

House Bill 1473

By: Representatives Smith of the 18th, Ridley of the 6th, Franklin of the 160th, Scoggins of the 14th, and Cheokas of the 151st

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 36 of the Official Code of Georgia Annotated, relating to local government,
2 so as to prohibit elected officials of a county, municipal corporation, or any county-municipal
3 consolidated government from entering into nondisclosure agreements with private entities
4 relating to economic development; to provide for governing authorities to require the
5 completion of an independent impact analysis before an official vote or action can be taken;
6 to provide for requirements of such independent impact analysis; to provide for definitions;
7 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 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended
11 by enacting a new chapter to read as follows:

12 "CHAPTER 93

13 36-93-1.

14 As used in this chapter, the term:

H. B. 1473

15 (1) 'Elected official' means any elected official of a county, municipal corporation, or any
16 county-municipal consolidated government.

17 (2) 'Governing authority' means the official or group of officials responsible for
18 governance of a county, municipal corporation, or any county-municipal consolidated
19 government.

20 (3) 'Private entity' means any natural person, corporation, general partnership, limited
21 liability company, limited partnership, joint venture, business trust, public benefit
22 corporation, nonprofit entity, or other business entity.

23 36-93-2.

24 Notwithstanding any provision of law to the contrary, no agreement or contract entered into
25 on or after July 1, 2026, by any elected official with a private entity for the intended
26 purpose of economic development, including, but not limited to, land use, annexation,
27 rezoning, tax incentives, public infrastructure allocation, or utility commitment, shall
28 contain any provision, clause, or language that provides that the agreement or contract or
29 any of its terms are confidential or that the parties to such agreement or contract are
30 prohibited from disclosing, discussing, describing, or commenting upon the terms of such
31 agreement or contract.

32 36-93-3.

33 (a) Prior to any vote or formal action taken by a governing authority involving land use,
34 annexation, rezoning, tax incentives, public infrastructure allocation, utility commitment,
35 or other forms of discretionary approval for an economic development project, the
36 governing authority shall require the completion of an independent impact analysis.

37 (b) Such independent impact analysis shall, at a minimum, contain:

38 (1) An analysis of the water demand and supply;

39 (2) A traffic impact study;

- 40 (3) An estimate on the impact on the electrical grid;
41 (4) An analysis of sewage or waste-water capacity and discharge; and
42 (5) An independent fiscal impact analysis.
43 (c) An independent impact analysis required pursuant to this Code section shall be
44 conducted by a qualified third party retained and selected by the governing authority;
45 provided, however, that all costs associated with such independent impact analysis shall
46 be borne by the private entity applicant.
47 (d) An independent impact analysis shall be completed and finalized prior to scheduling
48 a public hearing and made publicly available no later than 14 days before any official vote
49 or action by the governing authority."

50

SECTION 2.

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