

SENATE SUBSTITUTE TO HB 516

ADOPTED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Title 50 of the Official Code of Georgia Annotated, relating to state government,
 2 so as to designate the Attorney General as an applicable elected representative who may
 3 approve issuance of certain private activity bonds; to establish procedures for public notices
 4 and hearings relative to such bonds; to authorize county and regional library boards and
 5 community service boards to conduct teleconference meetings under certain circumstances;
 6 to provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 style="text-align: center;">**SECTION 1.**

9 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
 10 by adding a new Code section to read as follows:

11 "50-1-14.

12 The Attorney General is designated as an applicable elected representative, as provided for
 13 in 26 U.S.C. Section 147(f)(2)(E) of the Internal Revenue Code, who may approve the
 14 issuance of one or more private activity bonds to finance or refinance a state charter school
 15 facility after a public hearing following reasonable notice in accordance with 26 U.S.C.
 16 Section 147(f) of the Internal Revenue Code and applicable state and federal rules. Within
 17 60 days of the Attorney General receiving a written request for a public hearing, he or she

18 or his or her designee shall hold such hearing, as required by 26 U.S.C. Section 147(f) of
 19 the Internal Revenue Code. Within 30 days of such hearing, the Attorney General shall
 20 approve the issuance of private activity bonds to finance or refinance a state charter school
 21 facility if the applicable charter school is authorized by Article 31A of Chapter 2 of
 22 Title 20 and is an organization described under 26 U.S.C. Section 501(c)(3) of the Internal
 23 Revenue Code, and such state charter school facility to be financed or refinanced by such
 24 private activity bonds will be owned or principally used by such state charter school."

25 **SECTION 2.**

26 Code Section 50-14-1 of the Official Code of Georgia Annotated, relating to meetings open
 27 to the public, limitation on action to contest agency action, recording, notice of time and
 28 place, access to minutes, and teleconferences, is amended by revising subsection (h) as
 29 follows:

30 "(h)(1) The following bodies and committees thereof shall be authorized to conduct
 31 meetings by teleconference, provided that any such meeting shall be considered to be
 32 conducted in compliance with this chapter so long as the notice required by this chapter
 33 is provided and, if fewer than a quorum of the members of a body or committee thereof
 34 are physically present, means have been afforded for the public to have simultaneous
 35 access to the teleconference meeting:

36 (A) Development authorities created pursuant to or authorized by the provisions of
 37 Chapter 42 or Chapter 62 of Title 36, by or pursuant to Article IX, Section VI,
 38 Paragraph III of the Georgia Constitution, or by or pursuant to any amendment to the
 39 Constitution continued pursuant to the authority of Article XI, Section I, Paragraph IV
 40 of the Constitution;

41 (B) Community improvement districts created pursuant to the provisions of Article IX,
 42 Section VII of the Georgia Constitution;

43 (C) Hospital authorities created pursuant to Article 4 of Chapter 7 of Title 31; and

44 (D) The board of trustees or other governing body of any large retirement system as
45 such term is defined in subsection (a) of Code Section 47-20-84;

46 (E) The board of trustees of any county or regional public library created pursuant to
47 Part 2 of Article 2 of Chapter 5 of Title 20; provided, however, that such meetings:

48 (i) Shall be held at a physical location with at least 50 percent of the board members
49 physically present; and

50 (ii) Shall provide one or more methods for public viewing of such meetings and
51 providing commentary at such meetings without being physically present at such
52 meetings; and

53 (F) Community service boards created pursuant to Article 1 of Chapter 2 of Title 37;
54 provided, however, that such meetings:

55 (i) Shall be held at a physical location with at least 50 percent of the board members
56 physically present; and

57 (ii) Shall provide one or more methods for public viewing of such meetings and
58 providing commentary at such meetings without being physically present at such
59 meetings.

60 (2) The participation by teleconference of members of such bodies or committees thereof
61 means full participation in the same manner as if such members were physically present.
62 In the event such teleconference meeting is a public hearing, and if fewer than a quorum
63 of the members of a body or committee thereof are physically present, then members of
64 the public shall be afforded the means to participate fully in the same manner as if such
65 members of the public were physically present."

66 **SECTION 3.**

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