

House Bill 6

By: Representatives Waites of the 60th, Sharper of the 177th, Jones of the 91st, Scott of the 76th, and Jones of the 53rd

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 amend the authority's name
3 to the Georgia Rail Passenger and High Speed Rail Facilities Authority; to revise the short
4 title; to revise the legislative purpose; to revise a definition; to revise certain general powers
5 of the authority; to revise the statement of public purpose of the authority; to amend the
6 Official Code of Georgia Annotated to change references to the authority; to provide for
7 related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

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

13 "46-9-270.

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

16 **SECTION 2.**

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

19 "46-9-271.

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

24 **SECTION 3.**

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

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

37 **SECTION 4.**

38 Said article is further amended by revising paragraphs (18) and (19) of Code Section
 39 46-9-273, relating to general powers of the authority, as follows:

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

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

48 **SECTION 5.**

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

51 "46-9-277.

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

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

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SECTION 6.

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

- 73 (1) Code Section 28-10-1, relating to the creation, membership, terms of office, and
 74 officers of the Georgia Rail Passenger Authority Overview Committee;
- 75 (2) Code Section 28-10-2, relating to duties of the Georgia Rail Passenger Authority
 76 Overview Committee;
- 77 (3) Code Section 28-10-4, relating to cooperation of the Georgia Rail Passenger Authority
 78 and committee reports;
- 79 (4) Code Section 28-10-5, relating to committee evaluation of the Georgia Rail Passenger
 80 Authority;
- 81 (5) Code Section 28-10-7, relating to effect of the chapter on the responsibilities of the
 82 Georgia Rail Passenger Authority;
- 83 (6) Code Section 32-6-51, relating to the placement, erection, and maintenance of
 84 commercial advertisements by transit agencies;
- 85 (7) Code Section 32-9-11, relating to transit services with local governments;
- 86 (8) Code Section 45-7-21, relating to expense allowance and travel cost reimbursement for
 87 members of certain boards and commissions;
- 88 (9) Code Section 47-2-326, relating to the Georgia Rail Passenger Authority retirement
 89 system membership and contributions; and
- 90 (10) Code Section 50-32-15, relating to the issuance of bonds by the Georgia Regional
 91 Transportation Authority.

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SECTION 7.

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