligations or to secure the payment thereof by contract, mortgage, deed to secure debt,  
19 security deed note, or trust deed and to define the rights of the holders of such bonds and  
20 securities; to provide that no liability or debt against the County of Spalding or the City of  
21 Griffin shall be incurred in the exercise of any powers granted by this Act; to make the  
22 bonds, securities, or obligations of the authority exempt from taxation; to authorize the  
23 issuance of refunding bonds, securities, or other obligations; to provide that such bonds,  
24 securities, or other obligations be validated as authorized by the "Revenue Bond Law"; to  
25 provide an effective date; to repeal conflicting laws; and for other purposes.

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

27 **SECTION 1.**

28 Short title.

29 This Act shall be known and may be cited as the "Griffin-Spalding County Airport Authority  
30 Act."

31 **SECTION 2.**

32 Griffin-Spalding County Airport Authority; creation.

33 There is created a body corporate and politic to be known as the Griffin-Spalding County  
34 Airport Authority, which shall be deemed to be a political subdivision of the State of Georgia  
35 and a public corporation by that name, style, and title, and said body may contract and be  
36 contracted with, bring and defend actions, implead and be impleaded, and complain and  
37 defend in all courts of law and equity, except that the authority of the trustee acting under the  
38 trust indenture herein provided for shall in no event be liable for any torts committed by any  
39 of the officers, agents, and employees of the authority. The authority shall have perpetual  
40 existence.

41 **SECTION 3.**

42 Membership.

43 The Griffin-Spalding County Airport Authority shall be composed of nine members who  
44 shall be appointed by the governing authorities of the County of Spalding and City of Griffin  
45 as hereinafter set out. Members of each governing authority shall be qualified to serve in  
46 Posts No. 1 through 4. Within 60 days after the approval of this Act, it shall be the duty of  
47 said governing authorities to appoint the membership of the authority. The authority shall  
48 be composed of nine posts to be designated as Post No. 1, Post No. 2, Post No. 3, Post No. 4,  
49 Post No. 5, Post No. 6, Post No. 7, Post No. 8, and Post No. 9. The governing authorities of  
50 the County of Spalding and the City of Griffin shall each appoint two of their members to  
51 Posts No. 1 and 3 and Posts No. 2 and 4, respectively. The terms of these members shall  
52 coincide with their terms of elective office. For Posts No. 5 through 9, the term of each  
53 member shall be six years and until a successor is appointed and qualified, except that the  
54 initial terms shall be as follows: The member from Post No. 5 shall be appointed initially by  
55 the governing authority of Spalding County for a term which shall expire December 31,  
56 2018, or when his or her successor is appointed and qualified. The member from Post No. 6  
57 shall be appointed by the governing authority of the City of Griffin for a term which shall  
58 expire on December 31, 2017, or when his or her successor is appointed and qualified. The  
59 member from Post No. 7 shall be appointed by the governing authority of Spalding County  
60 for a term which shall expire on December 31, 2016, or when his or her successor is  
61 appointed and qualified. The member from Post No. 8 shall be appointed by the governing

62 authority of the City of Griffin for a term which shall expire on December 31, 2015, or when  
63 his or her successor is appointed and qualified. The member from Post No. 9 shall be  
64 appointed by the governing authority of Spalding County for a term which shall expire on  
65 December 31, 2014, or when his or her successor is appointed and qualified; thereafter, such  
66 member from Post No. 9 shall be appointed to a full six-year term by the governing authority  
67 of the City of Griffin. Future appointments to Post No. 9 shall alternate between the  
68 governing authority of Spalding County and the governing authority of the City of Griffin.  
69 Following initial appointments, vacancies in each post, other than Post No. 9, shall be filled  
70 by the governing authority making the initial appointment.

#### 71 **SECTION 4.**

##### 72 Meetings.

73 The authority shall hold its organizational meeting on July 16, 2012, at 10:00 A.M. in the  
74 City Courtroom, One Griffin Center, 100 S. Hill Street, Griffin, Georgia. Notice of such  
75 meeting shall be given to local news media not less than 15 days prior thereto, and a notice  
76 shall be posted on the city's official bulletin board and website. The authority shall meet at  
77 such times as may be necessary to transact the business coming before it, but not less than  
78 quarterly. All meetings shall be called, noticed, and conducted in accordance with Chapter  
79 14 of Title 50 of the O.C.G.A., the "Open Meetings Law." At its organizational meeting and  
80 its first regular meeting in January of each year thereafter, the authority shall elect one of its  
81 members as its chairperson and another member as secretary-treasurer. It shall be the duty  
82 of the secretary-treasurer to prepare written minutes of all meetings of the authority. Only  
83 one person shall hold the office of secretary-treasurer. These officers shall be elected for a  
84 term ending on December 31 of the year in which they were elected or until their successors  
85 are elected and qualified. Five members of the authority shall constitute a quorum for the  
86 transaction of all business coming before it. The members of the authority may be  
87 compensated as determined from time to time by said governing authorities; however, it is  
88 expressly provided that they shall be reimbursed for all actual, reasonable, and necessary  
89 expenses incurred in the performance of their duties.

#### 90 **SECTION 5.**

##### 91 Vacancies in office.

92 In the event of a vacancy on the authority by reason of death, resignation, or otherwise, the  
93 vacancy shall be filled by the governing authority which appointed such member, and the  
94 person so appointed shall serve for the remainder of the unexpired term.

**SECTION 6.**

## Definitions.

95

96

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

98 (1) "Authority" means the "Griffin-Spalding County Airport Authority" created in  
99 Section 2 of this Act.

100 (2) "Cost of the project" means the cost of construction; the cost of all lands, properties,  
101 rights, easements, and franchises acquired; the cost of all machinery, equipment, financing  
102 charges, and interest prior to and during construction; the cost of engineering, architectural,  
103 fiscal, and legal expenses; the cost of plans and specifications; and such other expenses as  
104 may be necessary or incidental to the financing herein authorized, the construction or  
105 improvement of any project, and the placing of the same in operation. Any obligation or  
106 expense incurred for any of the foregoing purposes shall be regarded as a part of the cost  
107 of the project and may be paid or reimbursed as such out of any funds of the authority  
108 including the proceeds from any revenue bonds issued under the provisions of this Act for  
109 any such project or projects.

110 (3) "Project" means and includes the leasing, acquisition, construction, equipping,  
111 maintenance, improving, and operation of public airports and landing fields for the use of  
112 aircraft, related buildings, and the usual and convenient facilities appertaining to such  
113 undertakings; extensions and improvements of such facilities; the acquisition of necessary  
114 property, both real and personal; and the lease and sale of any part of or all of such  
115 facilities, including real and personal property, so as to assure the efficient and proper  
116 development, maintenance, and operation of such airports and landing fields for the use of  
117 aircraft, deemed by the authority to be necessary, convenient, or desirable for the operation  
118 of such airports and landing fields anywhere within Spalding County.

119 (4) "Revenue bonds," "bonds," or "obligations" mean revenue bonds as defined and  
120 provided for in Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond  
121 Law," and such type of obligations may be issued by the authority as authorized under said  
122 "Revenue Bond Law" and any amendments thereto, and in addition shall also mean  
123 obligations of the authority the issuance of which are hereinafter authorized in this Act.

124 (b) Any project shall be deemed "self-liquidating" if, in the judgment of the authority, the  
125 revenues and earnings to be derived by the authority therefrom and all properties used,  
126 leased, and sold in connection therewith will be sufficient to pay the cost of constructing,  
127 operating, maintaining, repairing, improving, and extending the project and to pay the  
128 principal and interest of the revenue bonds which may be issued to finance, in whole or in  
129 part, the cost of such project or projects.

**SECTION 7.****Powers.**

(a) The authority shall have power:

(1) To have a seal and alter the same at its pleasure;

(2) To acquire by purchase, lease, or otherwise and to hold, lease, and dispose of real and personal property of every kind and character for its corporate purposes;

(3) To acquire in its own name by purchase, gift, or otherwise on such terms and conditions and in such manner as it may deem proper, real property or rights or easements therein or franchises necessary or convenient for its corporate purposes, and to use the same so long as its corporate existence shall continue, and to lease or make contracts with respect to the use of or disposition of the same in any manner it deems to the best advantage of the authority;

(4) To appoint, select, and employ officers and employees, or, in the alternative, the authority may contract with the City of Griffin for its officers and employees or may contract with the city for personnel services and benefits, including payroll, insurance, and retirement programs. The authority may enter into contracts with consultants and independent contractors, including engineering, architectural, and construction experts, fiscal agents, and attorneys, and fix their respective compensation;

(5) To make contracts, leases, and to execute all instruments necessary or convenient including contracts for construction of projects or leases of projects or contracts with respect to the use of projects which it causes to be erected or acquired and any and all persons, firms, and corporations and any and all political subdivisions, departments, institutions, or agencies of the state are authorized to enter into contracts, leases, or agreements with the authority upon such terms and for such purposes as they may deem advisable; the authority is further granted the authority to make contracts, leases, and to execute all instruments necessary or convenient with the United States government or any agency or department thereof concerning the projects of the authority, subject to the rights and interests of the holder of any of the bonds or obligations authorized to be issued hereunder, and by the resolution or trust indenture of the authority authorizing the issuance of any of its bonds or obligations as provided for in this Act;

(6) To construct, erect, acquire, own, repair, remodel, maintain, add to, extend, improve, equip, operate, and manage projects, as hereinabove defined, the cost of any such project to be paid in whole or in part from the proceeds of revenue bonds or other funds of the authority or from such proceeds or other funds and any grant from the United States of America, State of Georgia, County of Spalding, City of Griffin, or any agency or instrumentality thereof;

- 166 (7) To accept loans and grants, or to accept loans or grants of money or materials or  
167 property of any kind from the United States of America or any agency or instrumentality  
168 or political subdivision thereof or from any other source, upon such terms and conditions  
169 as the United States of America or such agency or instrumentality or other source may  
170 impose;
- 171 (8) To accept loans and grants, or to accept loans or grants of money or materials or  
172 property of any kind from the State of Georgia or any agency or instrumentality or political  
173 subdivision thereof or from any other source, upon such terms and conditions as the State  
174 of Georgia or such agency or instrumentality or political subdivision or any other source  
175 may impose;
- 176 (9) To borrow money for any of its corporate purposes and to execute evidence of such  
177 indebtedness by promissory notes, or otherwise, and to secure the same and to issue  
178 negotiable revenue bonds payable solely from funds pledged for that purpose, and to  
179 provide for the payment of the same and for the rights of the holders thereof;
- 180 (10) To exercise any power usually possessed by private corporations performing similar  
181 functions, which is not in conflict with the Constitution and laws of this state, except the  
182 right of eminent domain;
- 183 (11) The authority and the trustee acting under the trust indenture are specifically  
184 authorized from time to time to sell, lease, grant, exchange, or otherwise dispose of any  
185 surplus property, both real or personal, or interest therein not required in the normal  
186 operation of and usable in the furtherance of the purpose for which the authority was  
187 created;
- 188 (12) To do all things necessary or convenient to exercise and carry out the powers  
189 especially given in this Act;
- 190 (13) To make rules and bylaws for the orderly operation of the authority; and
- 191 (14) To request the city or county to exercise the power of eminent domain to acquire any  
192 private real property or any rights or interests therein including any easements, as necessary  
193 or convenient for the accomplishment of the purposes of this Act, in accordance with the  
194 provisions of any and all existing laws applicable to the exercise of such power. The  
195 authority shall pay the condemning authority for any property condemned under this  
196 power, including legal fees and expenses (such as surveys and appraisals), from its own  
197 funds and in proceedings to condemn pursuant to this section, the court having jurisdiction  
198 of the suit, action, or proceeding may enter such orders regarding the payment for such  
199 property or interest therein as may be fair and just to the city or county, the authority, and  
200 the owners of the property being condemned. Any such procedure may suggest the method  
201 of payment by the authority to persons who shall own or have an interest in the property.

202 (b) The authority, notwithstanding any other provision herein to the contrary, is authorized  
 203 to exercise each and every of the powers conferred upon it by this Act, specifically including  
 204 the issuance of revenue bonds, both within and outside the confines of Spalding County, and  
 205 to contract with any other entity, governmental or otherwise, for the joint acquisition,  
 206 construction, use, or operation of airports and related facilities outside the limits of Spalding  
 207 County. Prior to exercising any of said powers outside the limits of Spalding County, said  
 208 authority shall be required to obtain the approval of the governing authorities of both the City  
 209 of Griffin and Spalding County.

## 210 **SECTION 8.**

### 211 Revenue bonds.

212 The authority, or any authority or body which has or which may in the future succeed to the  
 213 powers, duties, and liabilities vested in the authority created hereby, shall have power and  
 214 is authorized at one time, or from time to time, to provide by resolution for the issuance of  
 215 negotiable revenue bonds, for the purpose of paying all or any part of the cost as herein  
 216 defined of any one or more projects. The principal and interest of such revenue bonds shall  
 217 be payable solely from the special fund herein provided for such payment. The bonds of  
 218 each issue shall be dated, shall bear interest at such rate or rates as may be authorized by the  
 219 authority from time to time, shall be payable as provided by resolution of the authority, shall  
 220 mature at such time or times not exceeding 30 years from their date or dates, shall be payable  
 221 in such medium of payment as to both principal and interest as may be determined by the  
 222 authority, and may be made redeemable before maturity at the option of the authority, at such  
 223 price or prices and under such terms and conditions as may be fixed by the authority in the  
 224 resolution providing for the issuance of the bonds. Such revenue bonds or obligations shall  
 225 be issued pursuant to and in conformity with Article 3 of Chapter 82 of Title 36 of the  
 226 O.C.G.A., the "Revenue Bond Law," and all procedures pertaining to such issuance and the  
 227 conditions thereof shall be the same as those contained in said "Revenue Bond Law" and any  
 228 amendments thereof.

## 229 **SECTION 9.**

### 230 Form, denominations, registration, place of payment.

231 The authority shall determine the form of the bonds, shall fix the denomination or  
 232 denominations of the bonds, and the place or places of payment of principal and interest  
 233 thereof, which may be at any bank or trust company within or outside the state. The bonds  
 234 may be issued in coupon or registered form, or both, as the authority may determine and  
 235 provision may be made for the registration of any coupon bond as to principal alone and also  
 236 as to both the principal and interest.

237 **SECTION 10.**

238 Signatures, seal.

239 In case any officer whose signature shall appear on any bonds or whose facsimile signature  
240 shall appear on any coupon shall cease to be such officer before the delivery of such bonds,  
241 such signature shall nevertheless be valid and sufficient for all purposes the same as if he had  
242 remained in office until such delivery. All such bonds shall be signed by the chairperson of  
243 the authority and attested by the secretary-treasurer of the authority and the official seal of  
244 the authority shall be affixed thereto and any coupons attached thereto shall bear the  
245 facsimile signatures of the chairperson and secretary-treasurer of the authority. Any bond  
246 may be signed, sealed, and attested on behalf of the authority by such persons as at the actual  
247 time of the execution of such bonds shall be duly authorized or hold the proper office,  
248 although at the date of delivery and payment of such bonds such persons may not have been  
249 so authorized or shall not have held such office.

250 **SECTION 11.**

251 Negotiability, exemption from taxation.

252 All revenue bonds issued under the provisions of this Act shall have and are declared to have  
253 all the qualities and incidents of negotiable instruments under the negotiable instrument law  
254 of the state. Such bonds are declared to be issued for an essential public and governmental  
255 purpose and the said bonds, their transfer, and the income thereof shall be exempt from all  
256 taxation within the state.

257 **SECTION 12.**

258 Sale, price.

259 The authority may sell such bonds in such manner and for such price as it may determine to  
260 be for the best interest of the authority.

261 **SECTION 13.**

262 Proceeds of bonds.

263 The proceeds of such bonds shall be used solely for the payment of the cost of the project or  
264 projects, and unless otherwise provided in the resolution authorizing the issuance of the  
265 bonds or in the trust indenture, additional bonds may in like manner be issued to provide the  
266 amount of any deficit for the cost of the project or projects which, unless otherwise provided  
267 in the resolution authorizing the issuance of the bonds or in the trust indenture, shall be  
268 deemed to be of the same issue and shall be entitled to payment from the same fund without  
269 preference or priority of the bonds first issued for the same purposes. If the proceeds of the  
270 bonds of any issue shall exceed the amount required for the purpose for which such bonds

271 are issued, the surplus shall be paid into a sinking fund or used for additional construction  
272 as may be provided in the resolution authorizing the issuance of the bonds or in the trust  
273 indenture.

274 **SECTION 14.**

275 Interim receipts and certificates or temporary bonds.

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

279 **SECTION 15.**

280 Replacement of lost or mutilated bonds.

281 The authority may also provide for the replacement of any bond which shall become  
282 mutilated or be destroyed or lost.

283 **SECTION 16.**

284 Conditions precedent to issuance, object of issuance.

285 Such revenue bonds may be issued without any other proceedings or the happening of any  
286 other conditions or things than those proceedings, conditions, and things which are specified  
287 or required by this Act. In the discretion of the authority, revenue bonds of a single issue  
288 may be issued for the purpose of any particular project. Any resolution providing for the  
289 issuance of revenue bonds under the provisions of this Act shall become effective  
290 immediately upon its passage and need not be published or posted, and any such resolution  
291 may be passed at any regular or special or adjourned meeting of the authority by a majority  
292 of the quorum as in this Act provided.

293 **SECTION 17.**

294 Credit not pledged.

295 Revenue bonds issued under the provisions of this Act shall not be deemed to constitute a  
296 debt of either the City of Griffin or Spalding County, or any municipality therein, but such  
297 bonds shall be payable solely from the fund hereinafter provided for and the issuance of such  
298 revenue bonds shall not directly, indirectly, or contingently obligate the said city or county,  
299 or any municipality therein, to levy or to pledge any form of taxation whatever therefor or  
300 to make any appropriation for such payment, and all such bonds shall contain recitals on their  
301 face covering substantially the foregoing provisions of this section.

302

**SECTION 18.**

303

Trust indenture as security.

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

332

**SECTION 19.**

333

To whom proceeds of bonds shall be paid.

334 The authority shall, in the resolution providing for the issuance of revenue bonds or in the  
335 trust indenture, provide for the payment of the proceeds of the sale of the bonds to any officer  
336 or person who, or any agency, bank, or trust company which, shall act as trustee of such

337 funds to hold and apply the same to the purposes thereof, subject to such regulations as this  
338 Act and such resolutions or trust indentures may provide.

339 **SECTION 20.**

340 Sinking fund.

341 The revenues, fees, tolls, and earnings derived from any particular project or projects,  
342 regardless of whether or not such fees, earnings, and revenues were produced by a particular  
343 project for which bonds have been issued and any moneys derived from the sale or lease of  
344 any properties, both real and personal, of the authority, unless otherwise pledged and  
345 allocated, may be pledged and allocated by the authority to the payment of the principal and  
346 interest on such revenue bonds of the authority as the resolution authorizing the issuance of  
347 the bonds or the trust instrument may provide, and such funds so pledged from whatever  
348 source received, which said pledge may include funds received from one or more or all  
349 sources, shall be set aside at regular intervals as may be provided in the resolution or trust  
350 indenture into a sinking fund, which said sinking fund shall be pledged to, and charged with,  
351 the payment of (1) the interest upon such revenue bonds as such interest shall fall due, (2)  
352 the principal of the bonds as the same shall fall due, (3) the necessary charges of a paying  
353 agent or agents for paying interest and principal, (4) any premium upon bonds retired by call  
354 or purchase as hereinabove provided, and (5) any other reasonable or necessary costs or  
355 expenses relating to such bond issue. The use and disposition of such sinking fund shall be  
356 subject to such regulations as may be provided in the resolution authorizing the issuance of  
357 the revenue bonds or in the trust indenture, however, except as may otherwise be provided  
358 in such resolution or trust indenture, such sinking fund shall be a fund for the benefit of all  
359 revenue bonds without distinction or priority of one over another. Subject to the provisions  
360 of the resolution authorizing the issuance of the bonds or in the trust indenture, surplus  
361 moneys in the sinking fund may be applied to the purchase or redemption of bonds and any  
362 such bonds so purchased or redeemed shall forthwith be canceled and shall not again be  
363 issued.

364 **SECTION 21.**

365 Remedies of bondholders.

366 Any holder of revenue bonds issued under the provisions of this Act or any of the coupons  
367 appertaining thereto, and the trustee under the trust indenture, if any, except to the extent the  
368 rights herein given may be restricted by resolution passed before the issuance of the bonds  
369 or by the trust indenture, may, either at law or in equity, by suit, action, mandamus, or other  
370 proceedings protect and enforce any and all rights under the laws of the State of Georgia or  
371 granted hereunder or under such resolution or trust indenture, and may enforce and compel

372 performance of all duties required by this Act or by such resolution or trust indenture, to be  
373 performed by the authority, or any officer thereof, including the fixing, charging, and  
374 collecting of revenues, fees, tolls, and other charges for the use of the facilities and services  
375 furnished.

376 **SECTION 22.**

377 Refunding bonds.

378 The authority is authorized to provide by resolution for the issuance of revenue refunding  
379 bonds of the authority for the purpose of refunding any revenue bonds issued under the  
380 provisions of this Act and then outstanding, together with accrued interest thereon. The  
381 issuance of such revenue refunding bonds, the maturities, and all other details thereof, the  
382 rights of the holders thereof, and the duties of the authority in respect to the same shall be  
383 governed by the foregoing provisions of this Act insofar as the same may be applicable.

384 **SECTION 23.**

385 Validation.

386 Bonds of the authority shall be confirmed and validated in accordance with said "Revenue  
387 Bond Law." The petition for validation shall also make party defendant to such action any  
388 municipality, county, authority, subdivision, or instrumentality of the State of Georgia or the  
389 United States government or any department or agency of the United States government, if  
390 subject to be sued, which has contracted with the authority for the services and facilities of  
391 the project for which bonds are to be issued and sought to be validated and such  
392 municipality, county, authority, subdivision, or instrumentality shall be required to show  
393 cause, if any, why such contract or contracts and the terms and conditions thereof should not  
394 be inquired into by the court and the validity of the terms thereof be determined and the  
395 contract or contracts adjudicated as security for the payment of any such bonds of the  
396 authority. The bonds when validated and the judgment of validation shall be final and  
397 conclusive with respect to such bonds against the authority issuing the same, and any  
398 municipality, county, authority, subdivision, or instrumentality of this state or the United  
399 States government if a party to the validation proceedings, contracting with the said  
400 Griffin-Spalding County Airport Authority.

401 **SECTION 24.**

402 Venue and jurisdiction.

403 Any action to protect or enforce any rights under the provisions of this Act or any suit or  
404 action against such authority shall be brought in the Superior Court of Spalding County,

405 Georgia, and any action pertaining to validation of any bonds issued under the provisions of  
406 this Act shall likewise be brought in said court.

407 **SECTION 25.**

408 Interest of bondholders protected.

409 While any of the bonds issued by the authority remain outstanding, the powers, duties, or  
410 existence of said authority or of its officers, employees, or agents shall not be diminished or  
411 impaired in any manner that will affect adversely the interest and rights of the holders of such  
412 bonds, and no other entity, department, agency, or authority shall be created which will  
413 compete with the authority to such an extent as to affect adversely the interest and rights of  
414 the holders of such bonds and, upon the issuance of bonds hereunder, the provisions hereof  
415 shall constitute a contract with the holders of such bonds.

416 **SECTION 26.**

417 Moneys received considered trust funds.

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

421 **SECTION 27.**

422 Purpose of the authority.

423 Without limiting the generality of any provisions of this Act, the general purpose of the  
424 authority is declared to be that of acquiring, constructing, equipping, maintaining, improving,  
425 and operating public-use, general aviation airports and landing fields for the use of aircraft,  
426 including any related buildings and the usual and convenient facilities appertaining to such  
427 undertakings and extensions and improvements of such facilities, acquiring the necessary  
428 property therefor, both real and personal, and to lease or sell any or all of such facilities  
429 including real property, and to do any and all things deemed by the authority necessary,  
430 convenient, or desirable for and incident to the efficient and proper development and  
431 operation of such types of undertakings.

432 **SECTION 28.**

433 Rates, charges, and revenues; use.

434 The authority is authorized to prescribe and fix and collect rates, fees, tolls, and charges, and  
435 to revise, from time to time, and collect such rates, fees, tolls, and charges for the services,  
436 facilities, or commodities furnished, including leases, concessions, or subleases of its lands  
437 or facilities. In accordance with assurances set forth in airport improvement and assistance

438 agreements entered into between the authority and the Federal Aviation Administration or  
439 the United States Department of Transportation, or obligations assumed by the authority  
440 under prior agreements entered between the County of Spalding or City of Griffin with the  
441 Federal Aviation Administration, the authority shall maintain a fee and rental structure for  
442 the use of its land and facilities sufficient to make any airport or landing field operated by  
443 the authority as self-sustaining as possible under the circumstances existing at the particular  
444 airport, consistent with the obligation to operate such airports or landing fields for public use,  
445 on reasonable terms and without unjust discrimination, to all types, kinds, and classes of  
446 aeronautical activities, including commercial aeronautical activities offering services to the  
447 public at such airport or landing field.

448

**SECTION 29.**

449

Rules and regulations for operation of projects.

450 It shall be the duty of the authority to prescribe rules and regulations for the operation of the  
451 project or projects constructed under the provisions of this Act, including the basis on which  
452 airports and landing fields for the use of aircraft shall be furnished. Before undertaking  
453 performance of any airport or landing field operations, the authority shall procure and  
454 maintain in force at all times sufficient liability insurance covering aviation related risks for  
455 their operations. At all times relevant hereto, the authority shall operate its airports and  
456 landing fields in accordance with grant assurances entered into with the Federal Aviation  
457 Administration or the United States Department of Transportation, including any such  
458 assurances assumed by the authority under previous grants, loans, or assistance agreements  
459 between the County of Spalding or the City of Griffin and the Federal Aviation  
460 Administration.

461

**SECTION 30.**

462

Powers declared supplemental and additional.

463 The foregoing sections of this Act shall be deemed to provide an additional and alternative  
464 method for the doing of the things authorized thereby and shall be regarded as supplemental  
465 and additional to powers conferred by other laws and shall not be regarded as in derogation  
466 of any powers now existing.

467

**SECTION 31.**

468

Liberal construction of Act.

469 This Act being for the purpose of promoting the health, morals, and general welfare of the  
470 citizens of the United States, of the State of Georgia, of Spalding County, and of the City of  
471 Griffin shall be liberally construed to effect the purposes hereof.

472 **SECTION 32.**

473 This Act shall become effective on July 1, 2012.

474 **SECTION 33.**

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