

House Bill 433

By: Representatives Cooke of the 18th, Hightower of the 68th, Smith of the 70th, and Nix of the 69th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 8 of Title 50 of the Official Code of Georgia Annotated, relating to the
2 Department of Community Affairs, so as to provide for the formation of a metropolitan
3 planning process for the Atlanta Urbanized Area and Atlanta Air Quality region; to provide
4 for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 8 of Title 50 of the Official Code of Georgia Annotated, relating to the Department
8 of Community Affairs, is amended by adding a new article to read as follows:

9 "ARTICLE 12

10 50-8-280.

11 (a) Contiguous local governments within which lie designated portions of the Atlanta
12 Urbanized Area, as defined in 23 U.S.C. § 101(a)(37), or air quality nonattainment areas,
13 as identified under the federal Clean Air Act, 42 U.S.C. § 7401, et seq., shall participate
14 in a metropolitan transportation planning process through a metropolitan planning
15 organization established by one or more units of government, or through a metropolitan
16 planning process established through their area regional commission.

17 (b) The metropolitan transportation and air quality planning area for each regional
18 commission established pursuant to Code Section 50-8-32 and metropolitan area planning
19 and development commission established pursuant to Code Section 50-8-82 shall be
20 defined by paragraph (1) of subsection (f) of Code Section 50-8-4.

21 (c) Any unit of government that is participating as a limited member of a metropolitan area
22 planning and development commission for transportation purposes and is located outside
23 the planning area defined by paragraph (1) of subsection (f) of Code Section 50-8-4 shall

24 be authorized, on or after July 1, 2015, to designate the local area regional commission to
25 serve as the metropolitan planning organization.

26 (d) Any unit of government that is not participating as a limited member of a metropolitan
27 area planning and development commission for transportation purposes shall continue to
28 perform metropolitan planning in accordance with 23 U.S.C. § 134.

29 (e) Regional commissions and metropolitan area planning and development commissions
30 shall be provided funding by the appropriate state and regional entities to develop a
31 comprehensive transportation and air quality plan for affected local governments within
32 the Atlanta Urbanized Area as defined by the United States Census Bureau and further
33 defined by paragraph (1) of subsection (f) of Code Section 50-8-4.

34 (f) Each regional commission established pursuant to Code Section 50-8-32 and
35 metropolitan area planning and development commission established pursuant to Code
36 Section 50-8-82 shall establish a policy board that shall govern the transportation and air
37 quality planning process for all affected areas, approve plans, and have equal voting
38 representation from affected local governments.

39 (g) In the event of any conflict between the provisions of law governing metropolitan
40 planning and development commissions and those governing regional commissions, the
41 laws defined in this Code section shall control and shall govern the metropolitan
42 transportation planning area funding and planning responsibilities."

43 **SECTION 2.**

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