

House Bill 622

By: Representative Waites of the 60<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 9 of Chapter 9 of Title 46 of the Official Code of Georgia Annotated,  
2 relating to the "Georgia Rail Passenger Authority Law," so as to revise the short title; to  
3 revise the legislative purpose; to revise a definition; to revise certain general powers of the  
4 authority; to revise the statement of public purpose of the authority; to amend the Official  
5 Code of Georgia Annotated to change references to the short title; to provide for related  
6 matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 9 of Chapter 9 of Title 46 of the Official Code of Georgia Annotated, relating to the  
10 "Georgia Rail Passenger Authority Law," is amended by revising Code Section 46-9-270,  
11 relating to the short title, as follows:

12 "46-9-270.

13 This article shall be known and may be cited as the 'Georgia Rail Passenger and High  
14 Speed Rail Facilities Authority Law."

15 **SECTION 2.**

16 Said article is further amended by revising Code Section 46-9-271, relating to legislative  
17 purpose, as follows:

18 "46-9-271.

19 There is created the Georgia Rail Passenger and High Speed Rail Facilities Authority for  
20 the purpose of construction, financing, operation, and development of rail passenger  
21 service, high speed rail systems and facilities, and other public transportation projects  
22 within and without the State of Georgia."

23 **SECTION 3.**

24 Said article is further amended by revising paragraph (4) of Code Section 46-9-272, relating  
25 to definitions, as follows:

26 "(4) 'Project' means the acquisition, construction, installation, operation, modification,  
27 renovation, or rehabilitation of any rail passenger facilities, high speed rail systems and  
28 facilities, or any other public transportation facilities other than roads, either directly or  
29 through contract with another public or private agency, ~~after approval by the State~~  
30 ~~Transportation Board, pursuant to state or federal law as part of any regional or~~  
31 ~~state-wide transportation plan.~~ A project may also include any fixtures, machinery, or  
32 equipment used on, in, or in connection with any of the transportation facilities listed  
33 ~~above in this paragraph.~~ A project may be for any public passenger transportation  
34 purpose, provided that a majority of the members of the authority determines, by a  
35 resolution duly adopted, that the project will further the public purpose of this article."

36 **SECTION 4.**

37 Said article is further amended by revising paragraphs (18) and (19) of Code Section  
38 46-9-273, relating to general powers of the authority, as follows:

39 "(18) To encourage and promote by means of rail passenger transportation, high speed  
40 rail systems and facilities, and other public transportation projects the improvement and  
41 advancement of ~~the~~ this state and the enhancement and profitability of tourism to ~~the~~ this  
42 state and its citizens;

43 (19) To make, contract for, or otherwise cause to be made long-range plans or proposals  
44 for rail passenger transportation, high speed rail systems and facilities, and other public  
45 transportation projects within the service area, in cooperation with those political  
46 subdivisions within which such projects are located;"

47 **SECTION 5.**

48 Said article is further amended by revising Code Section 46-9-277, relating to public  
49 purpose, as follows:

50 "46-9-277.

51 The implementation of rail passenger service, high speed rail systems and facilities, and  
52 public transportation projects within the State of Georgia develops and promotes, for the  
53 public good and general welfare, trade, commerce, tourism, industry, and employment  
54 opportunities and promotes the general welfare of ~~the~~ this state by creating a climate  
55 favorable to the location of new industry, trade, and commerce and the development of  
56 existing industry, trade, and commerce within the State of Georgia. Implementation of rail  
57 passenger service, high speed rail systems and facilities, and public transportation projects

58 within this state under ~~the~~ this article will develop and promote, for the public good and  
 59 general welfare, trade, commerce, tourism, industry, and employment opportunities and  
 60 will promote the general welfare of ~~the~~ this state. It is therefore in the public interest and  
 61 is vital to the public welfare of the people of Georgia, and it is declared to be the public  
 62 purpose of this article, to so develop public transportation projects within this state. No  
 63 bonds, notes, or other obligations, except refunding bonds, shall be issued by the authority  
 64 pursuant to this article unless its membership adopts a resolution finding that the project  
 65 for which such bonds, notes, or other obligations are to be issued will promote the  
 66 foregoing objectives."

67 **SECTION 6.**

68 The Official Code of Georgia Annotated is amended by replacing "Georgia Rail Passenger  
 69 Authority" with "Georgia Rail Passenger and High Speed Rail Facilities Authority" wherever  
 70 the former occurs in:

- 71 (1) Code Section 28-10-1, relating to the creation, membership, and terms of office of the  
 72 Georgia Rail Passenger Authority Overview Committee;
- 73 (2) Code Section 28-10-2, relating to duties of the Georgia Rail Passenger Authority  
 74 Overview Committee;
- 75 (3) Code Section 28-10-4, relating to cooperation of the Georgia Rail Passenger Authority  
 76 and committee reports;
- 77 (4) Code Section 28-10-5, relating to committee evaluation of the Georgia Rail Passenger  
 78 Authority;
- 79 (5) Code Section 28-10-7, relating to effect of the chapter on the responsibilities of the  
 80 Georgia Rail Passenger Authority;
- 81 (6) Code Section 32-6-51, relating to the placement, erection, and maintenance of  
 82 commercial advertisements by transit agencies;
- 83 (7) Code Section 32-9-11, relating to transit services with local governments;
- 84 (8) Code Section 45-7-21, relating to expense allowance and travel cost reimbursement for  
 85 members of certain boards and commissions; and
- 86 (9) Code Section 50-32-15, relating to the issuance of bonds by the Georgia Regional  
 87 Transportation Authority.

88 **SECTION 7.**

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