

Senate Bill 237

By: Senators Strickland of the 42nd and Anderson of the 43rd

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act creating and establishing the Newton County Public Facilities Authority,
2 approved June 29, 2020 (Ga. L. 2020, p. 3600), so as to revise provisions regarding contracts
3 and borrowing of funds; to revise provisions regarding revenue bonds; to revise provisions
4 regarding credit not pledged; to provide for distribution of assets of the authority upon
5 dissolution; to provide for definitions; to provide for related matters; to repeal conflicting
6 laws; and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 An Act creating and establishing the Newton County Public Facilities Authority, approved
10 June 29, 2020 (Ga. L. 2020, p. 3600), is amended by revising paragraphs (3) and (5) of
11 Section 3 as follows:

12 "(3) "Project" means all buildings, facilities and equipment necessary or convenient for
13 the efficient operation of Newton County or any department, agency division or
14 commission thereof, the Newton County School District, any municipal corporation
15 located within Newton County and any undertaking permitted by the Revenue Bond
16 Law."

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"(5) "Revenue bonds" means revenue bonds authorized to be issued pursuant to this Act."

SECTION 2.

Said Act is further amended by revising paragraphs (4) and (9) of Section 4 as follows:

"(4) To execute contracts, leases, installment sale agreements, and other agreements and instruments necessary or convenient in connection with the acquisition, construction, addition, extension, improvement, equipping, operation, maintenance, disposition or financing of a project; and any and all persons, firms, corporations, and Newton County, Newton County School District and any municipal corporation within Newton County are hereby authorized to enter into contracts, leases, installment sale agreements, and other agreements and instruments with the authority upon such terms and for such purposes as they deem advisable and as they are authorized by law;"

“(9) To borrow money for any of its corporate purposes, to issue revenue bonds and other forms of obligations, and to provide for the payment of the same and rights of the holders thereof;”

SECTION 3.

Said Act is further amended by revising Section 5 as follows:

"SECTION 5.

Revenue bonds.

The authority shall have power and is hereby authorized to provide by resolution for the issuance of revenue bonds for the purpose of paying all or any part of the costs of the project and for the purpose of refunding revenue bonds or other obligations previously issued. The principal of and interest on such revenue bonds shall be payable solely from the revenues and properties pledged to the payment of such revenue bonds. The revenue

bonds issued by the authority shall contain such terms as the authority shall determine are in the best interest of the authority; provided, however, that no revenue bonds shall have a maturity exceeding 40 years. No such revenue bonds shall be issued to finance a project for the Newton County School District or any municipal corporation within Newton County without the approval of the Board of Commissioners of Newton County."

SECTION 4.

Said Act is further amended by revising Section 7 as follows:

"SECTION 7.

Credit not pledged.

Revenue bonds of the authority shall not be deemed to constitute a debt of Newton County, the Newton County School System, any municipality located within the county, or the State of Georgia, nor a pledge of the faith and credit of this state or such county, but such revenue bonds shall be payable solely from the fund hereinafter provided for. The issuance of such revenue bonds shall not directly, indirectly, or contingently obligate this state or such county to levy or pledge any form of taxation whatsoever for payment of such revenue bonds or to make any appropriation for their payment, and all such revenue bonds shall contain recitals on their face covering substantially the foregoing provisions of this section. Notwithstanding the foregoing provisions, this Act shall not affect the ability of the authority and any political subdivision or municipal corporation to enter into an intergovernmental contract pursuant to which the political subdivision or municipal corporation agrees to pay amounts sufficient to pay operating charges and other costs of the authority of any project, including, without limitation, the principal of and interest on revenue bonds or other forms of obligations in consideration for the services or facilities of the authority."

64 **SECTION 5.**

65 Said Act is further amended by revising subsection (b) of Section 16 as follows:

66 "(b) Upon the dissolution of the authority, all assets owned by the authority shall become
67 property of Newton County unless the agreements executed in connection with a project
68 require otherwise."

69 **SECTION 6.**

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