

House Bill 1516

By: Representatives Gaines of the 117th, Wiedower of the 119th, and Frye of the 118th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 10 of Article 7 of Chapter 3 of Title 12 of the Official Code of Georgia
2 Annotated, relating to the Georgia Music Hall of Fame Authority, so as to provide for
3 definitions; to provide for the continuation in office of the members of the authority; to
4 provide for membership, appointment, and qualifications; to repeal provisions relating to
5 joint operation between the Georgia Music Hall of Fame and the Georgia Sports Hall of
6 Fame; to revise the corporate purposes and general powers; to provide for jurisdiction of
7 actions; to provide for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Part 10 of Article 7 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated,
11 relating to the Georgia Music Hall of Fame Authority, is amended by revising Code Section
12 12-3-521, relating to definitions, as follows:

13 "12-3-521.

14 As used in this part, the term:

15 (1) 'Authority' means the Georgia Music Hall of Fame Authority.

16 (2) 'Classic Center' means one or more facilities of the Classic Center Authority.

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17 (3) 'Classic Center Authority' means the Classic Center Authority for Clarke County,
 18 approved March 10, 1988 (Ga. L. 1988, p. 3799), as amended.

19 (4) 'Cost of the project' means the cost of construction; the cost of all lands, properties,
 20 rights, easements, and franchises acquired; the cost of all machinery and equipment;
 21 financing charges; interest prior to and during construction and for one year after
 22 completion of construction; the cost of engineering, architectural, and legal expenses and
 23 of plans and specifications and other expenses necessary or incident to determining the
 24 feasibility or practicability of the project; administrative expenses; and such other
 25 expenses as may be necessary or incident to the financing authorized in this part, the
 26 construction of any project, the placing of the same in operation, and the condemnation
 27 of property necessary for such construction and operation. Any obligation or expense
 28 incurred for any of the foregoing purposes shall be regarded as a part of the cost of the
 29 project and may be paid or reimbursed as such out of such bonds or obligations as may
 30 be issued by any authority, department, commission, or agency of the State of Georgia.

31 ~~(3)~~(5) 'Project' means and includes one or a combination of two or more of the following:
 32 buildings, facilities, and all structures; electric, gas, steam, water, and sewerage utilities;
 33 and improvements of every kind and character deemed by the authority necessary or
 34 convenient for its purposes."

35

SECTION 2.

36 Said part is further amended by revising subsections (a) and (b) of Code Section 12-3-522,
 37 relating to creation, membership, meetings, expense allowance, perpetual existence, and
 38 records, as follows:

39 "(a) There is created a body corporate and politic to be known as the Georgia Music Hall
 40 of Fame Authority which shall be deemed to be an instrumentality of the State of Georgia
 41 and a public corporation; and by that name, style, and title such body may contract and be
 42 contracted with, bring and defend actions, implead and be impleaded, and complain and

43 defend in all courts of this state. No provision of this part is intended to diminish or impair,
44 nor shall any provision be construed as diminishing or impairing, the rights of any person
45 or entity under any contract with the authority. The members of the authority serving on
46 June 30, 2022, shall continue to serve as members of the authority until their successors are
47 designated and qualified as provided for in subsection (b) of this Code section.

48 (b)(1) The authority shall consist of ~~nine~~ five voting members. ~~Initially, members shall~~
49 ~~serve staggered terms of office as follows: two members for one year, two members for~~
50 ~~two years, two members for three years, and three members for four years. Thereafter,~~
51 ~~each member shall serve for a term of four years. All members shall be appointed by the~~
52 ~~Governor and confirmed by the Senate and shall serve until the appointment and~~
53 ~~qualification of their successors. The members appointed by the Governor shall be~~
54 ~~selected from the state at large but shall be representative of all of the geographic areas~~
55 ~~of the state. Such members also shall represent the state's music industry. Three~~
56 members shall be selected from the state at large, represent all geographic areas of the
57 state, and represent the state's music industry. Two members shall be residents of
58 Athens-Clarke County and shall have been such residents for at least two years prior to
59 the date of appointment. Such members shall be appointed for initial terms of office as
60 follows: one member for one year, one member for two years, one member for three
61 years, and two members for four years. All successors to the members appointed
62 pursuant to this paragraph shall serve terms of office of four years. The Governor is
63 authorized to appoint any elected or appointed state, county, municipal, or school board
64 official or employee, except officials and employees of the legislative or judicial branches
65 of state government, as members of the authority, and any person so appointed is
66 authorized to serve as a member of the authority. All successors shall be appointed in the
67 same manner as original appointments. Vacancies in office shall be filled in the same
68 manner as original appointments. An appointment to fill a vacancy shall be for the
69 unexpired term.

70 (2) Upon the appointment and qualification of the members as provided for in this
 71 subsection, such members shall succeed the members in office on June 30, 2022, and the
 72 terms of such members in office on June 30, 2022, shall thereupon expire.

73 (3) In addition to the members provided for in paragraph (1) of this subsection, the board
 74 members of the Classic Center Authority shall serve as nonvoting ex officio members of
 75 the authority."

76 **SECTION 3.**

77 Said part is further amended by repealing Code Section 12-3-522.1, relating to joint
 78 operation between the Georgia Music Hall of Fame and the Georgia Sports Hall of Fame and
 79 proposals for accomplishing objectives.

80 **SECTION 4.**

81 Said part is further amended by revising Code Section 12-3-523, relating to corporate
 82 purpose and general nature of business, as follows:

83 "12-3-523.

84 The corporate purpose and general nature of the business of the authority shall be:

85 (1) ~~Constructing and maintaining a facility~~ Coordinating with the Classic Center
 86 Authority to house the Georgia Music Hall of Fame;

87 (2) Operating, advertising, and promoting the Georgia Music Hall of Fame; and

88 (3) Promoting music events at the facility Classic Center and throughout the state."

89 **SECTION 5.**

90 Said part is further amended by revising paragraph (20) of Code Section 12-3-524, relating
 91 to general powers, as follows:

92 "(20) To select a site for the ~~building~~ housing of a state music hall of fame;"

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SECTION 6.

94 Said part is further amended by revising Code Section 12-3-531, relating to jurisdiction of
95 actions brought under this part, as follows:

96 "12-3-531.

97 Any action to protect or enforce any rights under this part shall be brought in the Superior

98 Court of ~~Fulton~~ Athens-Clarke County, Georgia; and such court shall have exclusive,

99 original jurisdiction of such actions. Nothing contained in this part shall be construed to

100 impair any rights afforded the state under the Constitution of the United States."

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SECTION 7.

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