

## House Bill 676

By: Representatives Houston of the 170<sup>th</sup>, Dickey of the 140<sup>th</sup>, England of the 116<sup>th</sup>, Gilliard of the 162<sup>nd</sup>, and Williams of the 148<sup>th</sup>

## A BILL TO BE ENTITLED

## AN ACT

1 To amend Title 2 of the Official Code of Georgia Annotated, relating to agriculture, so as to  
2 create the Georgia Farmers' Market and Produce Terminal Development Authority; to  
3 provide for a short title; to provide for definitions; to provide for the purpose and general  
4 business of the authority; to provide for powers; to provide for the public purpose, and  
5 taxation and assessment exemption; to provide for the exercise of police powers; to provide  
6 authorization for a security force; to provide for receipts to be deemed as trust funds; to  
7 provide for setting rentals and other charges; to provide for the legal services of the Attorney  
8 General; to provide for venue and jurisdiction; to provide for conflict of interest and full  
9 disclosure; to provide for the power to issue revenue bonds; to provide for authorization for  
10 department construction and acquisitions of projects; to provide for the applicability of  
11 certain laws; to provide for the liberal construction; to amend Chapter 15 of Title 45 of the  
12 Official Code of Georgia Annotated, relating to the Attorney General, so as to provide for  
13 the inclusion of the Georgia Farmers' Market and Produce Terminal Development Authority  
14 as a state authority; to provide for related matters; to repeal conflicting laws; and for other  
15 purposes.

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

H. B. 676

- 1 -

17 **SECTION 1.**

18 Title 2 of the Official Code of Georgia Annotated, relating to agriculture, is amended by  
19 adding a new Chapter 24 to read as follows:

20 "CHAPTER 2421 2-24-1.

22 This chapter shall be known and may be cited as the 'Georgia Farmers' Market and Produce  
23 Terminal Development Authority Act.'

24 2-24-2.

25 As used in this chapter, the term:

26 (1) 'Activities' means trade shows, mission tours, coming into or out of Georgia, for  
27 current or prospective buyers of Georgia farm products, advertising campaigns for  
28 Georgia farm products, or other undertakings designed primarily to improve the  
29 economic well-being of Georgia agriculture.

30 (2) 'Authority' means the Georgia Farmers' Market and Produce Terminal Development  
31 Authority and any successor thereto. Any change in name or composition of the  
32 authority shall in no way affect the vested rights of any person under this chapter or  
33 impair the obligations of any contracts existing under this chapter.

34 (3) 'Cost of the project' means the cost of construction; the cost of all lands, properties,  
35 rights, easements, and franchises acquired; the cost of all machinery and equipment;  
36 financing charges; interest prior to and during construction and for one year after  
37 completion of construction; the cost of engineering, architectural, and legal expenses and  
38 of plans and specifications and other expenses necessary or incident to determining the  
39 feasibility or practicability of the project; administrative expenses; and such other  
40 expenses as may be necessary or incident to the financing authorized in this chapter, the

41 construction of any project, the placing of the same in operation, and the condemnation  
42 of property necessary for such construction and operation. Any obligation or expense  
43 incurred for any of the foregoing purposes shall be regarded as a part of the cost of the  
44 project and may be paid or reimbursed as such out of such bonds or obligations as may  
45 be issued by any authority, department, commission, or agency of the State of Georgia.

46 (4) 'Facilities' means any real property or personal property of any and every kind.

47 (5) 'Obligations' means revenue bonds, bond anticipation notes, other promissory notes,  
48 certificates of participation, custodial receipts, or other similar instruments creating  
49 interests in any contracts, lease agreements, or installment sales agreements or in the  
50 amounts payable to the authority, directly or indirectly, thereunder.

51 (6) 'Project' means and includes one or a combination of two or more of the following:  
52 buildings, facilities, and all structures and improvements of every kind and character  
53 deemed by the authority necessary or convenient for its purposes.

54 (7) 'Revenue bonds' means revenue bonds authorized to be issued by the authority  
55 pursuant to this chapter or under Article 3 of Chapter 82 of Title 36, the 'Revenue Bond  
56 Law.'

57 2-24-3.

58 (a) There is created a body corporate and politic to be known as the Georgia Farmers'  
59 Market and Produce Terminal Development Authority which shall be deemed to be an  
60 instrumentality of the State of Georgia and a public corporation; and by that name, style,  
61 and title such body may contract and be contracted with, sue and be sued, implead and be  
62 impleaded, and complain and defend any actions in this state.

63 (b) The authority shall consist of ten members, including nine appointed members and the  
64 Commissioner of Agriculture who shall serve ex officio. Initially, appointed members  
65 shall serve staggered terms of office as follows: three members for one year, three members  
66 for two years, and three members for three years. Thereafter, each appointed member shall

67 serve for a term of four years. The Governor, the President of the Senate, and the Speaker  
68 of the House shall each appoint two members who represent the state's agriculture and  
69 business interests, and one member representing the interests of consumers. The members  
70 appointed shall be selected from the state at large but shall be representative of all of the  
71 geographic areas of the state. The Governor, the President of the Senate, and the Speaker  
72 of the House are authorized to appoint any elected or appointed state, county, municipal,  
73 or school board official or employee, except officials and employees of the legislative or  
74 judicial branches of state government, as members of the authority, and any person so  
75 appointed is authorized to serve as a member of the authority. The members shall elect a  
76 chairperson and vice chairperson from among themselves and shall elect officers of the  
77 authority.

78 (c) All successors to appointed members shall be appointed in the same manner as original  
79 appointments. Vacancies in office of appointed members shall be filled in the same  
80 manner as original appointments. An appointment to fill a vacancy shall be for the  
81 unexpired term. No vacancy on the authority shall impair the right of the quorum to  
82 exercise all rights and perform all duties of the authority.

83 (d) The members of the authority shall receive a daily expense allowance and  
84 reimbursement for transportation costs as provided for in Code Section 45-7-21; and the  
85 members of the authority shall not receive any other compensation for their services as  
86 such.

87 (e) The authority shall have perpetual existence. Any change in name or composition of  
88 the authority shall in no way affect the vested rights of any person under this chapter or  
89 impair the obligations of any contracts existing under this chapter.

90 (f) The members of the authority shall be accountable in all respects as trustees. The  
91 authority shall keep suitable and proper books and records of all receipts, income, and  
92 expenditures of every kind and shall submit for inspection all the books, together with the  
93 proper statement of the authority's financial position, to the state auditor.

94 (g) The authority is assigned to the Department of Agriculture for administrative purposes  
95 only.

96 2-24-4.

97 The corporate purpose and the general nature of the business of the authority shall be the  
98 operation, administration, and supervision of this state's farmers' markets operated pursuant  
99 to this chapter and the provision of facilities, markets, and activities for the agricultural  
100 community to market and promote its products to agribusiness persons and the public in  
101 an effort to boost the state's economy.

102 2-24-5.

103 The authority is authorized:

104 (1) To have a seal and alter it at pleasure;

105 (2) To acquire, hold, and dispose of personal property for its corporate purposes;

106 (3) To appoint, select, and employ officers, agents, and employees, including  
107 engineering, architectural, and construction experts and fiscal agents; to contract for the  
108 services of individuals or organizations not employed full time by the authority who or  
109 which are engaged primarily in the rendition of personal services rather than the sale of  
110 goods or merchandise, such as, but not limited to, the services of accountants, engineers,  
111 architects, consultants, and advisors, and to allow suitable compensation for such  
112 services; and to make provisions for group insurance, retirement, or other employee  
113 benefit arrangements, provided that no part-time or contract employees shall participate  
114 in group insurance or retirement benefits;

115 (4) To make contracts and to execute all instruments necessary or convenient, including  
116 contracts for construction of projects or contracts with respect to the leasing or use of  
117 projects which the authority causes to be subdivided, erected, or acquired;

- 118 (5) To plan, survey, subdivide, administer, construct, erect, acquire, own, repair,  
119 remodel, maintain, add to, extend, improve, equip, operate, and manage projects as  
120 defined in this chapter, such projects to be located on property owned or leased by the  
121 authority or the State of Georgia or under the control and management of the authority.  
122 The cost of any such project shall be paid from its income, from the proceeds of revenue  
123 anticipation certificates of the authority, or from such proceeds and any loan, gift, or  
124 grant from the United States of America or any agency or instrumentality thereof, or the  
125 State of Georgia, or any county, municipal corporation, authority, or local government  
126 or governing body;
- 127 (6) To accept loans or grants, or both, of money, materials, or property of any kind from  
128 the United States of America or any agency or instrumentality thereof upon such terms  
129 and conditions as the United States of America or such agency or instrumentality may  
130 impose;
- 131 (7) To borrow money for any of its corporate purposes, to issue negotiable revenue  
132 anticipation certificates from earnings of such projects, and to provide for the payment  
133 of the same and for the rights of the holders thereof;
- 134 (8) To exercise any power which is usually possessed by private corporations performing  
135 similar functions and which is not in conflict with the Constitution and laws of this state;
- 136 (9) To act as agent for the United States of America or any agency, department,  
137 corporation, or instrumentality thereof, in any manner within the purposes or powers of  
138 the authority;
- 139 (10) To adopt, alter, or repeal its own bylaws, rules, and regulations governing the  
140 manner in which its business may be transacted and in which the power granted to it may  
141 be enjoyed as the authority may deem necessary or expedient in facilitating its business;
- 142 (11) To receive and accept loans, gifts, grants, donations, or contributions of property,  
143 facilities, or services, with or without consideration, from any person, firm, or corporation

144 or from the State of Georgia, or any agency or instrumentality thereof, or from any  
145 county, municipal corporation, or local government or governing body;

146 (12) To hold, use, administer, and expend such sum or sums as may hereafter be received  
147 as income, as gifts, or as appropriations by authority of the General Assembly for any of  
148 the purposes of this authority;

149 (13) To do all things necessary or convenient to carry out the powers and purposes of the  
150 authority;

151 (14) To acquire, lease as lessee, purchase, hold, own, and use any franchise or any  
152 property, real or personal, tangible or intangible, or any interest therein; and to sell, lease  
153 as lessor, transfer, or dispose thereof whenever the same is no longer required for  
154 purposes of the authority or exchange the same for other property or rights which are  
155 useful for the purposes of the authority;

156 (15) To fix, alter, charge, and collect fares, rates, rentals, and other charges for its  
157 facilities and for admission to its grounds at reasonable rates to be determined by the  
158 authority;

159 (16) To contract with the Georgia State Financing and Investment Commission for the  
160 construction of the project as provided for in Article 2 of Chapter 17 of Title 50; or to  
161 contract with other authorities, departments, or agencies of the State of Georgia for the  
162 construction of the project;

163 (17) To invest and reinvest any or all idle funds or moneys, including, but not limited to,  
164 funds held in reserve or debt retirement or received through the issuance of revenue  
165 certificates or from contributions, gifts, or grants, which cannot be immediately used for  
166 the purpose for which received, such investment to be made in any security or securities  
167 which are legal investments for executors or trustees; provided, however, that  
168 investments in such securities will at all times be held for and, when sold, used for the  
169 purposes for which the money was originally received;

170 (18) To appoint special advisory committees and panels of citizens to advise the  
171 authority of certain issues and to reimburse the individuals appointed for actual expenses  
172 incurred in performing their tasks; and

173 (19) To promote and sell locally manufactured alcoholic beverages by vendors with an  
174 approved license from the Department of Revenue and allow for consumption of such  
175 products only upon property operated and controlled by the authority and only for  
176 specifically approved special event purposes.

177 2-24-6.

178 It is found, determined, and declared that the creation of the authority and the carrying out  
179 of its corporate purposes are in all respects for the benefit of the people of this state and  
180 constitute a public purpose and that the authority will be performing an essential  
181 governmental function in the exercise of the powers conferred upon it by this chapter. The  
182 State of Georgia covenants that the authority shall be required to pay no taxes or  
183 assessments upon any of the property acquired by it or under its jurisdiction, control,  
184 possession, or supervision or upon its activities in the operation or maintenance of the  
185 facilities erected, maintained, or acquired by it or any fees, rentals, or other charges for the  
186 use of such facilities or other income received by the authority; provided, however, that in  
187 no event shall the exemptions granted in this Code section extend to any lessee or other  
188 private person or entity.

189 2-24-7.

190 The authority is authorized to exercise such of the police powers of the state as may be  
191 necessary to maintain peace and order and to enforce any and all zoning, use, and personal  
192 conduct restrictions upon the properties, facilities, and persons under its jurisdiction to the  
193 extent that such is lawful under the laws of the United States and this state. The authority

194 may delegate all or any part of the performance of these functions temporarily or  
195 permanently to the state or to the county in which its facilities are located.

196 2-24-8.

197 The authority is authorized to contract for or to provide for and maintain a security force  
198 with respect to the facilities and property owned, leased, operated, or under the control of  
199 the authority and within the territory thereof. The security force shall have the duty to  
200 protect persons and property, disperse unlawful or dangerous assemblages, control  
201 pedestrian and vehicular traffic, and otherwise preserve and protect the public peace,  
202 health, and safety. For these purposes, a member of such force shall be a peace officer and,  
203 as such, shall have authority equivalent to the authority of a police officer or law  
204 enforcement officer of the county in which such officer is discharging his or her duties.

205 2-24-9.

206 All moneys received pursuant to the authority of this chapter, whether as grants or other  
207 contributions or as revenues, rents, and earnings, shall be deemed to be trust funds to be  
208 held and applied solely as provided in this chapter.

209 2-24-10.

210 The authority is authorized to fix rentals and other charges which any user, exhibitor,  
211 concessionaire, franchisee, or vendor shall pay to the authority for the use of the project or  
212 part thereof or combination thereof, and to charge and collect the same, and to lease and  
213 make contracts with political subdivisions and agencies with respect to use of any part of  
214 the project. The rentals and other charges shall be so fixed and adjusted in respect to the  
215 aggregate thereof from the project or any part thereof so as to provide a fund sufficient with  
216 other revenues of such project, if any, to pay the cost of maintaining, repairing, and  
217 operating the project, including the reserves for extraordinary repairs and insurance, unless

218 such cost shall be otherwise provided for, which cost shall be deemed to include the  
219 expenses incurred by the authority on account of the project for water, light, sewer, and  
220 other services furnished by other facilities at the project.

221 2-24-11.

222 The Attorney General shall provide legal services for the authority and in connection  
223 therewith the provisions of Code Sections 45-15-13 through 45-15-16 shall be fully  
224 applicable.

225 2-24-12.

226 Any action to protect or enforce any rights under this chapter shall be brought in the  
227 Superior Court of Tift County, Georgia; and such court shall have exclusive, original  
228 jurisdiction of such actions. Furthermore, the venue for actions brought against the  
229 authority shall be in the Superior Court of Tift County, Georgia; and such court shall have  
230 exclusive, original jurisdiction of such actions. Nothing contained in this chapter shall be  
231 construed to impair any rights afforded the state under the Constitution of the United  
232 States.

233 2-24-13.

234 (a) Every member of the authority and every employee of the authority who knowingly  
235 has any interest, direct or indirect, in any contract to which the authority is or is about to  
236 become a party, or in any other business of the authority, or in any firm or corporation  
237 doing business with the authority shall make full disclosure of such interest to the authority.  
238 Failure to disclose such an interest shall constitute cause for which a member of the  
239 authority may be removed or an employee discharged or otherwise disciplined at the  
240 discretion of the authority.

241 (b) The provisions of Article 1 of Chapter 10 of Title 16 and Code  
242 Sections 16-10-21, 16-10-22, 16-10-92, and 16-10-93, regulating the conduct of officers,  
243 employees, and agents of political subdivisions, municipal and other public corporations,  
244 and other public organizations, shall be applicable to the conduct of members, officers,  
245 employees, and agents of the authority.

246 (c) Any contract or transaction of the authority involving a conflict of interest which is not  
247 disclosed under subsection (a) of this Code section, or involving a violation of Article 1 of  
248 Chapter 10 of Title 16 or Code Section 16-10-21, 16-10-22, 16-10-92, or 16-10-93, or  
249 involving a violation of any other provision of law regulating conflicts of interest which  
250 is applicable to the authority or its members, officers, or employees shall be voidable by  
251 the authority.

252 2-24-14.

253 (a) The authority or any authority or body which may succeed to the powers, duties, and  
254 liabilities vested in the authority is authorized at one time, or from time to time, to provide  
255 by resolution for the issuance of revenue bonds for the purpose of paying all or any part of  
256 the cost, as defined in this chapter, of any one project or a combination of projects. The  
257 principal and interest of such revenue bonds shall be payable solely from the special fund  
258 provided in subsection (n) of this Code section for such payment. The bonds of each issue  
259 shall be dated and shall mature at such times and bear interest at such rates as may be  
260 determined by the authority, payable in such medium of payment as to both principal and  
261 interest as may be determined by the authority, and may be made redeemable before  
262 maturity, at the option of the authority, at such price or prices and under such terms and  
263 conditions as may be fixed by the authority in the resolution providing for the issuance of  
264 the bonds.

265 (b) The authority shall determine the form of the bonds, including any interest coupons to  
266 be attached thereto, and shall fix the denomination or denominations of the bonds and the

267 place or places of payment of principal and interest thereof, which may be at any bank or  
268 trust company inside or outside the state. The bonds may be issued in coupon or registered  
269 form, or both, as the authority may determine, and provision may be made for the  
270 registration of any coupon bond as to principal alone and also as to both principal and  
271 interest.

272 (c) In case any officer whose signature appears on any bonds or whose facsimile signature  
273 appears on any coupon ceases to be such officer before the delivery of such bonds, such  
274 signature shall nevertheless be valid and sufficient for all purposes the same as if such  
275 officer had remained in office until such delivery. All such bonds shall be signed by the  
276 chairperson or vice chairperson of the authority, and the official seal of the authority shall  
277 be affixed thereto and attested by the secretary or assistant secretary of the authority; and  
278 any coupons attached thereto shall bear the signature or facsimile signature of the  
279 chairperson or vice chairperson of the authority. Any coupon may bear the facsimile  
280 signature of such person, and any bond may be signed, sealed, and attested on behalf of the  
281 authority by such persons as at the actual time of the execution of such bonds shall be duly  
282 authorized or hold the proper office, although at the date of such bonds such persons may  
283 not have been so authorized or shall not have held such office.

284 (d) All revenue bonds issued under this chapter shall have and are declared to have all the  
285 qualities and incidents of negotiable instruments. Such bonds and the income therefrom  
286 shall be exempt from all taxation within the state.

287 (e) The authority may sell bonds in such manner and for such price as it may determine  
288 to be for the best interests of the authority.

289 (f) The proceeds of bonds shall be used solely for the payment of the cost of the project  
290 and shall be disbursed upon requisition or order of the chairperson or vice chairperson of  
291 the authority under such restrictions, if any, as provided by the resolution authorizing the  
292 issuance of the bonds or by the trust indenture provided for in subsection (k) of this Code  
293 section.

294 (g) Prior to the preparation of definitive bonds, the authority may, under like restrictions,  
295 issue interim receipts, interim certificates, or temporary bonds, with or without coupons,  
296 exchangeable for definitive bonds upon the issuance of the latter.

297 (h) The authority may provide for the replacement of any bond which becomes mutilated  
298 or is destroyed or lost.

299 (i) Revenue bonds may be issued without the conducting of any proceedings, the existence  
300 of any conditions, or the happening of any events other than those proceedings, conditions,  
301 and events which are specified or required by this chapter. In the discretion of the  
302 authority, revenue bonds of a single issue may be issued for the purpose of paying the cost  
303 of any one or more, including a combination of, projects at any one institution or any  
304 number of institutions. Any resolution providing for the issuance of revenue bonds under  
305 this chapter shall become effective immediately upon its passage and need not be published  
306 or posted. Any such resolution may be passed at any regular, special, or adjourned meeting  
307 of the authority by a majority of its members.

308 (j) Revenue bonds issued under this chapter shall not be deemed to constitute a debt of the  
309 State of Georgia or a pledge of the faith and credit of the state. Such bonds shall be  
310 payable solely from the fund provided for in subsections (m) through (p) of this Code  
311 section, and the issuance of such revenue bonds shall not directly, indirectly, or  
312 contingently obligate the state to levy or to pledge any form of taxation whatever therefor  
313 or to make any appropriation for their payment. All such bonds shall contain recitals on  
314 their faces covering substantially the foregoing provisions of this Code section. Anything  
315 in this Code section to the contrary notwithstanding, such funds as may be received from  
316 state appropriations or from any other source are declared to be available and may be used  
317 by any department, board, commission, or agency of the State of Georgia for the  
318 performance of any lease contract entered into by such department, board, commission, or  
319 agency with the authority.

320 (k)(1) In the discretion of the authority, any issue of revenue bonds may be secured by  
321 a trust indenture by and between the authority and a corporate trustee, which may be any  
322 trust company or bank having the powers of a trust company inside or outside of the state.  
323 Such trust indenture may pledge or assign rents, revenues, and earnings to be received by  
324 the authority.

325 (2) Either the resolution providing for the issuance of revenue bonds or the trust  
326 indenture may contain such provisions for protecting and enforcing the rights and  
327 remedies of the bondholders as may be reasonable and proper and not in violation of law,  
328 including covenants setting forth the duties of the authority in relation to the acquisition  
329 of property, the construction of the project, the maintenance, operation, repair, and  
330 insurance of the project, and the custody, safeguarding, and application of all moneys.  
331 The resolution or indenture may also provide that any project shall be constructed and  
332 paid for under the supervision and approval of consulting engineers or architects  
333 employed or designated by the authority and satisfactory to the original purchasers of the  
334 bonds issued therefor. The resolution or indenture may also require that the security  
335 given by contractors and by any depository of the proceeds of the bonds or revenues or  
336 other moneys be satisfactory to such purchasers and may also contain provisions  
337 concerning the conditions, if any, upon which additional revenue bonds may be issued.

338 (3) The indenture may set forth the rights and remedies of the bondholders and of the  
339 trustee and may restrict the individual right of action of bondholders as is customary in  
340 trust indentures securing bonds and debentures of corporations. In addition to the  
341 foregoing provisions of this Code section, the trust indenture may contain such other  
342 provisions as the authority may deem reasonable and proper for the security of the  
343 bondholders.

344 (4) It shall be lawful for any bank or trust company incorporated under the laws of this  
345 state to act as such depository and to furnish such indemnifying bonds or pledge such  
346 securities as may be required by the authority.

347 (5) All expenses incurred in carrying out the trust indenture may be treated as a part of  
348 the cost of maintenance, operation, and repair of the project and of the cost of the project  
349 affected by such indenture.

350 (l) The authority shall, in the resolution providing for issuance of revenue bonds or in the  
351 trust indenture, provide for the payment of the proceeds of the sale of the bonds to any  
352 officer or person who, or any agency, bank, or trust company which, shall act as trustee of  
353 such funds and shall hold and apply the same to the purposes expressed in this chapter,  
354 subject to such regulations as this chapter and such resolution or trust indenture may  
355 provide.

356 (m) Unless otherwise pledged and allocated, any and all revenues, rents, and earnings  
357 received by the authority, regardless of whether or not such revenues, rents, and earnings  
358 were produced by a particular project for which bonds have been issued, may be pledged  
359 and allocated by the authority to the payment of the principal and interest on revenue bonds  
360 of the authority as the trust indenture or the resolution authorizing the issuance of the bonds  
361 may provide.

362 (n) Such funds so pledged from whatever source received, which pledge may include  
363 funds received from one or more or all sources, shall be set aside at regular intervals, as  
364 may be provided in the resolution or trust indenture, into a sinking fund which shall be  
365 pledged to and charged with the payment of:

366 (1) The interest upon such revenue bonds as such interest shall fall due;

367 (2) The principal of the bonds as the same shall fall due;

368 (3) The necessary charges of paying agents for paying principal and interest; and

369 (4) Any premium upon bonds retired by call or purchase.

370 (o) The use and disposition of such sinking fund shall be subject to such regulations as  
371 may be provided in the resolution authorizing the issuance of the revenue bonds or in the  
372 trust indenture, but, except as may otherwise be provided in such resolution or trust

373 indenture, such sinking fund shall be a fund for the benefit of all revenue bonds without  
374 distinction or priority of one over another.

375 (p) Subject to the provisions of the resolution authorizing the issuance of the bonds, or  
376 subject to the trust indenture, surplus moneys in the sinking fund may be applied to the  
377 purchasing or redemption of bonds, and any such bonds so purchased or redeemed shall  
378 forthwith be canceled and shall not again be issued.

379 (q) Except to the extent the rights given in this Code section may be restricted by  
380 resolution passed before the issuance of bonds or by a trust indenture, any holder of  
381 revenue bonds or interest coupons issued under this chapter, any receiver for such holders,  
382 or any indenture trustee, if any, may either at law or in equity, by action, mandamus, or  
383 other proceedings, protect and enforce any and all rights under the laws of the State of  
384 Georgia or granted by this chapter or under such resolution or trust indenture. Such holder,  
385 receiver, or trustee may enforce and compel performance of all duties required by this  
386 chapter, or by resolution or trust indenture, to be performed by the authority or any officer  
387 thereof, including the fixing, charging, and collecting of revenues, rents, and other charges  
388 for the use of the project or projects. In the event of default of the authority upon the  
389 principal and interest obligations of any revenue bond issue, such holder, receiver, or  
390 trustee shall be subrogated to each and every right which the authority may possess and,  
391 in the pursuit of his, her, or its remedies as subrogee, may proceed either at law or in  
392 equity, by action, mandamus, or other proceedings to collect any sums by such proceedings  
393 due and owing to the authority and pledged or partially pledged directly or indirectly to the  
394 benefit of the revenue bond issue of which such holder, receiver, or trustee is  
395 representative. No holder, receiver, or trustee shall have the right to compel any exercise  
396 of the taxing power of the state to pay any such bond or the interest thereon, or to enforce  
397 the payment thereof against any property of the state, nor shall any such bond constitute  
398 a charge, lien, or encumbrance, legal or equitable, upon the property of the state.

399 (r) The authority is authorized to provide by resolution for the issuance of revenue  
400 refunding bonds of the authority for the purpose of refunding any revenue bonds issued  
401 under this chapter and then outstanding, together with accrued interest thereon. The  
402 issuance of such revenue refunding bonds, the maturities, and all other details thereof, the  
403 rights of the holders thereof, and the duties of the authority in respect to the same shall be  
404 governed by the foregoing provisions of this chapter insofar as the same may be applicable.

405 (s) While any of the bonds issued by the authority remain outstanding, the powers, duties,  
406 or existence of the authority, or of its officers, employees, or agents, or of any department,  
407 board, commission, or agency of the state shall not be diminished or impaired in any  
408 manner that will affect adversely the interests and rights of the holders of such bonds. This  
409 chapter shall be for the benefit of the state, the authority, and the holders of any such bonds  
410 and, upon the issuance of bonds under this chapter, shall constitute a contract with the  
411 holders of such bonds.

412 (t) Bonds of the authority shall be confirmed and validated in accordance with the  
413 procedure of Article 3 of Chapter 82 of Title 36, the 'Revenue Bond Law.' The petition for  
414 validation shall also make party defendant to such action any authority, division,  
415 subdivision, instrumentality, or agency of the State of Georgia which, or any person who,  
416 has contracted with the authority for the use of any building, structure, or facilities for  
417 which bonds have been issued and sought to be validated. Such authority, division,  
418 subdivision, instrumentality, agency, or person shall be required to show cause, if any, why  
419 such contract or contracts and the terms and conditions thereof should not be inquired into  
420 by the court, the validity of the terms thereof determined, and the contract adjudicated as  
421 security for the payment of any such bonds of the authority. The bonds when validated and  
422 the judgment of validation shall be final and conclusive with respect to such bonds and  
423 against the authority issuing the same and against any authority, division, subdivision,  
424 instrumentality, department, agency, or person contracting with the authority.

425 (u) No bonds shall be issued by the authority under this chapter unless the issuance of such  
426 bonds has been reviewed and approved by the Georgia State Financing and Investment  
427 Commission.

428 (v) The bonds authorized by this chapter are made securities in which all public officers  
429 and bodies of this state; all municipalities and all municipal subdivisions; all insurance  
430 companies and associations and other persons carrying on an insurance business; all banks,  
431 bankers, trust companies, savings banks, and savings associations, including savings and  
432 loan associations, building and loan associations, investment companies, and other persons  
433 carrying on a banking business; all administrators, guardians, executors, trustees, and other  
434 fiduciaries; and all other persons whatsoever who are now or may hereafter be authorized  
435 to invest in bonds or other obligations of the state may properly and legally invest funds,  
436 including capital in their control or belonging to them. The bonds are also made securities  
437 which may be deposited with and shall be received by all public officers and bodies of this  
438 state and all municipalities and municipal subdivisions for any purpose for which the  
439 deposit of the bonds or other obligations of this state is now or may hereafter be authorized.

440 2-24-15.

441 The Department of Agriculture is authorized to construct, erect, acquire, and own the  
442 project, as defined in this chapter. The costs of any such project may be paid from the  
443 proceeds of state general obligation or guaranteed revenue debt. The department is  
444 authorized to contract with the authority, the State Properties Commission, the Georgia  
445 State Financing and Investment Commission, or with any other department, agency,  
446 commission, board, official, or person for the construction, operation, maintenance,  
447 funding, design, or use of such project."

448

**SECTION 2.**

449 Chapter 15 of Title 45 of the Official Code of Georgia Annotated, relating to the Attorney  
450 General, is amended by revising Code Section 45-15-13, relating to representation of state  
451 authorities by the Attorney General, as follows:

452 "45-15-13.

453 As used in Code Sections 45-15-14 through 45-15-16, the term 'state authorities' means the  
454 following instrumentalities of the state: Georgia Farmers' Market and Produce Terminal  
455 Development Authority, Georgia Building Authority, Georgia Education Authority  
456 (Schools), Georgia Education Authority (University), Georgia Highway Authority, Georgia  
457 Ports Authority, State Road and Tollway Authority, Jekyll Island—State Park Authority,  
458 Stone Mountain Memorial Association, Georgia Emergency Communications Authority  
459 and Savannah-Georgia Convention Center Authority."

460

**SECTION 3.**

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