

House Bill 511

By: Representatives Tanner of the 9th, Smyre of the 135th, England of the 116th, Carpenter of the 4th, and Anulewicz of the 42nd

A BILL TO BE ENTITLED

AN ACT

1 To amend Titles 32, 36, 45, 48, and 50 of the Official Code of Georgia Annotated, relating
 2 to highways, bridges, and ferries; local government; public officers and employees; revenue
 3 and taxation; and state government, respectively, so as to provide for funding sources and a
 4 consolidated state entity for the planning and implementation of mobility and transit services;
 5 to provide for an exemption from state sales and use tax for certain transportation subject to
 6 an excise tax; to provide for the imposition of special purpose local sales and use tax by a
 7 single county located outside a nonattainment area for the funding of transit projects under
 8 certain conditions; to establish special districts; to provide for definitions, procedures,
 9 conditions, and limitations for the imposition, collection, disbursement, and termination of
 10 the sales and use tax; to provide for the levy of an excise tax upon for-hire ground transport;
 11 to provide for legislative intent; to provide for definitions, procedures, conditions, and
 12 limitations for the imposition, collection, disbursement, and termination of the excise tax; to
 13 provide for penalties; to provide for an automatic repeal; to provide for quarterly reporting;
 14 to provide for authority to establish rules and regulations; to provide for a definition relative
 15 to community improvement districts; to exempt certain reports from public disclosure; to
 16 create the Department of Mobility and Innovation; to provide for definitions; to provide for
 17 the appointment of a commissioner of the department; to provide for salary, qualifications,
 18 eligibility, and responsibilities of such commissioner; to provide for the power to designate
 19 directors and hire employees; to provide for offices and equipment for the department; to
 20 provide for authority to establish rules and regulations; to provide for an official seal; to
 21 provide for duties, responsibilities, and functions of the department; to provide for approval
 22 of certain development of regional impact projects; to provide for the administrative
 23 assignment of certain authorities to the department; to provide for the transfer of certain
 24 functions, funding, and personnel to the department from certain state agencies; to provide
 25 for the establishment of a pilot program administered by the department for the provision of
 26 transit service vouchers for certain unemployed and underemployed persons; to provide for
 27 procedures, conditions, and limitations for the implementation of such pilot program; to
 28 establish the Transit Link Division within such department; to establish a Transit

29 Coordinating Council; to provide for duties and functions of such council; to provide for the
30 establishment of a pilot program for the issuance of a tax credit for an employer providing
31 a transit benefit to employees; to provide for procedures, conditions, and limitations for the
32 implementation of such pilot program; to establish mobility zones for the coordination and
33 implementation of transit within regions of the state; to provide for definitions; to establish
34 mobility zone advisory councils; to provide for approval of a regional transit plan by such
35 councils; to provide the department with power and authority to award grants and loans for
36 transit purposes; to provide for an income tax credit for employers providing transit benefits
37 under certain conditions; to provide for procedures, limitations, and audits relating to such
38 tax credit; to provide for authority to promulgate rules and regulations; to repeal and reserve
39 Chapter 32 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia
40 Regional Transportation Authority; to transfer the Atlanta-region Transit Link "ATL"
41 Authority to the Department of Mobility and Innovation for administrative purposes; to
42 provide changes to conform with such transfer; to provide for definitions; to provide for
43 powers of the authority; to provide for certain planning and reporting to include the
44 Department of Mobility and Innovation; to transfer certain assets, property, and legal rights
45 and obligations of the Georgia Regional Transportation Authority to the Atlanta-region
46 Transit Link "ATL" Authority; to amend Title 40 of the Official Code of Georgia Annotated,
47 relating to motor vehicles and traffic, so as to correct a cross-reference; to amend Article 2
48 of Chapter 10 of Title 32 of the Official Code of Georgia Annotated, relating to the State
49 Road and Tollway Authority, so as to redesignate Code sections relative to such authority
50 to a new chapter and make conforming changes to reflect such transfer; to transfer
51 administrative responsibility of such authority from the Department of Transportation to the
52 Department of Mobility; to revise the membership of the Governor's Development Council;
53 to amend the Official Code of Georgia Annotated so as to make conforming and
54 cross-reference changes relating to such redesignation and transfer; to reserve Article 2 of
55 Chapter 10 of Title 32 of the Official Code of Georgia Annotated, relating to the State Road
56 and Tollway Authority; to provide for related matters; to provide for effective dates; to repeal
57 conflicting laws; and for other purposes.

58 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

59 PART I
60 FUNDING

61 SECTION 1-1.

62 Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is
63 amended in Code Section 48-8-3, relating to exemptions from state sales and use tax, by
64 revising paragraph (25) as follows:

65 "(25) Transportation that is subject to the tax imposed by Article 8 of Chapter 13 of this
66 title Repealed;"

67 SECTION 1-2.

68 Said title is further amended by revising Code Section 48-8-269.40, relating to definitions
69 relative to special districts for transit purposes, as follows:

70 "48-8-269.40.

71 As used in this article, the term:

72 (1) 'Authority' means the Atlanta-region Transit Link 'ATL' Authority created pursuant
73 to Chapter 39 of Title 50.

74 (2) 'Council' means a mobility zone advisory council organized pursuant to Article 2 of
75 Chapter 31 of Title 50 and which has jurisdiction over the mobility zone in which a
76 county is located.

77 (3) 'County' means any county created under the Constitution or laws of this state.

78 ~~(3)~~(4) 'Dealer' shall have the same meaning as provided for in paragraph (8) of Code
79 Section 48-8-2.

80 ~~(4) 'Intergovernmental agreement' means a contract entered into pursuant to Article IX,~~
81 ~~Section III, Paragraph I of the Constitution.~~

82 (5) 'Nonattainment area' means those counties currently having or previously designated
83 as having excess levels of ozone, carbon monoxide, or particulate matter in violation of
84 the standards in the federal Clean Air Act, as amended in 1990 and codified at 42
85 U.S.C.A. Sections 7401 to 7671q and which fall under the jurisdiction exercised by the
86 Atlanta-region Transit Link 'ATL' Authority or any predecessor authority as described
87 in Article 2 of Chapter 39 of Title 50.

88 (6) 'Qualified municipality' means a qualified municipality as defined in paragraph (4)
89 of Code Section 48-8-110 and which is located wholly or partly within a special district.

90 (7) 'Regional transit plan' means the official multiyear plan for transit services and
91 facilities adopted pursuant to Code Section 50-31-38 or 50-39-12.

92 (8) 'Transit' ~~means regular, continuing shared-ride or shared-use surface transportation~~
 93 ~~services that are made available by a public entity and are open to the general public or~~
 94 ~~open to a segment of the general public defined by age, disability, or low income. Such~~
 95 ~~term includes services or systems operated by or under contract with the state, a public~~
 96 ~~agency or authority, a county or municipality, a community improvement district, or any~~
 97 ~~other similar public entity of this state and all accompanying infrastructure and services~~
 98 ~~necessary to provide access to these modes of transportation. Such term excludes charter~~
 99 ~~or sightseeing services, school bus services, courtesy shuttle and intra-facility or terminal~~
 100 ~~services, limousine carriers, and ride share network services, transportation referral~~
 101 ~~services, and taxi services not paid for by a public entity~~ shall have the same meaning as
 102 provided for in Code Section 50-31-2.

103 (9) 'Transit projects' means and includes purposes to establish, enhance, operate, and
 104 maintain, or improve access to transit, including general obligation debt and other
 105 multiyear obligations issued to finance such projects, the operations and maintenance of
 106 such projects once constructed, and the contracted purchase of transit services from
 107 providers without direct capital investment."

108 **SECTION 1-3.**

109 Said title is further amended in Code Section 48-8-269.41, relating to transit special purpose
 110 local option sales and use tax, by revising paragraph (1) of subsection (b) as follows:

111 "(b)(1) Any ~~two or more neighboring counties which are~~ county not located within a
 112 nonattainment area may, by following the procedures required by Part 2 of this article,
 113 impose within ~~their respective special districts~~ the special district a transit special purpose
 114 local option sales and use tax, the proceeds of which shall be used only for transit
 115 projects."

116 **SECTION 1-4.**

117 Said title is further amended by revising Code Section 48-8-269.43, relating to notice for
 118 referendum, meeting, requirements for intergovernmental agreements, requirements for
 119 resolutions, and unanimous approval for neighboring counties and special districts outside
 120 nonattainment areas, as follows:

121 "48-8-269.43.

122 (a)(1) Any ~~two or more neighboring counties~~ county qualified to levy a tax pursuant to
 123 paragraph (1) of subsection (b) of Code Section 48-8-269.41 shall deliver or mail a
 124 written notice to the mayor or chief elected official in each qualified municipality located
 125 within its respective special district prior to the issuance of the call for the referendum.
 126 Such notice shall contain the date, time, place, and purpose of a meeting at which the

127 governing authorities of the ~~counties~~ county and of each qualified municipality therein
 128 are to meet to discuss possible transit projects for inclusion in the referendum and the rate
 129 of tax. The notice shall be delivered or mailed at least ten days prior to the date of the
 130 meeting. The meeting shall be held at least 60 days prior to any issuance of the call for
 131 the referendum.

132 ~~(b)(2)~~ At the meeting required by subsection (a) of this Code section, the ~~two or more~~
 133 ~~neighboring counties~~ county and all qualified municipalities therein may select transit
 134 projects from the regional transit plan approved by the council to be funded by the
 135 proceeds of the tax authorized by this article. ~~Each county planning to participate in the~~
 136 ~~selected transit project or projects shall enter into intergovernmental agreements which~~
 137 ~~shall include, at a minimum:~~

138 ~~(1) A list of the transit projects proposed to be funded from the tax;~~

139 ~~(2) An agreement identifying the operator of any transit projects proposed if such project~~
 140 ~~or projects are services which require an operator;~~

141 ~~(3) The estimated or projected dollar amounts allocated for each transit project from~~
 142 ~~proceeds from the tax;~~

143 ~~(4) The procedures for distributing proceeds from the tax to each county;~~

144 ~~(5) A schedule for distributing proceeds from the tax to each county, which shall include~~
 145 ~~the priority or order in which transit projects will be fully or partially funded;~~

146 ~~(6) A provision that all transit projects included in the agreement shall be funded from~~
 147 ~~proceeds from the tax except as otherwise agreed;~~

148 ~~(7) A provision that proceeds from the tax shall be maintained in separate accounts and~~
 149 ~~utilized exclusively for the specified purposes;~~

150 ~~(8) Record-keeping and audit procedures necessary to carry out the purposes of this part;~~
 151 ~~and~~

152 ~~(9) Such other provisions as the counties choose to address.~~

153 (b) Following the meeting required by subsection (a) of this Code section, the county shall
 154 deliver or mail to the council a written notice of the intent to call for a referendum to
 155 impose the tax authorized by this article. Such notice shall include a list of transit projects
 156 located within such county chosen from the regional transit plan which the county intends
 157 to fund with proceeds from the tax authorized under this article and the proposed operator
 158 of any such transit projects if such project or projects are services which require an
 159 operator.

160 (c) Upon receipt of such notice from a county, the council shall approve or deny any or all
 161 projects within a submitted transit project list and the proposed operator of any transit
 162 projects if such project or projects are services which require an operator. In making a
 163 determination upon whether to approve transit projects, the council shall take into

164 consideration any other transit projects such council has approved for any neighboring
 165 counties, any transit projects in progress in any neighboring counties, and any additional
 166 federal or state funding that may be available for any projects. The council shall make a
 167 determination and send notification to the county approving or denying the submitted
 168 transit projects and operators, if applicable, no later than 20 days from the receipt of such
 169 list.

170 ~~(d)(1) As soon as practicable after the meeting required in subsection (a) of this Code~~
 171 ~~section and the execution of an intergovernmental agreement~~ receipt of notice from the
 172 appropriate council, the governing authority of ~~each~~ the county ~~desiring to call~~ calling for
 173 a referendum shall, by a majority vote on a resolution offered for such purpose, submit
 174 the list of transit projects and the question of whether the tax should be approved to
 175 electors of the special district in the next scheduled election and shall notify the county
 176 election superintendent within the special district by forwarding to the superintendent a
 177 copy of such resolution calling for the imposition of the tax. Such list, or a digest thereof,
 178 shall be available during regular business hours in the office of the county clerk.

179 (2) The resolution authorized by paragraph (1) of this subsection shall describe or
 180 identify:

181 (A) The specific transit projects to be funded which shall have been selected from the
 182 regional transit plan and approved by the council;

183 (B) The approximate cost of such transit projects;

184 (C) The operator selected for any transit project or projects proposed if such project or
 185 projects are services which require an operator; and

186 (D) The maximum period of time, to be stated in calendar years, for which the tax may
 187 be imposed and the rate thereof. The maximum period of time for the imposition of the
 188 tax shall not exceed 30 years.

189 ~~(d) Unless the referendum required in Code Section 48-8-269.44 is approved in each of~~
 190 ~~the participating counties, the tax shall not be imposed."~~

191 **SECTION 1-5.**

192 Said title is further amended by revising Code Section 48-8-269.44, relating to ballot
 193 language, conduct of election, and impact of approval or rejection for neighboring counties
 194 and special districts outside nonattainment areas, as follows:

195 "48-8-269.44.

196 (a)(1) The ballot submitting the question of the imposition of a tax for transit projects to
 197 the voters within the special district shall have written or printed thereon the following:

198 '() YES Shall a special ___ percent sales and use tax be imposed in the special
 199 district consisting of _____ County for a period of time not to exceed
 200 () NO _____ and for the raising of funds for transit projects?'

201 (2) ~~The ballot shall have written and printed thereon the following:~~

202 ~~'NOTICE TO ELECTORS: Unless the tax is approved in (list each county that has~~
 203 ~~selected the project) for the transit projects, the tax shall not become effective.'~~

204 ~~(3)~~ If debt is to be issued, the ballot shall also have written or printed thereon, following
 205 the language specified by paragraph (1) of this subsection, the following:

206 'If imposition of the tax is approved by the voters, such vote shall also constitute
 207 approval of the issuance of general obligation debt of _____ in the principal
 208 amount of \$_____ for the above purpose.'

209 (b) The election superintendent shall issue the call and conduct the election in the manner
 210 authorized by general law. Each such election shall be governed, held, and conducted in
 211 accordance with the provisions of law from time to time governing the holding of special
 212 elections as provided in Code Section 21-2-540. The superintendent shall canvass the
 213 returns, declare the result of the election, and certify the result to the Secretary of State and
 214 to the commissioner. The expense of the election shall be paid from county funds. All
 215 persons desiring to vote in favor of imposing the tax shall vote 'Yes,' and all persons
 216 opposed to imposing the tax shall vote 'No.' If more than one-half of the votes cast
 217 throughout the entire special district are in favor of imposing the tax ~~in each of the special~~
 218 ~~districts that have elected to hold the referendum~~, then the tax shall be imposed as provided
 219 in this article.

220 (c) Where such question is not approved by the voters, the county may resubmit such
 221 question from time to time upon compliance with the requirements of this article.

222 (d)(1) If the ~~intergovernmental agreement and proposal include~~ proposal includes the
 223 authority to issue general obligation debt and if more than one-half of the votes cast
 224 throughout the entire special district ~~and in each of the special districts that have elected~~
 225 ~~to hold the referendum~~ are in favor of the proposal, then the authority to issue such debt
 226 in accordance with Article IX, Section V, Paragraph I of the Constitution is given to the
 227 proper officers of the county or qualified municipality; otherwise, such debt shall not be
 228 issued. If the authority to issue such debt is so approved by the voters as required in this
 229 subsection, then such debt may be issued without further approval by the voters.

230 (2) If the issuance of general obligation debt is included and approved as provided in this
 231 Code section, then the governing authority of the county may incur such debt either
 232 through the issuance and validation of general obligation bonds or through the execution
 233 of a promissory note or notes or other instrument or instruments. If such debt is incurred
 234 through the issuance of general obligation bonds, such bonds and their issuance and

235 validation shall be subject to Articles 1 and 2 of Chapter 82 of Title 36 except as
 236 specifically provided otherwise in this article. If such debt is incurred through the
 237 execution of a promissory note or notes or other instrument or instruments, no validation
 238 proceedings shall be necessary, and such debt shall be subject to Code Sections 36-80-10
 239 through 36-80-14 except as specifically provided otherwise in this article. In either event,
 240 such general obligation debt shall be payable first from the separate account in which are
 241 placed the proceeds received by the county from the tax. Such general obligation debt
 242 shall, however, constitute a pledge of the full faith, credit, and taxing power of the
 243 county; and any liability on such debt which is not satisfied from the proceeds of the tax
 244 shall be satisfied from the general funds of the county."

245 **SECTION 1-6.**

246 Said title is further amended by revising Code Section 48-8-269.50, relating to disbursement
 247 of proceeds from transit special purpose local option sales and use tax, as follows:

248 "48-8-269.50.

249 (a) The proceeds of the tax collected by the commissioner in each special district qualified
 250 to levy the tax under ~~Part 2~~ of this article shall be disbursed as soon as practicable after
 251 collection as follows:

252 ~~(1) One percent of the amount collected shall be paid into the general fund of the state~~
 253 ~~treasury in order to defray the costs of administration; and~~

254 ~~(2) Except for the percentage provided in paragraph (1) of this subsection, the remaining~~
 255 ~~proceeds of the tax shall be distributed pursuant to the terms of the intergovernmental~~
 256 ~~agreement.~~

257 ~~(b) The proceeds of the tax collected by the commissioner in each special district qualified~~
 258 ~~to levy the tax under Part 3 of this article shall be disbursed as soon as practicable after~~
 259 ~~collection as follows:~~

260 (1) One percent of the amount collected shall be paid into the general fund of the state
 261 treasury in order to defray the costs of administration; and

262 (2) Except for the percentage provided in paragraph (1) of this ~~subsection~~ Code section,
 263 the remaining proceeds of the tax shall be distributed to the special district for the transit
 264 projects specified in the resolution calling for the imposition of the tax."

265 **SECTION 1-7.**

266 Said title is further amended by revising Code Section 48-8-269.56, relating to provisions of
 267 transit special purpose local option sales and use tax create additional tax, as follows:

268 "48-8-269.56.

269 Except as provided in Code Section 48-8-6, the tax authorized under this ~~part~~ article shall
 270 be in addition to any other local sales and use tax. Except as otherwise provided in this
 271 article and except as provided in Code Section 48-8-6, the imposition of any other local
 272 sales and use tax within a county or qualified municipality within a special district shall not
 273 affect the authority of a county to impose the tax authorized under this article, and the
 274 imposition of the tax authorized under this article shall not affect the imposition of any
 275 otherwise authorized local sales and use tax within the special district."

276 **SECTION 1-8.**

277 Said title is further amended in Code Section 48-8-269.57, relating to exclusive use of transit
 278 special purpose local option sales and use tax proceeds, audits, and payment of debt, by
 279 revising paragraph (1) of subsection (a) and subsection (f) as follows:

280 "(1) The proceeds received from the tax shall be used by the county within the special
 281 district ~~or special districts~~ exclusively for the transit projects specified in the resolution
 282 calling for imposition of the tax. ~~When the proceeds are received by a special district~~
 283 ~~authorized to levy the tax pursuant to Part 2 of this article, such~~ Such proceeds shall be
 284 kept in a separate account from other funds of any county receiving proceeds of the tax
 285 and shall not in any manner be commingled with other funds of any county prior to the
 286 expenditure."

287 "~~(f)(1)(A)(i) If the proceeds of the tax are specified to be used solely for the purpose~~
 288 ~~of payment of general obligation debt issued in conjunction with the imposition of the~~
 289 ~~tax authorized to be levied pursuant to Part 2 of this article, then any net proceeds of~~
 290 ~~the tax in excess of the amount required for final payment of such debt may be used~~
 291 ~~for additional transit projects, provided that a subsequent intergovernmental~~
 292 ~~agreement meeting the requirements set forth in subsection (b) of Code Section~~
 293 ~~48-8-269.43 has been entered into. If a subsequent intergovernmental agreement~~
 294 ~~required by this division is not entered into, then such excess proceeds shall be subject~~
 295 ~~to and applied as provided in paragraph (2) of this subsection.~~

296 (ii) If the proceeds of the tax are specified to be used solely for the purpose of
 297 payment of general obligation debt issued in conjunction with the imposition of the
 298 tax authorized to be levied pursuant to ~~Part 3~~ of this article, then any net proceeds of
 299 the tax in excess of the amount required for final payment of such debt may be used
 300 for additional transit projects, provided that such projects are selected from the
 301 regional transit plan and approved by the authority or the council. If approval from
 302 the authority or appropriate council regarding additional transit projects to be funded

303 with any excess net proceeds is not obtained, then such excess proceeds shall be
 304 subject to and applied as provided in paragraph (2) of this subsection.

305 ~~(B)(i) If the special district receives from the tax net proceeds in excess of the~~
 306 ~~maximum cost of the transit projects stated in the resolution calling for the imposition~~
 307 ~~of the tax or in excess of the actual cost of such projects when the tax was authorized~~
 308 ~~to be levied pursuant to Part 2 of this article, then such excess proceeds may be used~~
 309 ~~for additional transit projects, provided that a subsequent intergovernmental~~
 310 ~~agreement meeting the requirements set forth in subsection (b) of Code Section~~
 311 ~~48-8-269.43 has been entered into. If a subsequent intergovernmental agreement~~
 312 ~~required by this division is not entered into, then such excess proceeds shall be subject~~
 313 ~~to and applied as provided in paragraph (2) of this subsection.~~

314 (ii) If the special district receives from the tax net proceeds in excess of the maximum
 315 cost of the transit projects stated in the resolution calling for the imposition of the tax
 316 or in excess of the actual cost of such projects when the tax was authorized to be
 317 levied pursuant to Part 3 of this article, then such excess proceeds may be used for
 318 additional transit projects, provided that such projects are selected from the regional
 319 transit plan and approved by the authority or the appropriate council. If approval
 320 from the authority or appropriate council regarding additional transit projects to be
 321 funded with any excess net proceeds is not obtained, then such excess proceeds shall
 322 be subject to and applied as provided in paragraph (2) of this subsection.

323 (2) Except as provided in paragraph (1) of this subsection, excess proceeds shall be used
 324 solely for the purpose of reducing any indebtedness of any county within the special
 325 district other than indebtedness incurred pursuant to this article. If there is no such other
 326 indebtedness or if the excess proceeds exceed the amount of any such other indebtedness,
 327 then the excess proceeds shall next be paid into the general fund of such county, it being
 328 the intent that any funds so paid into the general fund of such county be used for the
 329 purpose of reducing ad valorem taxes."

330 SECTION 1-9.

331 Said title is further amended by revising Code Section 48-8-269.58, relating to annual
 332 reporting to public of transit project expenditures via newspaper, as follows:

333 "48-8-269.58.

334 Not later than December 31 of each year, the governing authority of the county receiving
 335 any proceeds from the tax under this part article shall publish annually, in a newspaper of
 336 general circulation in the boundaries of such county, a simple, nontechnical report which
 337 shows for each transit project in the resolution calling for the imposition of the tax the
 338 original estimated cost, the current estimated cost if it is not the original estimated cost,

339 amounts expended in prior years, and amounts expended in the current year. The report
 340 shall also include a statement of what corrective action the county intends to implement
 341 with respect to each project which is underfunded or behind schedule and a statement of
 342 any surplus funds which have not been expended for a purpose."

343 **SECTION 1-10.**

344 Said title is further amended by adding a new article to Chapter 13, relating to specific,
 345 business, and occupation taxes, to read as follows:

346 "ARTICLE 8

347 48-13-140.

348 It is declared to be the purpose and intent of the General Assembly that:

349 (1) An effective air quality control measure is to reduce the number of motor vehicles
 350 on the roadways through an increased use of transit vehicles;

351 (2) Reducing the number of motor vehicles on the roadways is of great import and would
 352 aid in improvement of the air quality of this state;

353 (3) An excise tax shall be levied upon for-hire ground transport trips; and

354 (4) Funds derived from such tax shall be made available and used exclusively for transit
 355 and transit projects.

356 48-13-141.

357 As used in this article, the term:

358 (1) 'For-hire ground transport service provider' means a limousine carrier, ride share
 359 network service, taxi service, and transportation referral service as such terms are defined
 360 in Code Section 40-1-190.

361 (2) 'For-hire ground transport trip' means a completed journey by vehicle provided by
 362 a for-hire ground transport service provider or any request for such journey for which a
 363 customer is charged, whether completed or not.

364 48-13-142.

365 Pursuant to the authority granted by Article IX, Section II, Paragraph VI of the Constitution
 366 of this state, there are created within this state 159 special districts. The geographical
 367 boundary of each county shall correspond with and shall be conterminous with the
 368 geographical boundary of one of the 159 special districts.

369 48-13-143.

370 (a) On and after January 1, 2020, an excise tax in the amount of 50¢ shall be levied upon
 371 any for-hire ground transport trip. Such excise tax shall be collected and remitted by the
 372 for-hire ground transport service provider itself and not the vehicle driver. Such excise tax
 373 shall be due and payable in the same manner as would otherwise be required under
 374 Article 1 of Chapter 8 of this title if such service was provided by a dealer as such term is
 375 defined in Code Section 48-8-2.

376 (b) It is the intention of the General Assembly, subject to appropriations, that the taxes
 377 collected pursuant to subsection (a) of this Code section shall be made available and used
 378 exclusively for transit and transit projects, as such terms are defined in Code Section
 379 48-8-269.40.

380 (c) If the amount collected under this Code section is ever not appropriated for a fiscal year
 381 as provided by subsection (b) of this Code section, as determined jointly by the House
 382 Budget and Research Office and the Senate Budget and Evaluation Office, then the amount
 383 collected shall be reduced by 50 percent. Upon the conclusion of a second fiscal year in
 384 which the amount collected is not so appropriated, this Code section shall stand repealed
 385 and reserved, and such fees shall cease to be collected, on the date the appropriations Act
 386 for such fiscal year becomes effective. Such budget offices shall certify any such lack of
 387 appropriation to the Code Revision Commission for purposes of updating the Code in
 388 accordance with this subsection.

389 48-13-144.

390 Any for-hire ground transport service provider that knowingly and willfully violates the
 391 requirements of this article shall be assessed a civil penalty of not more than \$10,000.00
 392 in addition to the amount of tax due.

393 48-13-145.

394 A for-hire ground transport service provider shall submit a quarterly report to the
 395 department and Department of Mobility and Innovation that identifies the number of
 396 for-hire ground transport trips provided by county. All such reports shall be treated as
 397 confidential and shall not be subject to Article 4 of Chapter 18 of Title 50, relating to open
 398 records.

399 48-13-146.

400 The department is authorized to adopt rules and regulations necessary for the enforcement
 401 and implementation of the provisions of this article."

402 **SECTION 1-11.**

403 Code Section 36-80-26 of the Official Code of Georgia Annotated, relating to multi-county
 404 community improvement districts for transit projects, is amended by revising paragraph (3)
 405 of subsection (a) as follows:

406 ~~"(3) 'Transit' means regular, continuing shared-ride or shared-use surface transportation~~
 407 ~~services that are made available by a public entity and are open to the general public or~~
 408 ~~open to a segment of the general public defined by age, disability, or low income. Such~~
 409 ~~term includes services or systems operated by or under contract with the state, a public~~
 410 ~~agency or authority, a county or municipality, a community improvement district, or any~~
 411 ~~other similar public entity of this state and all accompanying infrastructure and services~~
 412 ~~necessary to provide access to these modes of transportation. Such term excludes charter~~
 413 ~~or sightseeing services, school bus services, courtesy shuttle and intra-facility or terminal~~
 414 ~~services, limousine carriers, and ride share network services, transportation referral~~
 415 ~~services, and taxi services not paid for by a public entity shall have the same meaning as~~
 416 ~~provided for in Code Section 50-31-2.~~

417 **SECTION 1-12.**

418 Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to when public
 419 disclosure is not required under open records requirements, is amended by revising
 420 paragraphs (49) and (50) of and adding a new paragraph to subsection (a), to read as follows:

421 "(49) Data, records, or information acquired by the Commissioner of Labor or the
 422 Department of Labor as part of any investigation required pursuant to Code Section
 423 39-2-18, relating to minors employed as actors or performers; ~~or~~
 424 (50) Held by the Georgia Superior Court Clerks' Cooperative Authority or any other
 425 public or private entity for and on behalf of a clerk of superior court; provided, however,
 426 that such records may be obtained from a clerk of superior court unless otherwise
 427 exempted from disclosure; or
 428 (51) Reports submitted to the Department of Revenue or the Department of Mobility and
 429 Innovation by a for-hire ground transport service provider as required pursuant to Code
 430 Section 48-13-145."

431 **PART II**
 432 **GOVERNANCE**

433 **SECTION 2-1.**

434 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
 435 by revising Chapter 31, which is reserved, as follows:

436

"ARTICLE 1437 50-31-1.438 There is created the Department of Mobility and Innovation.439 50-31-2.440 As used in this chapter, the term:441 (1) 'Commissioner' means the commissioner of the department.442 (2) 'County' means any county of this state, including any consolidated governments.443 (3) 'Constitution' means the Constitution of the State of Georgia.444 (4) 'Contract' means any contract, agreement, or other legally binding arrangement.445 (5) 'Department' means the Department of Mobility and Innovation.446 (6) 'Division' means the Transit Link Division of the department established in Part 1 of
447 Article 2 of this chapter.448 (7) 'Governing body' means the board of commissioners of a county, sole commissioner
449 of a county, council, commissioners, or other governing authority for a county or
450 municipality.451 (8) 'Local government' means any county, municipality, or other political subdivision of
452 the state; any regional commission; any public agency or public authority, except any
453 state agency or state authority, created under the Constitution or by Act of the General
454 Assembly; shall include public agencies and public authorities which are created or
455 activated pursuant to the Constitution or Act of the General Assembly or by action of the
456 governing body of any county, municipality, or other political subdivision of the state,
457 separately or in any combination; and shall include any group of counties or
458 municipalities which forms the group to carry out jointly any lawful purposes but shall
459 not include school districts.460 (9) 'Mobility' means public or private services that provide users with on-demand,
461 shared-use transportation utilizing new technologies and modes.462 (10) 'Mobility zone' means the area established pursuant to Part 2 of Article 2 of this
463 chapter.464 (11) 'Municipality' has the same meaning as provided in Code Section 36-30-1.465 (12) 'Necessary' means warranted, desirable, or appropriate, as determined by the
466 commissioner, unless the context clearly indicates a different meaning.467 (13) 'Regional transit plan' means the official multiyear plan adopted for a mobility zone
468 for the provision of transit services throughout the jurisdiction of such area pursuant to
469 Code Sections 50-31-38 or 50-39-12.470 (14) 'State' means the State of Georgia.

471 (15) 'Transit' means regular, continuing shared-ride or shared-use surface transportation
472 services that are made available by or funded by a public entity and are open to the
473 general public or open to a segment of the general public defined by age, disability, or
474 low income. Such term includes services or systems operated by or under contract with
475 the state, a state agency or authority, a local government, or any other similar public
476 entity of this state and all accompanying infrastructure and services necessary to provide
477 access to these modes of transportation. Such term excludes charter or sightseeing
478 services; school bus services; courtesy shuttle and intra-facility or terminal services;
479 limousine carriers; and ride share network services, transportation referral services, and
480 taxi services, as such terms are defined in Chapter 1 of Title 40, and which are not paid
481 for by a public entity.

482 50-31-3.

483 (a) The head of the department shall be the commissioner who shall exercise supervision
484 and control over all divisions and employees of the department.

485 (b) The commissioner shall be appointed by the Governor with the consent of the Senate
486 and shall serve at the pleasure of the Governor.

487 (c) Beginning July 1, 2019, the commissioner shall receive an annual salary to be set by
488 the Governor, payable monthly or semimonthly, which shall be his or her total
489 compensation for services as commissioner. The commissioner shall not be entitled to
490 receive a contingent expense allowance, except that the commissioner shall be reimbursed
491 for all actual and necessary expenses incurred by him or her in carrying out his or her
492 official duties.

493 (d) The commissioner shall be required to take and subscribe before the Governor an oath
494 to discharge faithfully and impartially the duties of such office, which oath shall be in
495 addition to the oath required of all civil officers.

496 (e) The commissioner shall be of good moral character and shall not have been convicted
497 in any court of competent jurisdiction of any crime involving moral turpitude.

498 50-31-4.

499 (a) No person serving as commissioner shall be eligible during his or her term of service
500 and for a period of 12 months after the expiration or termination of his or her term of
501 service to be a candidate in any primary, special, or general election for any state or federal
502 elective office or to hold any such office.

503 (b) Subsection (a) of this Code section shall not be construed to prevent any commissioner
504 or former commissioner from being appointed to any elective office, to disqualify him or
505 her from being a candidate in any election to succeed himself or herself in any such office

506 to which he or she has been appointed, or to disqualify him or her from holding any such
507 office in the event he or she is elected to and otherwise qualifies for the office.

508 50-31-5.

509 (a) The commissioner shall establish by executive order such units within the department
510 as he or she deems proper for its administration and shall designate persons to be directors
511 and assistant directors of such units to exercise such authority as he or she may delegate
512 to them in writing.

513 (b) The commissioner shall have the authority to employ as many persons deemed
514 necessary for the administration of the department or authorities assigned to it and for the
515 discharge of the duties of his or her office. The commissioner shall issue all necessary
516 directions, instructions, orders, and rules applicable to such persons. The commissioner
517 shall have authority, as he or she deems proper, to employ, assign, compensate, and
518 discharge employees of the department within the limitations of the department's
519 appropriation, the requirements of the state system of personnel administration, including
520 the rules and regulations of the State Personnel Board, and the restrictions set forth by law.

521 50-31-6.

522 (a) The commissioner shall:

523 (1) Direct the affairs of the department in the administration and enforcement of all laws
524 enacted for the purpose of providing transit and mobility throughout this state;

525 (2) Supervise the administration and funding of transit and project coordination and
526 planning of transit throughout the state, subject to the sovereign rights of the counties to
527 regulate their own affairs;

528 (3) Supervise programs focused on innovative technologies, strategies, and solutions for
529 providing efficient and groundbreaking methods for the movement of people and goods;

530 (4) Be authorized to take actions necessary for the purposes of entering into contracts on
531 behalf of the department in an expedited and efficient manner;

532 (5) On behalf of the department, receive and allocate funding from the state and federal
533 government for capital and operations of transit services and mobility innovation
534 projects; and

535 (6) Submit to the Governor and to each regular session of the General Assembly an
536 annual report of the conduct of his or her office. The commissioner shall not be required
537 to distribute copies of the annual report to the members of the General Assembly but shall
538 notify the members of the availability of the annual report in the manner which he or she
539 deems to be most effective and efficient. As the chief mobility and innovation official

540 of the state, he or she shall advise the Governor and the General Assembly on all matters
541 relating to transit and mobility innovations.

542 (b) The provisions of this Code section enumerating the duties of the commissioner shall
543 not be construed to exclude other duties assigned to the commissioner by law.

544 50-31-7.

545 The commissioner shall be provided with suitable offices and equipment, the expense of
546 which shall be paid by the state or from funds or other resources available to the
547 department for such purpose.

548 50-31-8.

549 (a) The commissioner shall have the power to make and publish in print or electronically
550 reasonable rules and regulations not inconsistent with this chapter or other laws or with the
551 Constitution of this state or of the United States for the enforcement of this chapter.

552 (b) The authority granted to the commissioner pursuant to this Code section shall be
553 exercised at all times in conformity with Chapter 13 of Title 50, the 'Georgia
554 Administrative Procedure Act.'

555 50-31-9.

556 The commissioner shall have an official seal of such device as he or she shall select,
557 subject to the approval of the Governor.

558 50-31-10.

559 (a) The department shall perform the duties, responsibilities, and functions and may
560 exercise the power and authority described in this Code section. The department shall
561 undertake and carry out such planning and technical assistance activities as the
562 commissioner may deem necessary for providing transit and mobility and as may be
563 specified by law. Such planning and technical assistance activities may include, but shall
564 not be limited to, assistance to local governments or any state agency or authority in the
565 form of support with respect to preparation and implementation of a regional transit plan;
566 recommendations for policies and action, and governmental administration, finance,
567 management, planning, coordination, and operations relating to transit; and working with
568 emerging technologies and businesses to develop and implement advanced mobility
569 solutions.

570 (b) The department shall undertake and carry out, and shall coordinate with other state
571 agencies, state authorities, and local governments in undertaking and carrying out, such
572 gathering of information, such distribution of information, and such studies and

573 recommendations as the commissioner may deem necessary for providing transit and
 574 innovative mobility and as may be specified by law. Such coordination, gathering, and
 575 distribution of information and studies may include, but shall not be limited to, the
 576 following:

577 (1) The department may assist the Governor, the General Assembly, any committees of
 578 the General Assembly, any state department, any state agency, any state authority, or any
 579 local government with studies, surveys, investigations, maps, reports, plans,
 580 recommendations, advice, and information prepared, developed, or obtained by the
 581 department in connection with the provision of transit and innovative mobility;

582 (2) The department may write, draft, prepare, or publish in print or electronically any
 583 studies, surveys, investigations, maps, reports, plans, recommendations, advice, and
 584 information with respect to local, regional, or state transit planning, coordination, and
 585 operations. The department may distribute or otherwise disseminate any such studies,
 586 surveys, investigations, maps, reports, plans, recommendations, advice, and information
 587 to any local government, any state authority or state agency, or any private entity; and

588 (3) The department shall serve as the coordinating entity and repository for regional
 589 transit plans.

590 (c) The department shall employ mobility zone managers which correspond to the mobility
 591 zone jurisdictions set forth in Code Section 50-31-36 for purposes of providing coordinated
 592 and comprehensive planning of transit, preparation of regional transit plans, and
 593 implementation of regional transit plans in mobility zones throughout the state.

594 (d) The department shall undertake and carry out such activities as the commissioner may
 595 deem necessary for supervising the implementation of projects within mobility zones and
 596 as may be specified by law.

597 (e) The duties, responsibilities, and functions of the department and the power and
 598 authority of the department described in this Code section are cumulative with, and in
 599 addition to, all other duties, responsibilities, and functions and power and authority of the
 600 department and are not intended to, and shall not be construed to, conflict with any other
 601 duties, responsibilities, or functions or any other power or authority of the department.

602 50-31-11.

603 (a) The department shall perform the duties, responsibilities, and functions and may
 604 exercise the power and authority described in this Code section. The department shall
 605 make grants or loans to eligible recipients or qualified local governments, which grants or
 606 loans are specified by amount, recipient, and purpose in an appropriation to the department.

607 The department:

608 (1) Shall disburse such grants or loans on the basis of criteria which include
 609 consideration of matters such as legislative intent; local, regional, or state-wide impact
 610 or benefit; enhancement of community and economic development opportunities;
 611 improvement or expansion of transit; coordinated and comprehensive transit planning in
 612 accordance with minimum standards and procedures; deployment of new and
 613 groundbreaking technologies in relation to mobility; and any other similar criteria that
 614 may from time to time be established by the department; and

615 (2) May condition the award of any such grants or loans to a county or municipality upon
 616 the county or municipality, as the case may be, being a qualified local government.

617 (b) The department shall direct the distribution of any appropriations or other funds
 618 available for transit and innovative mobility in accordance with any Act of the General
 619 Assembly providing for such appropriations. No grant or loan by the department to any
 620 eligible recipient or qualified local government shall adversely affect any grant, loan, or
 621 service to the eligible recipient or qualified local government by any other unit or
 622 instrumentality of state government. Without limiting the foregoing, the Department of
 623 Education, the Department of Transportation, the Georgia Environmental Finance
 624 Authority, and the state treasurer shall not diminish or fail to award any funds, loans, or
 625 service to any recipient under any state or federal program in whole or in part on account
 626 of a grant or loan by the department. Grants or loans by the department are and shall be
 627 deemed to be of a special nature and in addition to all such other grants, loans, or awards.
 628 The following provisions shall apply to making such funds available to eligible recipients
 629 or qualified local governments:

630 (1) The department may accept, use, and disburse gifts and grants made to it on terms
 631 consistent with its legal powers, from any public or private source;

632 (2) The department shall specify the terms under which it makes any funds available to
 633 an eligible recipient or qualified local government. The terms shall be those established
 634 or otherwise required by the government or other source which makes the funds available
 635 to the department. If such government or other source does not establish or otherwise
 636 require any such terms, the department may establish the terms;

637 (3) The department shall set forth in writing the terms under which the department makes
 638 funds available to a qualified local government or eligible recipient. The terms may be
 639 set forth in a contract. The department may execute any such contract on behalf of the
 640 state, and any eligible recipient which is a qualified local government, school district,
 641 state agency, or state authority is authorized to execute any such contract. Any such
 642 writing or contract may incorporate other terms or laws by reference to such terms or
 643 laws; and

644 (4) The department shall manage and administer all funds made available pursuant to this
645 Code section.

646 (c) The department may apply for, receive, administer, and use any grant, other financial
647 assistance, or other funds made available to the department from any government or other
648 source for furthering the purposes of the department. The department's actions in this
649 respect may be taken for itself or on behalf of qualified local governments or other eligible
650 recipients. The department's power and authority under this subsection shall include, but
651 not be limited to, federal funds for purposes of transit funding for capital projects and for
652 financing and directly providing public transportation under 49 U.S.C. Sections 5302
653 through 5304.

654 (d) The department is authorized and shall have all powers necessary to participate in
655 federal programs and to comply with laws relating thereto. Nothing in this chapter shall
656 prevent the department from taking any action in order to comply with federal law or
657 regulations.

658 (e) The governing authority of any county, municipality, or combination thereof may
659 expend public funds received from the department to plan, coordinate, or provide transit
660 or innovative mobility as authorized under the terms specified by the department or, in the
661 absence of any such terms, as otherwise authorized by the Constitution or by law or to
662 perform any other service or function as authorized by the Constitution.

663 (f) The department shall make available to any state agency or authority assigned to the
664 department for administrative purposes all funds made available to the department for the
665 use of any such state authority or agency. The department may make available funds to
666 such state agencies or authorities for any lawful purposes of any such state agencies or
667 authorities.

668 (g) The power and authority of the department under this Code section to make available
669 to local governments or any other eligible recipient any funds shall be limited by the
670 Constitution and laws of the state, and as specified in this Code section, but shall not
671 otherwise be limited. Nothing in this Code section shall diminish or limit any powers or
672 eligibility standards provided to the State Road and Tollway Authority through the
673 Transportation Infrastructure Bank pursuant to Article 3 of Chapter 41 of this title.

674 50-31-12.

675 In any case where a development of regional impact, as determined by the Department of
676 Community Affairs pursuant to Article 1 of Chapter 8 of this title, is planned within the
677 geographic area over which the Atlanta-region Transit Link 'ATL' Authority has
678 jurisdiction which requires the expenditure of state or federal funds by the state or any
679 political subdivision, agency, authority, or instrumentality thereof to create land

680 transportation services or access to such development, any expenditure of such funds shall
 681 be prohibited unless and until the plan for such development and such expenditures is
 682 reviewed and approved by the department. The decision of the department to allow or
 683 disallow the expenditure of such funds shall be final and nonreviewable, except that such
 684 decision shall be reversed where a resolution for such purpose is passed by vote of
 685 three-fourths of the authorized membership of the county commission of the county in
 686 which the development of regional impact is planned or, if such development is within a
 687 municipality, by vote of three-fourths of the authorized membership of the city council.

688 50-31-13.

689 (a) Authorities may be assigned to the department for administrative purposes in
 690 accordance with Code Section 50-4-3. The following authorities are assigned to the
 691 department in accordance with such Code section:

692 (1) The State Road and Tollway Authority; and

693 (2) The Atlanta-region Transit Link 'ATL' Authority.

694 (b) The department may induce, by payment of state funds or other consideration, any
 695 authority assigned to the department for administrative purposes to perform any local
 696 government services and to perform its own statutory function.

697 (c) The commissioner shall serve as the executive director for any authority assigned to
 698 the department pursuant to this Code section.

699 50-31-14.

700 (a) On July 1, 2020, all functions related to the administration, implementation, or
 701 coordination of transit services and all federal or state funding relating thereto assigned or
 702 appropriated to the Department of Transportation, Department of Human Services,
 703 Department of Behavioral Health and Developmental Disabilities, and Department of
 704 Community Health shall be administratively transferred to the department.

705 (b) The department shall succeed to all rules, regulations, policies, procedures, and
 706 administrative orders of the Department of Transportation, Department of Human Services,
 707 Department of Behavioral Health and Developmental Disabilities, and Department of
 708 Community Health that are in effect on June 30, 2020, or scheduled to go into effect on or
 709 after July 1, 2020, and which relate to the functions transferred to the department pursuant
 710 to this Code section and shall further succeed to any rights, privileges, entitlements,
 711 obligations, and duties of the Department of Transportation, Department of Human
 712 Services, Department of Behavioral Health and Developmental Disabilities, and
 713 Department of Community Health that are in effect on June 30, 2020, which relate to the
 714 functions transferred to the department pursuant to this Code section. Such rules,

715 regulations, policies, procedures, and administrative orders shall remain in effect until
716 amended, repealed, superseded, or nullified by the department by proper authority or as
717 otherwise provided by law. Nothing in this Code section shall prevent the department from
718 taking any action in order to comply with federal law or regulations.

719 (c) The rights, privileges, entitlements, and duties of parties to contracts, leases,
720 agreements, and other transactions as identified by the Office of Planning and Budget
721 entered into before July 1, 2020, by the Department of Transportation, Department of
722 Human Services, Department of Behavioral Health and Developmental Disabilities, and
723 Department of Community Health which relate to the functions transferred to the
724 department pursuant to this Code section shall continue to exist; and none of these rights,
725 privileges, entitlements, and duties are impaired or diminished by reason of the transfer of
726 the functions to the department; provided, however, that nothing in this Code section shall
727 hinder the commissioner from making decisions based upon employment needs of the
728 department. In all such instances, the department shall be substituted for the Department
729 of Transportation, Department of Human Services, Department of Behavioral Health and
730 Developmental Disabilities, and Department of Community Health and the department
731 shall succeed to the rights and duties under such contracts, leases, agreements, and other
732 transactions.

733 (d) All vacant positions and persons employed by the Department of Transportation,
734 Department of Human Services, Department of Behavioral Health and Developmental
735 Disabilities, and Department of Community Health in capacities which relate to the
736 functions transferred to the department pursuant to this Code section on June 30, 2020,
737 shall, on July 1, 2020, become employees of the department in similar capacities, as
738 determined by the commissioner. Such employees shall be subject to the employment
739 practices and policies of the department on and after July 1, 2020, but the compensation
740 and benefits of such transferred employees shall not be reduced as a result of such transfer;
741 provided, however, that nothing in this Code section shall hinder the commissioner from
742 making decisions based upon employment needs of the department. Employees who are
743 subject to the rules of the State Personnel Board and thereby under the State Personnel
744 Administration and who are transferred to the department shall retain all existing rights
745 under the State Personnel Administration. Retirement rights of such transferred employees
746 existing under the Employees' Retirement System of Georgia or other public retirement
747 systems on June 30, 2020, shall not be impaired or interrupted by the transfer of such
748 employees, and membership in any such retirement system shall continue in the same
749 status possessed by the transferred employees on June 30, 2020. Accrued annual and sick
750 leave possessed by the transferred employees on June 30, 2020, shall be retained by such
751 employees as employees of the department.

752 (e) On July 1, 2020, the department shall receive custody of the state owned real property
753 in the custody of the Department of Transportation, Department of Human Services,
754 Department of Behavioral Health and Developmental Disabilities, and Department of
755 Community Health on June 30, 2020, and which pertains to the functions transferred to the
756 department pursuant to this Code section.

757 (f) All property held by or under the control of the State Road and Tollway Authority
758 relating to the provision of transit, including, but not limited to, motor vehicles and parking
759 facilities, shall be transferred to the department on July 1, 2020.

760 (g) All equipment, motor vehicles, or other tangible property and any funding previously
761 allocated for any maintenance or operations of such property in possession of the
762 Department of Transportation, Department of Human Services, Department of Behavioral
763 Health and Developmental Disabilities, and Department of Community Health which is
764 used or held exclusively or principally by personnel transferred under this Code section
765 shall be transferred to the department as of July 1, 2020.

766 50-31-15.

767 (a) Subject to appropriation of funds by the General Assembly for such purposes, the
768 department shall conduct a three-year pilot program for the provision of vouchers for the
769 use of transit to the unemployed and underemployed. In designing the pilot program, the
770 department may obtain input from the Georgia Department of Labor and shall be
771 authorized to work with such department to ensure that available state data, such as
772 enrollment in an unemployment benefits program, is leveraged to reduce program cost and
773 assist in determining applicant eligibility. The department shall further work with the
774 Georgia Department of Labor in the development and implementation of a cost-effective
775 and efficient delivery method for transit vouchers to the unemployed and underemployed.

776 (b) Eligibility standards and application procedures for voucher recipients in such program
777 shall be developed by the department; provided, however, that such program shall be
778 available only to applicants residing in a county with:

779 (1) An unemployment rate at 125 percent or greater than the state's average; or

780 (2) A per capita income of less than 75 percent of the state's average.

781 (c) The department shall develop an application and standards for approval of authorized
782 transit providers to accept transit vouchers issued by the department. An authorized transit
783 provider shall, at a minimum, meet all applicable safety, insurance, and registration
784 requirements.

785 (d) The department shall be authorized to develop a payment method and process for the
786 reimbursement to authorized transit providers for services provided in exchange for the
787 voucher established pursuant to this Code section.

788 (e) Annually for the duration of the pilot program, the department shall submit a detailed
 789 written report on the implementation and effectiveness of the pilot program to the
 790 Governor, the Speaker of the House of Representatives, and the President of the Senate.
 791 The final report shall also include recommendations as to expansion of the pilot program
 792 state wide.

793 ARTICLE 2

794 Part 1

795 50-31-25.

796 (a) There is created within the department a Transit Link Division.

797 (b) The division shall be responsible for the development of programs and the provision
 798 of services relating to transit, the allocation of state and federal funds for the provision of
 799 such services, and coordination with local public and private service providers to ensure
 800 efficient and cost-effective service delivery.

801 50-31-26.

802 (a) There is created the Transit Coordinating Council which shall be composed of the
 803 commissioner and the commissioners of transportation, human services, behavioral health
 804 and developmental disabilities, and community health, or their respective designees. The
 805 commissioner or his or her designee shall serve as chairperson. Designees appointed
 806 pursuant to this Code section by the commissioner of a department shall at a minimum be
 807 at the level of division director.

808 (b) The Transit Coordinating Council shall meet at the call of the chairperson at such times
 809 and locations as the chairperson shall determine. The council shall meet not less often than
 810 quarterly, and expenses for participation of its members in said meetings shall be borne by
 811 each participating agency. Administrative expenses, other than travel or per diem expenses
 812 of members, shall be borne by the department.

813 (c) The Transit Coordinating Council shall advise the division as to the implementation
 814 of programs and provision of transit to the indigent, the aged, persons with disabilities, the
 815 unemployed, or the ill.

816 50-31-27.

817 (a) The department shall develop and conduct a three-year pilot program for the purpose
 818 of providing a tax credit to employers that provide a transit benefit program to employees
 819 in order to use transit to travel to or from work. In such pilot program, mobility zone
 820 managers shall work with employers in a mobility zone interested in providing transit as

821 a benefit to employees. In consultation with interested employers and existing and
822 potential transit providers, mobility zone managers shall develop an employee benefits
823 package tax credit proposal for the mobility zone. The department shall determine the form
824 for submission and required contents for such proposals, which shall include, at a
825 minimum:

826 (1) Each potential participating employer;

827 (2) A description of the type or types of transit to be provided by each employer;

828 (3) The number of employees expected to participate in the program; and

829 (4) The total projected cost of providing such transit.

830 (b) The proposal provided for in subsection (a) of this Code section shall be submitted to
831 the division. Upon receipt of such proposals, the division shall choose one mobility zone
832 for award of the pilot program and implementation of the employee benefits package tax
833 credit proposal. In determining which mobility zone shall be awarded the pilot program,
834 the division shall consider:

835 (1) Transit access challenges to employees within the mobility zone or area to be served;

836 (2) Challenges to employers within the mobility zone in filling positions or retaining
837 employees which can be attributed to transit access;

838 (3) The level of innovation proposed to address transit access challenges of employees
839 and employers;

840 (4) Capability of potential participating employers to participate in the pilot program for
841 its duration;

842 (5) The relationship between the anticipated employee participation level and the cost
843 of the service to be provided;

844 (6) Expected economic impact on development within a mobility zone by offering
845 proposed services, including expansion of existing employer operations and attraction of
846 new employers;

847 (7) Ability of the mobility zone to attract employers and encourage private sector
848 partnerships in delivering transit; and

849 (8) Other factors deemed appropriate by the division.

850 (c) Upon the award of a pilot program to a mobility zone, the employers listed in the
851 proposal shall be eligible for a tax credit of \$100.00 per month per employee enrolled in
852 the transit benefit program in accordance with Code Section 48-7-29.3. The maximum
853 allowable tax credit authorized for this pilot program shall be \$1 million annually.

854 (d) The proposal of a mobility zone awarded the pilot program may be amended by a
855 mobility zone manager to add an employer upon approval of the division.

856 (e) Quarterly for the duration of the pilot program, the mobility zone manager shall submit
857 a detailed written report on the implementation and effectiveness of the pilot program to

858 the division, which shall include the number of employee participants per employer and the
 859 costs of services provided.

860 Part 2

861 50-31-35.

862 As used in this part, the term:

863 (1) 'Council' means the mobility zone advisory council assigned to each mobility zone
 864 provided for by this part.

865 (2) 'Regional commission' means a commission established under Article 2 of Chapter
 866 8 of this title.

867 50-31-36.

868 (a) Mobility zones are hereby created and established for purposes of coordinated and
 869 comprehensive planning of transit with mobility zones. Mobility zones shall function as
 870 the regional planning entity for transit in each designated mobility zone of the state as such
 871 zones are set forth in subsection (b) of this Code section. Each mobility zone shall be
 872 designated, by name for all purposes, with such identifying words before the term 'mobility
 873 zone' as the department may choose and designate by official action.

874 (b) The territorial boundaries for the operation of the mobility zones shall be as follows:
 875 Zone 1 shall be made up of the counties of Bartow, Catoosa, Chattooga, Dade, Fannin,
 876 Floyd, Gilmer, Gordon, Haralson, Murray, Pickens, Polk, Walker, and Whitfield; Zone 2
 877 shall be made up of the counties of Banks, Barrow, Clarke, Dawson, Elbert, Franklin,
 878 Greene, Habersham, Hall, Hart, Jackson, Jasper, Lumpkin, Madison, Morgan, Newton,
 879 Oconee, Oglethorpe, Rabun, Stephens, Towns, Union, Walton, and White; Zone 3 shall be
 880 made up of the counties of Burke, Columbia, Glascock, Hancock, Jefferson, Jenkins,
 881 Lincoln, McDuffie, Richmond, Taliaferro, Warren, Washington, and Wilkes; Zone 4 shall
 882 be made up of the counties of Butts, Carroll, Chattahoochee, Clay, Crisp, Dooly, Harris,
 883 Heard, Lamar, Macon, Marion, Meriwether, Muscogee, Pike, Quitman, Randolph, Schley,
 884 Spalding, Stewart, Sumter, Talbot, Taylor, Troup, Upson, and Webster; Zone 5 shall be
 885 made up of the counties of Appling, Baldwin, Bibb, Bleckley, Candler, Crawford, Dodge,
 886 Emanuel, Evans, Houston, Jeff Davis, Johnson, Jones, Laurens, Monroe, Montgomery,
 887 Peach, Pulaski, Putnam, Tattnall, Telfair, Toombs, Treutlen, Twiggs, Wayne, Wheeler,
 888 Wilcox, and Wilkinson; Zone 6 shall be made up of the counties of Bryan, Bulloch,
 889 Camden, Chatham, Effingham, Glynn, Liberty, Long, McIntosh, and Screven; Zone 7 shall
 890 be made up of the counties of Baker, Calhoun, Colquitt, Decatur, Dougherty, Early, Grady,
 891 Lee, Miller, Mitchell, Seminole, Terrell, Thomas, and Worth; Zone 8 shall be made up of

892 the counties of Atkinson, Bacon, Ben Hill, Berrien, Brantley, Brooks, Charlton, Clinch,
 893 Coffee, Cook, Echols, Irwin, Lanier, Lowndes, Pierce, Tift, Turner, and Ware; and Zone
 894 9 shall be made up of the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas,
 895 Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale.

896 50-31-37.

897 (a) Except as provided for in subsection (c) of this Code section, the approval of a regional
 898 transit plan of a mobility zone shall be vested in a council, subject to the provisions of this
 899 chapter and to the provisions of bylaws adopted by a council as authorized by this chapter.
 900 Each council shall make bylaws governing its own operation and functions.

901 (b)(1) Except as provided for in subsection (c) of this Code section, each council shall be
 902 made up of seven members appointed by the chairperson of the regional commission with
 903 territorial limits which coincide with the mobility zone. If a mobility zone encompasses
 904 the territorial limits of more than one regional commission, four members shall be
 905 appointed by the chairperson of the regional commission with the greatest total
 906 population, and three members shall be appointed by the chairperson of the other regional
 907 commission. Members of the council shall be selected from among the membership of
 908 the regional commission with territorial limits which coincide with the mobility zone and
 909 shall include the chief elected official from the most populous county.

910 (2) The term of a member shall terminate immediately upon:

911 (A) Resignation by a member;

912 (B) Death of a member or inability to serve as a member due to medical infirmity or
 913 other incapacity; or

914 (C) Any change in local elective office or residence of a member which would cause
 915 such member to no longer comply with the requirements of membership to a regional
 916 commission council as provided in Code Section 50-8-34.

917 (3) Each member of a council shall have one vote. Establishment of a quorum for
 918 purposes of the conduct of business shall be determined by the council's bylaws.

919 (4) Each council shall elect from among its members a chairperson, vice chairperson, and
 920 secretary or treasurer who shall serve for a term of two years and until their successors
 921 are elected and qualified. Such elections shall be held biennially at a meeting designated
 922 for that purpose in the council's bylaws.

923 (c) The council for Zone 9 shall be the board of directors for the Atlanta-region Transit
 924 Link 'ATL' Authority and shall be governed in all respects by the provisions of Chapter 39
 925 of this title.

926 50-31-38.

927 (a) In consultation with the metropolitan planning organization, as such term is defined in
 928 Code Section 48-8-242, which jurisdiction is located wholly or partially within the
 929 territorial limits of the mobility zone, the department shall develop, annually review, and
 930 amend, as necessary, a regional transit plan. Such plan shall include, but not be limited to,
 931 transit projects based upon a region-wide approach to the provision of transit services,
 932 enhancement of connectivity throughout the territorial limits of the mobility zone,
 933 cost-effective expansion of existing transit systems, the coordination of schedules and
 934 methods of payment for transit service providers, the delivery of transit through
 935 nontraditional methods or innovative technologies, and a coordinated approach to the
 936 provision of services to segments of the general public defined by age, disability, or low
 937 income. In developing such plan, the department may consider both macro level planning
 938 in order to efficiently coordinate transit across jurisdictional lines as well as micro level
 939 planning of services being delivered by local governments and transit service operators, in
 940 order to ensure continuation of current services or routes.

941 (b) The plan developed pursuant to this Code section shall include, at a minimum, a six
 942 year and 20 year component which shall reflect the federal priorities set forth in 23 U.S.C.
 943 Section 134(i)(2)(A)(ii) and 23 U.S.C. Section 134(j)(2)(A) and, upon approval by the
 944 council, shall serve as the plans to be submitted for federal funding pursuant to such federal
 945 requirements.

946 (c) In addition to amendments made to the plan developed pursuant to this Code section
 947 upon the initiative of the department based upon changing conditions and approval by the
 948 council, the department may amend the plan upon request from a local governing authority
 949 to include a certain project or assist with a specific transit need."

950 **SECTION 2-2.**

951 Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to
 952 imposition, rate, computation, and exemptions for income taxes, is amended by adding a new
 953 Code section to read as follows:

954 "48-7-29.3.

955 (a) For a period beginning January 1, 2021, and ending December 31, 2023, a taxpayer
 956 that is an approved participating employer in the pilot program established pursuant to
 957 Code Section 50-31-27 shall be allowed a credit against the tax imposed by this chapter in
 958 an amount equal to \$100.00 per month per employee transit benefit provided.

959 (b) The commissioner may require adequate supporting documentation showing that the
 960 taxpayer provided an employee with the qualifying transit benefit.

961 (c) In no event shall the total amount of the tax credit under this Code section for a taxable
 962 year exceed the taxpayer's income tax liability. Any unused tax credit shall be allowed the
 963 taxpayer against succeeding years' tax liability. No such credit shall be allowed the
 964 taxpayer against prior years' tax liability.

965 (d) Any taxpayer claiming the tax credit provided for by this Code section shall be
 966 required to reimburse the department for any department initiated audits relating to the tax
 967 credit. This subsection shall not apply to routine tax audits of a taxpayer which may
 968 include a review of the credit provided in this Code section.

969 (e) The commissioner shall be authorized to promulgate any rules and regulations
 970 necessary to implement and administer the provisions of this Code section."

971 PART III

972 ABOLISHMENT OF THE GEORGIA REGIONAL

973 TRANSPORTATION AUTHORITY

974 SECTION 3-1.

975 Code Section 40-1-100, relating to definitions relative to the certification of motor carriers,
 976 is amended by replacing "Georgia Regional Transportation Authority" with "Atlanta-region
 977 Transit Link 'ATL' Authority" wherever the former occurs.

978 SECTION 3-2.

979 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
 980 in Code Section 50-23-4, relating to definitions relative to the Environmental Finance
 981 Authority, by revising paragraph (12) as follows:

982 "(12) 'Project' means:

983 (A) The acquisition, construction, installation, modification, renovation, repair,
 984 extension, renewal, replacement, or rehabilitation of land, interest in land, buildings,
 985 structures, facilities, or other improvements and the acquisition, installation,
 986 modification, renovation, repair, extension, renewal, replacement, rehabilitation, or
 987 furnishing of fixtures, machinery, equipment, furniture, or other property of any nature
 988 whatsoever used on, in, or in connection with any such land, interest in land, building,
 989 structure, facility, or other improvement, all for the essential public purpose of
 990 providing environmental facilities and services so as to meet public health and
 991 environmental standards, protect the state's valuable natural resources, or aid the
 992 development of trade, commerce, industry, agriculture, and employment opportunities,
 993 including, but not limited to, any project as defined by Code Section 12-5-471; and

994 (B) ~~Projects authorized by the Georgia Regional Transportation Authority created by~~
 995 ~~Chapter 32 of this title and as defined in such chapter, where such authority has been~~
 996 ~~directed to issue revenue bonds, bonds, notes, or other obligations to finance such~~
 997 ~~project or the cost of a project in whole or in part, provided that such authority's power~~
 998 ~~with respect to such projects authorized by the Georgia Regional Transportation~~
 999 ~~Authority shall be limited to providing such financing and related matters as authorized~~
 1000 ~~by the Georgia Regional Transportation Authority; and~~
 1001 (C) Projects authorized by the Atlanta-region Transit Link 'ATL' Authority created
 1002 pursuant to Chapter 39 of this title and as defined in such chapter, where such authority
 1003 has been directed to issue revenue bonds, bonds, notes, or other obligations to finance
 1004 such project or the cost of a project in whole or in part, provided that such authority's
 1005 power with respect to such projects authorized by the Atlanta-region Transit Link 'ATL'
 1006 Authority shall be limited to providing such financing and related matters as authorized
 1007 by the Atlanta-region Transit Link 'ATL' Authority."

1008 SECTION 3-3.

1009 Said title is further amended by repealing Chapter 32, relating to the Georgia Regional
 1010 Transportation Authority, in its entirety and designating such chapter as reserved.

1011 SECTION 3-4.

1012 Said title is further amended in Code Section 50-39-14, relating to approval of projects,
 1013 issuance of bonds or other financing issues of the Atlanta-region Transit Link "ATL"
 1014 Authority and subordination of Georgia Environmental Finance Authority, by revising
 1015 subsection (c) as follows:

1016 "(c) The Georgia Environmental Finance Authority shall be subordinate to the authority
 1017 in all respects, with respect to authority projects, within the geographic area over which the
 1018 authority has jurisdiction; and, in the event of any conflict with the provisions of Chapter
 1019 23 of this title, the provisions of this chapter shall prevail in all respects. It is expressly
 1020 provided, however, that nothing in this Code section and nothing in this chapter shall be
 1021 construed to permit in any manner the alteration, elimination, or impairment of any term,
 1022 provision, covenant, or obligation imposed on any state authority, including but not limited
 1023 to this authority, the Georgia Environmental Finance Authority, ~~the Georgia Regional~~
 1024 ~~Transportation Authority~~, or the Georgia Rail Passenger Authority, for the benefit of any
 1025 owner or holder of any bond, note, or other obligation of any such authority."

1026 SECTION 3-5.

1027 Said title is further amended by adding a new Code section to read as follows:

1028 "50-39-29.

1029 (a) All assets, property, and legal rights and obligations, including, but not limited to, all

1030 bonded indebtedness, of the Georgia Regional Transportation Authority shall devolve by

1031 operation of law upon the authority on July 1, 2020.

1032 (b) The rights, privileges, entitlements, and duties of parties to contracts, leases,

1033 agreements, and other transactions, including commitments related to federal funds, entered

1034 into before July 1, 2020, by the Georgia Regional Transportation Authority shall continue

1035 to exist; and none of these rights, privileges, entitlements, and duties are impaired or

1036 diminished by reason of the transfer of the functions to the authority. In all such instances,

1037 the authority shall be substituted for the Georgia Regional Transportation Authority and

1038 the authority shall succeed to the rights and duties under such contracts, leases, agreements,

1039 and other transactions, including to commitment relating to federal funds.

1040 (c) All persons employed by the Georgia Regional Transportation Authority shall, on July

1041 1, 2020, become employees of the authority in similar capacities, as determined by the

1042 commissioner of mobility. Such employees shall be subject to the employment practices

1043 and policies of the authority on and after July 1, 2020, but the compensation and benefits

1044 of such transferred employees shall not be reduced as a result of such transfer. Employees

1045 who are subject to the rules of the State Personnel Board and thereby under the State

1046 Personnel Administration and who are transferred to the department shall retain all existing

1047 rights under the State Personnel Administration. Retirement rights of such transferred

1048 employees existing under the Employees' Retirement System of Georgia or other public

1049 retirement systems on June 30, 2020, shall not be impaired or interrupted by the transfer

1050 of such employees, and membership in any such retirement system shall continue in the

1051 same status possessed by the transferred employees on June 30, 2020. Accrued annual and

1052 sick leave possessed by the transferred employees on June 30, 2020, shall be retained by

1053 such employees as employees of the authority.

1054 (d) On July 1, 2020, the authority shall receive custody of the real property in the custody

1055 of the Georgia Regional Transportation Authority on June 30, 2020.

1056 (e) All equipment or other tangible property in possession of the Georgia Regional

1057 Transportation Authority which is used or held exclusively or principally by personnel

1058 transferred under this Code section shall be transferred to the authority as of July 1, 2020."

PART IV

ATLANTA-REGION TRANSIT LINK "ATL" AUTHORITY

SECTION 4-1.

Chapter 39 of Title 50 of the Official Code of Georgia Annotated, relating to the Atlanta-region Transit Link "ATL" Authority, is amended in Code Section 50-39-2, relating to definitions, by revising paragraph (18) as follows:

~~"(18) 'Transit' means regular, continuing shared-ride or shared-use surface transportation services that are made available by a public entity and are open to the general public or open to a segment of the general public defined by age, disability, or low income. Such term includes services or systems operated by or under contract with the state, a public agency or authority, a county or municipality, a community improvement district, or any other similar public entity of this state and all accompanying infrastructure and services necessary to provide access to these modes of transportation. Such term excludes charter or sightseeing services, school bus services, courtesy shuttle and intra-facility or terminal services, limousine carriers, ride share network services, transportation referral services, and taxi services not paid for by a public entity shall have the same meaning as provided for in Code Section 50-31-2."~~

SECTION 4-2.

Said chapter is further amended in Code Section 50-39-3, relating to creation of the Atlanta-region Transit Link "ATL" Authority and board of directors, by revising subsection (a) as follows:

"(a) There is created the Atlanta-region Transit Link 'ATL' Authority as a body corporate and politic, which shall be deemed an instrumentality of the State of Georgia and a public corporation thereof, for purposes of managing or causing to be managed transit and air quality within certain areas of this state; and by that name, style, and title such body may contract and be contracted with and bring and defend actions in all courts of this state. Such authority shall serve as the sole entity for coordination and planning and the dispersing of federal and state funding for transit within the jurisdiction of the authority. Such authority shall work with counties, municipalities, and operators of transit services within the jurisdiction of the authority and the Department of Mobility and Innovation to provide a consistent and integrated vision for transit through transparent decision making and execution. This Code section shall not be deemed to impair or interfere in any manner with any existing rights under a contract entered into prior to December 1, 2018, or any federal grants or agreements awarded or entered into prior to December 1, 2018. This Code section shall not be applicable to projects or services provided for under the terms of

1094 a contract entered into as of December 1, 2018, under the authority granted pursuant to a
 1095 local constitutional amendment set out at Ga. L. 1964, p. 1008, and the planning, funding,
 1096 coordination, and delivery of such projects or services shall be as provided for by such
 1097 contract or contracts."

1098 SECTION 4-3.

1099 Said chapter is further amended in Code Section 50-39-4, relating to membership, structure,
 1100 operation, appointment of executive director, and annual reporting of the authority, by
 1101 revising subsections (i) through (k) as follows:

1102 ~~"(i) The board may, in its discretion, appoint an executive director as the administrative~~
 1103 ~~head of the authority and shall set his or her salary. The executive director of the Georgia~~
 1104 ~~Regional Transportation Authority shall serve as a temporary director until the board is~~
 1105 ~~constituted and an executive director is appointed by such board.~~

1106 (j) The authority is assigned to the Georgia Regional Transportation Authority Department
 1107 of Mobility and Innovation for administrative purposes only. Such department shall be
 1108 authorized to hire officers, agents, and employees, prescribe their duties and qualifications,
 1109 and fix their compensation.

1110 ~~(k)~~(j) The authority shall annually submit a report of projects of regional and state
 1111 significance from the regional transit plan to the commissioner of mobility and innovation,
 1112 the Office of Planning and Budget, the Governor, the Lieutenant Governor, and the
 1113 Speaker of the House of Representatives for consideration by such parties for inclusion in
 1114 the bond package for the upcoming fiscal year budget. The required date of submission of
 1115 such report shall coincide with the required submission date of estimates of financial
 1116 requirements of a budget unit pursuant to Code Section 45-12-78."

1117 SECTION 4-4.

1118 Said chapter is further amended by revising Code Section 50-39-5, relating to continuation
 1119 of the development of the Atlanta region's Concept 3 transit proposal, as follows:

1120 "50-39-5.

1121 The Atlanta Regional Commission in conjunction with the authority and the director of
 1122 planning for the Department of Transportation and the Department of Mobility and
 1123 Innovation shall utilize federal and state planning funds to continue the development of the
 1124 Atlanta region's Concept 3 transit proposal, including assessment of potential economic
 1125 benefit to the region and the state, prioritization of corridors based on highest potential
 1126 economic benefit and lowest environmental impact, and completion of environmental
 1127 permitting."

SECTION 4-5.

1128
1129 Said chapter is further amended in Code Section 50-39-11, relating to general powers of the
1130 authority, construction with provisions on coordination and comprehensive planning and
1131 service delivery by counties and municipalities, by revising paragraphs (3), (7), (11), and
1132 (29) of subsection (a) as follows:

1133 “(3) To plan, design, acquire, construct, add to, extend, improve, equip, operate, and
1134 maintain or cause to be operated and maintained transit systems and transit projects, and
1135 all facilities and appurtenances necessary or beneficial thereto, within the geographic area
1136 over which the authority has jurisdiction or which are included within a regional transit
1137 plan or transportation improvement program and provide transit services within the
1138 geographic jurisdiction of the authority, and to contract with any state, regional, or local
1139 government, authority, or department, or with any private person, firm, or corporation,
1140 for those purposes, and to enter into contracts and agreements with the Georgia
1141 Department of Transportation, the Department of Mobility and Innovation, county and
1142 local governments, and transit system operators for those purposes;”

1143 ~~“(7) To appoint an executive director who shall be executive officer and administrative~~
1144 ~~head of the authority. The executive director shall be appointed and serve at the pleasure~~
1145 ~~of the board.~~ The executive director shall hire officers, agents, and employees, prescribe
1146 their duties and qualifications and fix their compensation, and perform such other duties
1147 as may be prescribed by the authority. Such officers, agents, and employees shall serve
1148 at the pleasure of the executive director;”

1149 “(11) To issue guaranteed revenue bonds, revenue bonds, bonds, notes, or other
1150 obligations of the authority, to receive payments from the Department of ~~Community~~
1151 ~~Affairs~~ Mobility and Innovation, and to use the proceeds thereof for the ~~purpose~~ purposes
1152 of:

1153 (A) Paying or loaning the proceeds thereof to pay, all or any part of, the cost of any
1154 project or the principal of and premium, if any, and interest on the revenue bonds,
1155 bonds, notes, or other obligations of any local government issued for the purpose of
1156 paying in whole or in part the cost of any project and having a final maturity not
1157 exceeding three years from the date of original issuance thereof;

1158 (B) Paying all costs of the authority incidental to, or necessary and appropriate to,
1159 furthering or carrying out the purposes of the authority; and

1160 (C) Paying all costs of the authority incurred in connection with the issuance of the
1161 guaranteed revenue bonds, revenue bonds, bonds, notes, or other obligations;”

1162 “(29) To review and make recommendations to the Governor, Lieutenant Governor, and
1163 Speaker of the House of Representatives concerning all transit plans and transportation
1164 improvement programs prepared by the Department of ~~Transportation~~ Mobility and

1165 Innovation involving design, construction, or operation of transit facilities wholly or
 1166 partly within the geographic area over which the authority has jurisdiction pursuant to
 1167 this chapter, and to negotiate with that department concerning changes or amendments
 1168 to such plans which may be recommended by the authority consistent with applicable
 1169 federal law and regulation, and to adopt such plans as all or a portion of its own regional
 1170 plans;"

1171 **SECTION 4-6.**

1172 Said chapter is further amended in Code Section 50-39-13, relating to delegation of authority
 1173 by Governor, formulation of measurable targets, and annual reporting by the authority, by
 1174 revising subsection (b) as follows:

1175 "(b) The authority shall formulate measurable targets for air quality improvements and
 1176 standards within the geographic area over which the authority has jurisdiction pursuant to
 1177 this chapter, and annually shall report such targets to the Governor, Lieutenant Governor,
 1178 ~~and~~ Speaker of the House of Representatives, and commissioner of mobility and
 1179 innovation, together with an assessment of progress toward achieving such targets and
 1180 projected measures and timetables for achieving such targets. The authority shall formulate
 1181 an annual report and audit of all transit planning, funding, and operations within the
 1182 jurisdiction of the authority which shall be presented by December 1 of each year to the
 1183 Senate and House Transportation Committees and the local governing authorities of those
 1184 counties within the jurisdiction of the authority."

1185 **SECTION 4-7.**

1186 Said chapter is further amended in Code Section 50-39-15, relating to the Atlanta-region
 1187 Transit Link "ATL" Authority's power of eminent domain and limitations, by revising
 1188 subsection (a) as follows:

1189 "(a) After the adoption by the authority of a resolution declaring that the acquisition of the
 1190 real property described therein is necessary for the purposes of this chapter, the authority
 1191 may exercise the power of eminent domain in the manner provided in Title 22; or it may
 1192 exercise the power of eminent domain in the manner provided by any other applicable
 1193 statutory provisions for the exercise of such power; provided, however, that the provisions
 1194 of Article 7 of Chapter 16 of this title shall not be applicable to the exercise of the power
 1195 of eminent domain by the authority. Property already devoted to public use may be
 1196 acquired, except that no real property belonging to the state other than property acquired
 1197 by or for the purposes of the Department of Transportation or Department of Mobility and
 1198 Innovation may be acquired without the consent of the state."

SECTION 4-8.

1199
1200 Said chapter is further amended by revising Code Section 50-39-18, relating to record and
1201 resource sharing between governmental entities, as follows:

1202 "50-39-18.

1203 (a) Upon request of the board of the authority, the Department of Transportation, the
1204 Department of Mobility and Innovation, and the Department of Natural Resources shall
1205 provide to the authority and its authorized personnel and agents access to all books,
1206 records, and other information resources available to those departments which are not of
1207 a commercial proprietary nature and shall assist the authority in identifying and locating
1208 such information resources. Reimbursement for costs of identification, location, transfer,
1209 or reproduction of such information resources, including personnel costs incurred by the
1210 respective departments for such purposes, shall be made by the authority to those
1211 respective departments.

1212 (b) The authority may request from time to time, and the Department of Transportation,
1213 the Department of Mobility and Innovation, and the Department of Natural Resources shall
1214 provide as permissible under the Constitution and laws of this state, the assistance of
1215 personnel and the use of facilities, vehicles, aircraft, and equipment of those departments,
1216 and reimbursement for all costs and salaries thereby incurred by the respective departments
1217 shall be made by the authority to those respective departments."

PART V**STATE ROAD AND TOLLWAY AUTHORITY****SECTION 5-1.**

1220
1221 Article 2 of Chapter 10 of Title 32 of the Official Code of Georgia Annotated, relating to the
1222 State Road and Tollway Authority, is amended by revising Code Section 32-10-60, relating
1223 to definitions, as follows:

1224 "~~32-10-60~~ 50-41-1.

1225 As used in this ~~article~~ chapter, the term:

1226 (1) 'Approach' means that distance on either end of a bridge as shall be required to
1227 develop the maximum traffic capacity of a bridge, including but not limited to necessary
1228 rights of way, grading, paving, minor drainage structures, and such other construction
1229 necessary to the approach.

1230 (2) 'Authority' means the State Tollway Authority created by the 'State Tollway
1231 Authority Act,' Ga. L. 1953, Jan.-Feb. Sess., p. 302, as amended particularly by Ga. L.
1232 1972, p. 179, and on and after April 30, 2001, also means the State Road and Tollway
1233 Authority.

1234 (3) 'Bridge' means a structure, including the approaches thereto, erected in order to afford
 1235 unrestricted vehicular passage over any obstruction in any public road, including but not
 1236 limited to rivers, streams, ponds, lakes, bays, ravines, gullies, railroads, public highways,
 1237 and canals.

1238 (4) 'Construction' means the planning, location, surveying, designing, supervising,
 1239 inspecting, and actual building of a new road; or the paving, striping, restriping,
 1240 modifying for safety purposes, grading, widening, relocation, reconstruction, or other
 1241 major improvement of a substantial portion of an existing public road together with all
 1242 activities incident to any of the foregoing.

1243 (5) 'Cost of project' means the cost of construction, including relocation or adjustments
 1244 of utilities; the cost of all lands, properties, rights, easements, and franchises acquired;
 1245 relocation expenses; the cost of all machinery and equipment necessary for the operation
 1246 of the project; financing charges; interest prior to and during construction and for such
 1247 a period of time after completion of construction as shall be deemed necessary to allow
 1248 the earnings of the project to become sufficient to meet the requirements of the bond
 1249 issue; the cost of engineering, legal expenses, plans and specifications, and other
 1250 expenses necessary or incident to determining the feasibility or practicability of the
 1251 project; administrative expenses; and such other expenses as may be necessary or incident
 1252 to the financing authorized in this ~~article~~ chapter, the construction of any project, and the
 1253 placing of the same in operation. Any obligation or expense incurred for any of the
 1254 foregoing purposes shall be regarded as a part of the cost of the project and may be paid
 1255 or reimbursed as such out of the proceeds of revenue bonds issued for such project under
 1256 this ~~article~~ chapter.

1257 (6) 'County' means either one of the several counties, any division, department, agency,
 1258 authority, instrumentality, or branch thereof, or the county governing authority, that is,
 1259 the judge of the probate court, board of county commissioners, county commissioner, or
 1260 other county officers in charge of the roads, bridges, and revenues of the county.

1261 (7) 'Department' means the Department of Mobility.

1262 (8) 'Let' means to award a contract to one of several persons who have submitted
 1263 competitive bids or competitive proposals therefor in response to advertisement. The
 1264 determination to solicit bids or requests for competitive proposals or other forms of
 1265 solicitations shall be allowed as determined by the commissioner to be most
 1266 advantageous to the department or its attached authorities.

1267 (9) 'Maintenance' means the preservation of a public road, including repairs and
 1268 resurfacing not amounting to construction as defined in this Code section.

1269 (10) 'Motor vehicle' or 'vehicle' shall have the same meaning as set forth in Code
 1270 Section 40-1-1.

1271 (11) 'Municipality' means an incorporated city, the governing body of which holds at
 1272 least six regular meetings each year and which for a period of one year has levied and
 1273 collected an ad valorem tax on the real property in such city or has for a one-year period
 1274 performed at least two of the following municipal activities and services:

- 1275 (A) Furnished water service;
- 1276 (B) Furnished sewage service;
- 1277 (C) Furnished garbage collection;
- 1278 (D) Furnished police protection;
- 1279 (E) Furnished fire protection;
- 1280 (F) Assessed and collected business licenses;
- 1281 (G) Furnished street lighting facilities.

1282 The term may also refer to any division, department, agency, authority, instrumentality,
 1283 or branch of a municipality. Where the context requires or otherwise indicates, the term
 1284 'municipality' may also mean the municipal governing authority, that is, the mayor and
 1285 council, board of aldermen, board of commissioners, or other chief legislative body of a
 1286 municipality.

1287 (12) 'Person' means any individual, partnership, corporation, association, or private
 1288 organization of any character.

1289 ~~(5)~~(13) 'Project' means land public transportation systems, including: (A) one or more
 1290 roads or bridges or a system of roads, bridges, and tunnels or improvements thereto
 1291 included on an approved state-wide transportation improvement program on the
 1292 Developmental Highway System as set forth in Code Section 32-4-22, as now or
 1293 hereafter amended, or a comprehensive transportation plan pursuant to Code
 1294 Section 32-2-3 or which are toll access roads, bridges, or tunnels, with access limited or
 1295 unlimited as determined by the authority, and such buildings, structures, parking areas,
 1296 appurtenances, and facilities related thereto, including but not limited to approaches,
 1297 cross streets, roads, bridges, tunnels, and avenues of access for such system; (B) any
 1298 program for mass transportation or mass transportation facilities as approved by the
 1299 authority and the department and such buildings, structures, parking areas, appurtenances,
 1300 and facilities related thereto, including, but not limited to, approaches, cross streets,
 1301 roads, bridges, tunnels, and avenues of access for such facilities; and (C) any project
 1302 undertaken pursuant to a public-private initiative as authorized pursuant to Code
 1303 Section 32-2-78.

1304 (14) 'Public road' means a highway, road, street, avenue, toll road, tollway, drive, detour,
 1305 or other way that either is open to the public or has been acquired as right of way, and is
 1306 intended to be used for enjoyment by the public and for the passage of vehicles in any
 1307 county or municipality of Georgia, including but not limited to the following public

- 1308 rights, structures, sidewalks, facilities, and appurtenances incidental to the construction,
 1309 maintenance, and enjoyment of such rights of way:
- 1310 (A) Surface, shoulders, and sides;
 1311 (B) Bridges;
 1312 (C) Causeways;
 1313 (D) Viaducts;
 1314 (E) Ferries;
 1315 (F) Overpasses;
 1316 (G) Underpasses;
 1317 (H) Railroad grade crossings;
 1318 (I) Tunnels;
 1319 (J) Signs, signals, markings, or other traffic control devices;
 1320 (K) Buildings for public equipment and personnel used for or engaged in
 1321 administration, construction, or maintenance of such ways or research pertaining
 1322 thereto;
 1323 (L) Wayside parks;
 1324 (M) Parking facilities;
 1325 (N) Drainage ditches;
 1326 (O) Canals and culverts;
 1327 (P) Rest areas;
 1328 (Q) Truck-weighing stations or check points; and
 1329 (R) Scenic easements and easements of light, air, view, and access.
- 1330 ~~(6)~~(15) 'Relocation expenses' means all necessary relocation expenses, replacement
 1331 housing expenses, relocation advisory services, expenses incident to the transfer of real
 1332 property, and litigation expenses of any individual, family, business, farm operation, or
 1333 nonprofit organization displaced by authority projects to the extent authorized by the
 1334 Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as
 1335 amended by the Uniform Relocation Act Amendments of 1987, Title IV of Public Law
 1336 100-17.
- 1337 ~~(6.1)~~(16) 'Revenue' or 'revenues' shall mean any and all moneys received from:
 1338 (A) The collection of tolls authorized by Code Sections ~~32-10-64~~ and ~~32-10-65~~
 1339 ~~50-41-6~~ and ~~50-41-7~~, any federal highway funds and reimbursements, any other federal
 1340 highway assistance received from time to time by the authority, any other moneys of
 1341 the authority pledged for such purpose, any other moneys received by the authority
 1342 pursuant to the Georgia Transportation Infrastructure Bank, and any moneys received
 1343 pursuant to a public-private initiative as authorized pursuant to Code Section 32-2-78;
 1344 and

1345 (B) Any federal highway transit funds and reimbursements and any other federal
 1346 highway transit assistance received from time to time by the authority. This
 1347 subparagraph shall stand repealed by operation of law on July 1, 2021.

1348 ~~(7)~~(17) 'Revenue bonds,' 'revenue bond,' 'bonds,' or 'bond' means any bonds, notes,
 1349 interim certificates, reimbursement anticipation notes, or other evidences of indebtedness
 1350 of the authority authorized by ~~Part Article~~ Article 2 of this ~~article~~ chapter, including without
 1351 limitation obligations issued to refund any of the foregoing.

1352 (18) 'Right of way' means, generally, property or any interest therein, whether or not in
 1353 the form of a strip, which is acquired for or devoted to a public road.

1354 ~~(8)~~(19) 'Self-liquidating' means that, in the judgment of the authority, the revenues and
 1355 earnings to be derived by the authority from any project or combination of projects or
 1356 from any other revenues available to the authority, together with any maintenance, repair,
 1357 operational services, funds, rights of way, engineering services, and any other in-kind
 1358 services to be received by the authority from appropriations of the General Assembly, the
 1359 department, other state agencies or authorities, the United States government, or any
 1360 county or municipality or from disbursements from any person, firm, corporation, limited
 1361 liability company, or other type of entity shall be sufficient to provide for the
 1362 maintenance, repair, and operation and to pay the principal and interest of revenue bonds
 1363 which may be issued for the cost of such project, projects, or combination of projects.

1364 (20) 'State agency' means any division, department, instrumentality, branch, or other
 1365 body of the state to which state governmental functions have been delegated.

1366 (21) 'Underpass' means a bridge, including the approaches thereto and all appurtenances
 1367 thereof, which provides access for a public road underneath a railroad or another public
 1368 road or for a pedestrian walkway underneath a public road.

1369 ~~(9)~~(22) 'Utility' means any publicly, privately, or cooperatively owned line, facility, or
 1370 system for producing, transmitting, transporting, or distributing communications, power,
 1371 electricity, light, heat, gas, oil products, passengers, water, steam, clay, waste, storm
 1372 water not connected with highway drainage, and other similar services and commodities,
 1373 including publicly owned fire and police, and traffic signals and street lighting systems,
 1374 which directly or indirectly serve the public. This term also means a person, municipal
 1375 corporation, county, state agency, or public authority which owns or manages a utility as
 1376 defined in this paragraph."

1377 **SECTION 5-2.**

1378 Said article is further amended by revising Code Section 32-10-61, relating to continuation
 1379 of State Tollway Authority as State Road and Tollway Authority, as follows:

1380 "~~32-10-61~~ 50-41-2.

1381 The State Tollway Authority shall continue to be a body corporate and politic and an
 1382 instrumentality and public corporation of the state known as the 'State Road and Tollway
 1383 Authority.' It shall have perpetual existence. In said name it may contract and be
 1384 contracted with, sue and be sued, implead and be impleaded, and complain and defend in
 1385 all courts of this state, subject to the limitations of Code Section ~~32-10-110~~ 50-41-51."

1386 SECTION 5-3.

1387 Said article is further amended by revising Code Section 32-10-62, relating to membership,
 1388 compensation, officers, bylaws, quorum, and record of proceedings by the authority, as
 1389 follows:

1390 "~~32-10-62~~ 50-41-3.

1391 (a) The members of the authority shall be ex officio the Governor, the commissioner of
 1392 transportation, the director of the Office of Planning and Budget, one member to be
 1393 appointed by the Lieutenant Governor and to serve during the term of office of the
 1394 Lieutenant Governor and until a successor is duly appointed and qualified, and one member
 1395 to be appointed by the Speaker of the House of Representatives and to serve during the
 1396 term of office of the Speaker of the House of Representatives and until a successor is duly
 1397 appointed and qualified; and membership shall be a separate and distinct duty for which
 1398 they shall receive no additional compensation. All members of the authority shall be
 1399 entitled to all actual expenses necessarily incurred while in the performance of duties on
 1400 behalf of the authority. The authority shall elect one of its members as ~~chairman~~
 1401 chairperson. It shall also elect a secretary and a treasurer, who need not necessarily be
 1402 members of the authority. The authority may make such bylaws for its government as is
 1403 deemed necessary but it is under no duty to do so. A majority of the members of the
 1404 authority shall constitute a quorum necessary for the transaction of business, and a majority
 1405 vote of those present at any meeting at which there is a quorum shall be sufficient to do and
 1406 perform any action permitted to the authority by this ~~article~~ chapter.

1407 (b) No vacancy on the authority shall impair the right of the quorum to transact any and
 1408 all business as stated in this Code section. Members of the authority shall be accountable
 1409 as trustees. They shall cause to be kept adequate books and records of all transactions of
 1410 the authority, including books of income and disbursements of every nature. The books
 1411 and records shall be inspected and audited by the state auditor at least once a year."

1412 SECTION 5-4.

1413 Said article is further amended by revising Code Section 32-10-63, relating to powers of the
 1414 authority, as follows:

1415 ~~"32-10-63~~ 50-41-4.

1416 The authority shall have, in addition to any other powers conferred in this ~~article~~ chapter,
1417 the following powers:

1418 (1) To have a seal and alter the same at its pleasure;

1419 (2) To acquire by purchase, lease, exchange, or otherwise and to hold, lease, and dispose
1420 of real and personal property of every kind and character for its corporate purposes;

1421 (3) To appoint such additional officers, who need not be members of the authority, as the
1422 authority deems advisable and to employ such experts, employees, and agents as may be
1423 necessary, in its judgment, to carry on properly the business of the authority; to fix their
1424 compensation; and to promote and discharge same;

1425 (4) To acquire in its own name by purchase, on such terms and conditions and in such
1426 manner as it may deem proper, or by condemnation in accordance with any and all
1427 existing laws applicable to the condemnation of property for public use, including but not
1428 limited to those procedures in Article 1 of Chapter 3 of ~~this title~~ Title 32, real property
1429 or rights or easements therein or franchises necessary or convenient for its corporate
1430 purposes; and to use the same so long as its corporate existence shall continue and to
1431 lease or make contracts with respect to the use of or to dispose of the same in any manner
1432 it deems to the best advantage of the authority, the authority being under no obligation
1433 to accept and pay for any property condemned under this ~~article~~ chapter except from the
1434 funds provided under the authority of this ~~article~~ chapter; and, in any proceedings to
1435 condemn, such order may be made by the court having jurisdiction of the action or
1436 proceedings as may be just to the authority and to the owners of the property to be
1437 condemned; and no property shall be acquired under this ~~article~~ chapter upon which any
1438 lien or other encumbrance exists unless at the time such property is so acquired a
1439 sufficient sum of money be deposited in trust to pay and redeem such lien or
1440 encumbrance in full;

1441 (5) To make such contracts, leases, or conveyances as the legitimate and necessary
1442 purposes of this ~~article~~ chapter shall require, including but not limited to contracts for
1443 construction or maintenance of projects, provided that the authority shall consider the
1444 possible economic, social, and environmental effects of each project, and the authority
1445 shall assure that possible adverse economic, social, and environmental effects relating to
1446 any proposed project have been fully considered in developing such project and that the
1447 final decision on the project is made in the best overall public interest, taking into
1448 consideration the need for fast, safe, and efficient transportation, public services, and the
1449 cost of eliminating or minimizing adverse economic, social, and environmental effects.
1450 Furthermore, in order to assure that adequate consideration is given to economic, social,
1451 and environmental effects of any tollway project under consideration, the authority shall:

- 1452 (A) Follow the processes required for federal-aid highway projects, as determined by
 1453 the National Environmental Policy Act of 1969, as amended, except that final approval
 1454 of the adequacy of such consideration shall rest with the Governor, as provided in
 1455 subparagraph (C) of this paragraph, acting as the chief executive of the state, upon
 1456 recommendation of the commissioner, ~~acting as chief administrative officer of the~~
 1457 ~~Department of Transportation~~ of transportation;
- 1458 (B) In the location and design of any project, avoid the taking of or disruption of
 1459 existing public parkland or public recreation areas unless there are no prudent or
 1460 feasible project location alternates. The determination of prudence and feasibility shall
 1461 be the responsibility of the authority as part of the consideration of the overall public
 1462 interest;
- 1463 (C) Not approve and proceed with acquisition of rights of way and construction of a
 1464 project until: (i) there has been held, or there has been offered an opportunity to hold,
 1465 a public hearing or public hearings on such project in compliance with requirements of
 1466 the Federal-aid Highway Act of 1970, as amended, except that neither acquisition of
 1467 right of way nor construction shall be required to cease on any federal-aid project which
 1468 has received federal approval pursuant to the National Environmental Policy Act of
 1469 1969, as amended, and is subsequently determined to be eligible for construction as an
 1470 authority project utilizing, in whole or in part, a mix of federal funds and authority
 1471 funds; and (ii) the adequacy of environmental considerations has been approved by the
 1472 Governor, for which said approval of the environmental considerations may come in
 1473 the form of the Governor's acceptance of a federally approved environmental document;
 1474 and
- 1475 (D) Let by public competitive bid upon plans and specifications approved by the chief
 1476 engineer of the Department of Transportation or his or her successors all contracts for
 1477 the construction of projects, except as otherwise provided for projects authorized under
 1478 any provisions of Code Sections 32-2-78 through 32-2-81 or projects authorized under
 1479 any provisions of Chapter 31 of this title;
- 1480 (6) To construct, erect, acquire, own, repair, maintain, add to, extend, improve, operate,
 1481 and manage projects, as defined in ~~paragraph (5) of Code Section 32-10-60~~ 50-41-1, the
 1482 cost of any such project to be paid in whole or in part from the proceeds of revenue bonds
 1483 of the authority, from other funds available to the authority, or from any combination of
 1484 such sources;
- 1485 (7)(A) To accept and administer any federal highway funds and any other federal
 1486 highway assistance received from time to time for the State of Georgia and to accept,
 1487 with the approval of the Governor, loans and grants, either or both, of money or
 1488 materials or property of any kind from the United States government or the State of

1489 Georgia or any political subdivision, authority, agency, or instrumentality of either of
1490 them, upon such terms and conditions as the United States government or the State of
1491 Georgia or such political subdivision, authority, agency, or instrumentality of either of
1492 them shall impose;

1493 (B) To accept and administer any federal transit funds and any other federal transit
1494 assistance received from time to time for the State of Georgia. This subparagraph shall
1495 stand repealed by operation of law on July 1, 2021;

1496 (8)(A) To borrow money for any of its corporate purposes, to issue negotiable revenue
1497 bonds payable from revenues of such projects, and to provide for the payment of the
1498 same and for the rights of the holders thereof; and

1499 (B) To enter into credit enhancement or liquidity agreements with any person, firm,
1500 corporation, limited liability company, or other type of entity for the planning, design,
1501 construction, acquisition of land for, financing, refinancing, operating, maintaining, or
1502 carrying out of any project. Such credit enhancement or liquidity agreements may be
1503 secured by the authority's loan agreements, deeds to secure debt, security agreements,
1504 contracts, or other instruments or funds derived from tolls, fees, or other charges, upon
1505 such terms and conditions as the authority shall determine reasonable, including
1506 provision for the establishment and maintenance of reserves and insurance funds,
1507 provided that the obligation of the authority under any such agreements shall not be
1508 general obligation of the authority, but shall be a limited obligation of the authority
1509 payable from a specific source of funds identified for such purpose. Any such
1510 agreements may further include provisions for guaranty, insurance, construction, use,
1511 operation, maintenance, and financing of a project as the authority may deem necessary
1512 or desirable;

1513 (9) To exercise any power usually possessed by private corporations performing similar
1514 functions, which power is not in conflict with the Constitution and laws of Georgia;

1515 (10) To covenant with bondholders for the preparation of annual budgets for each project
1516 and for approval thereof by engineers or other representatives designated by the
1517 bondholders of each project, as may be provided for in any bond issue resolutions or trust
1518 indentures, and to covenant for the employment of experts or traffic engineers;

1519 (11) To lease its property to the United States government, the State of Georgia, or its
1520 political subdivisions, including any agency, authority, or instrumentality of the foregoing
1521 governments or political subdivisions, as well as to persons, public or private, for the
1522 construction or operation of facilities of benefit to the general public;

1523 (12) By or through its authorized agents or employees, to enter upon any lands, waters,
1524 and premises in the state for the purpose of making surveys, soundings, drillings, and
1525 examinations as the authority may deem necessary or convenient for the purposes of this

1526 ~~article~~ chapter; and such entry shall not be deemed a trespass. The authority shall,
 1527 however, make reimbursement for any actual damages resulting from such activities;
 1528 (13) To make reasonable regulations for the installation, construction, maintenance,
 1529 repairs, renewal, and relocation of pipes, mains, conduits, cables, wires, towers, poles,
 1530 and other equipment and appliances of any public utility in, on, along, over, or under any
 1531 project;
 1532 (14)(A) To pledge, mortgage, convey, assign, hypothecate, or otherwise encumber any
 1533 property of the authority, including but not limited to real property, fixtures, personal
 1534 property, intangible property, revenues, income, charges, fees, or other funds and to
 1535 execute any lease, trust indenture, trust agreement, resolution, agreement for the sale
 1536 of the authority's bonds, loan agreement, mortgage, deed to secure debt, trust deed,
 1537 security agreement, assignment, or other agreement or instrument as may be necessary
 1538 or desirable, in the judgment of the authority, to secure such bonds; and
 1539 (B) To acquire, accept, or retain equitable interests, security interests, or other interests
 1540 in any property, real or personal, by deed to secure debt, assignment, security
 1541 agreement, pledge, conveyance, contract, lien, loan agreement, or other consensual
 1542 transfer, with any such instrument terminating when the bonds for the project are
 1543 retired, in order to secure repayment under a credit enhancement or liquidity agreement
 1544 and taking into consideration the public benefit to be derived from such transfer; and
 1545 (15) To do all things necessary or convenient to carry out the powers expressly given in
 1546 this ~~article~~ chapter."

1547 SECTION 5-5.

1548 Said article is further amended by revising Code Section 32-10-64, relating to general toll
 1549 powers, police powers, and rules and regulations, as follows:

1550 "~~32-10-64~~ 50-41-6.

1551 (a)(1) For the purpose of earning sufficient revenue to make possible, in conjunction
 1552 with other funds available to the authority, the financing of the construction or acquisition
 1553 of projects of the authority with revenue bonds, the authority is authorized and
 1554 empowered to collect tolls on each and every project which it, ~~the department,~~ the
 1555 Department of Transportation, or local governing authority shall cause to be constructed.
 1556 It is found, determined, and declared that the necessities of revenue bond financing are
 1557 such that the authority's toll earnings on each project or projects, in conjunction with
 1558 other funds available to the authority, must exceed the actual maintenance, repair, and
 1559 normal reserve requirements of such projects, together with monthly or yearly sums
 1560 needed for the sinking fund payments upon the principal and interest obligations of
 1561 financing such project or projects; however, within the framework of these legitimate

1562 necessities of the authority and subject to all bond resolutions, trust indentures, and all
1563 other contractual obligations of the authority, the authority is charged with the duty of the
1564 operation of all projects in the aggregate at the most reasonable possible level of toll
1565 charges; and, furthermore, the authority is charged with the responsibility of a reasonable
1566 and equitable adjustment of such toll charges as between the various classes of users of
1567 any given project in which the repayment of financing is the primary or exclusive purpose
1568 for the exercise of the toll power of the authority.

1569 (2) For the purpose of managing the flow of traffic, the authority is authorized and
1570 empowered to collect tolls on each and every project which it, ~~the department,~~ the
1571 Department of Transportation, or local governing authority shall cause to be constructed
1572 in which managing the flow of traffic is the primary or exclusive purpose. It is found,
1573 determined, and declared that the necessities of managing the flow of traffic are such that
1574 the authority is charged with the responsibility of taking into consideration value pricing
1575 and lane management as those terms are described in subsection (d) of Code
1576 Section 40-6-54 in determining toll charges on such projects.

1577 (b) In the exercise of the authority's toll powers, the authority is authorized to exercise so
1578 much of the police powers of the state as shall be necessary to maintain the peace and
1579 accomplish the orderly handling of the traffic and the collection of tolls on all projects
1580 operated by the authority; and the authority shall prescribe such rules and regulations for
1581 the method of taking tolls and the employment and conduct of toll takers and other
1582 operating employees as the authority, in its discretion, may deem necessary.

1583 (c)(1) No motor vehicle shall be driven or towed through a toll collection facility, where
1584 appropriate signs have been erected to notify traffic that it is subject to the payment of
1585 tolls beyond such sign, without payment of the proper toll. In the event of nonpayment
1586 of the proper toll, as evidenced by video or electronic recording, the registered owner of
1587 such vehicle shall be liable to make prompt payment to the authority of the proper toll
1588 and an administrative fee of up to \$25.00 per violation to recover the cost of collecting
1589 the toll. The authority or its authorized agent shall provide notice to the registered owner
1590 of a vehicle, and a reasonable time to respond to such notice, of the authority's finding
1591 of a violation of this subsection. The authority or its authorized agent may provide
1592 subsequent notices to the registered owner of a vehicle if such owner fails to respond to
1593 the initial notice. The administrative fee may increase with each notice, provided that
1594 such fee shall not exceed a cumulative total of \$25.00 per violation. Upon failure of the
1595 registered owner of a vehicle to pay the proper toll and administrative fee to the authority
1596 after notice thereof and within the time designated in such notice, the authority may
1597 proceed to seek collection of the proper toll and the administrative fee as debts owing to
1598 the authority, in such manner as the authority deems appropriate and as permitted under

1599 law. If the authority finds multiple failures by a registered owner of a vehicle to pay the
1600 proper toll and administrative fee after notice thereof and within the time designated in
1601 such notices, the authority may refer the matter to the Office of State Administrative
1602 Hearings. The scope of any hearing held by the Office of State Administrative Hearings
1603 shall be limited to consideration of evidence relevant to a determination of whether the
1604 registered owner has failed to pay, after notice thereof and within the time designated in
1605 such notice, the proper toll and administrative fee. The only affirmative defense that may
1606 be presented by the registered owner of a vehicle at such a hearing is theft of the vehicle,
1607 as evidenced by presentation at the hearing of a copy of a police report showing that the
1608 vehicle has been reported to the police as stolen prior to the time of the alleged violation.
1609 A determination by the Office of State Administrative Hearings of multiple failures to
1610 pay by a registered owner of a vehicle shall subject such registered owner to imposition
1611 of, in addition to any unpaid tolls and administrative fees, a civil monetary penalty
1612 payable to the authority of not more than \$70.00 per violation. Upon failure by a
1613 registered owner to pay to the authority, within 30 days of the date of notice thereof, the
1614 amount determined by the Office of State Administrative Hearings as due and payable
1615 for multiple violations of this subsection, the motor vehicle registration of such registered
1616 owner shall be immediately suspended by operation of law. The authority shall give
1617 notice to the Department of Revenue of such suspension. Such suspension shall continue
1618 until the proper toll, administrative fee, and civil monetary penalty as have been
1619 determined by the Office of State Administrative Hearings are paid to the authority. The
1620 authority may seek to collect the debt owed through setoff by the Department of Revenue
1621 under procedures set forth in Article 7 of Chapter 7 of Title 48. Actions taken by the
1622 authority under this subsection shall be made in accordance with policies and procedures
1623 approved by the members of the authority.

1624 (2) The registered owner of a vehicle which is observed being driven or towed through
1625 a toll collection facility without payment of the proper toll may avoid liability under this
1626 subsection by presenting to the authority a copy of a police report showing that the
1627 vehicle had been reported to the police as stolen prior to the time of the alleged violation.

1628 (3) For purposes of this subsection, for any vehicle which is registered to an entity other
1629 than a natural person, the term 'registered owner' shall be deemed to refer to the natural
1630 person who is the operator of such motor vehicle at the time of the violation of this
1631 subsection, but only if the entity to which the vehicle is registered has supplied to the
1632 authority, within 60 days following notice from the authority or its authorized agent,
1633 information in the possession of such entity which is sufficient to identify and give notice
1634 to the natural person who was the operator of the motor vehicle at the time of the
1635 violation of this subsection.

1636 (d) Any person who shall use or attempt to use any currency or coins other than legal
 1637 tender of the United States of America or tokens issued by the authority or who shall use
 1638 or attempt to use any electronic device or equipment not authorized by the authority in lieu
 1639 of or to avoid payment of a toll shall be guilty of a misdemeanor.

1640 (e) Any person, except an authorized agent or employee of the authority, who removes any
 1641 coin from the pavement or ground surface within 15 feet of a toll collection booth or toll
 1642 collection machine, except to retrieve coins the person dropped while attempting payment
 1643 of that person's toll, shall be guilty of a misdemeanor.

1644 (f) Any person who enters without authorization or who willfully, maliciously, and
 1645 forcibly breaks into any mechanical or electronic toll collection device of the authority or
 1646 appurtenance thereto shall be guilty of a misdemeanor.

1647 (g) Any law enforcement officer shall have the authority to issue citations for toll evasions
 1648 if such officer is a witness to any of the following violations:

1649 (1) A person forcibly or fraudulently passes a toll collection device without payment or
 1650 refuses to pay, evades, or attempts to evade the payment of such tolls;

1651 (2) A person turns, or attempts to turn, a vehicle around on a bridge, approach, or toll
 1652 plaza where signs have been erected forbidding such turning; or

1653 (3) A person refuses to pass through the toll collection facility after having come within
 1654 the area where signs have been erected notifying traffic that it is entering the area where
 1655 a toll is collectable or where vehicles may not turn around and where vehicles are
 1656 required to pass through the toll gates for the purposes of collecting tolls.

1657 (h) The authority may in its discretion use such technology, including but not limited to
 1658 automatic vehicle license tag identification photography and video surveillance, either by
 1659 electronic imaging or photographic copy, that it deems necessary to aid in the collection
 1660 of tolls and enforcement of toll violations. Such technology shall not be used to produce
 1661 any photograph, microphotograph, electronic image, or videotape showing the identity of
 1662 any person in a motor vehicle except that such technology may be utilized for general
 1663 surveillance of a toll collection facility for the security of toll collection facility employees.

1664 (i) State and local law enforcement entities are authorized to enter into traffic and toll
 1665 enforcement agreements with the authority. Any funds received by a state law enforcement
 1666 entity pursuant to such toll enforcement agreement shall be subject to annual appropriations
 1667 by the General Assembly to such law enforcement entity for the purpose of performing its
 1668 duties pursuant to such agreement."

1669 **SECTION 5-6.**

1670 Said article is further amended by revising Code Section 32-10-66, relating to duty of
 1671 authority to prescribe rules and regulations for projects, as follows:

1672 "~~32-10-66~~ 50-41-10.

1673 It shall be the duty of the authority to prescribe rules and regulations ~~as approved by the~~
 1674 ~~department~~ for the operation of each project constructed under this ~~article~~ chapter,
 1675 including rules and regulations to ensure maximum use of such project. The authority is
 1676 authorized to promulgate such rules and regulations for the use and occupancy of the
 1677 project as may be necessary and proper for the public's safety and convenience, for the
 1678 preservation of its property, and for the collection of tolls."

1679 **SECTION 5-7.**

1680 Said article is further amended by revising Code Section 32-10-67, relating to study,
 1681 financing, construction, and operation of new projects and cooperation and assistance of the
 1682 Department of Transportation, as follows:

1683 "~~32-10-67~~ 50-41-11.

1684 (a) The Governor, in his or her discretion or upon the recommendation of the State
 1685 Transportation Board, is authorized and empowered to call a joint meeting of the authority
 1686 and ~~the~~ such board for the purpose of initiating all state highway and federal-aid highway
 1687 projects which may be considered under the authority of this ~~article~~ chapter. Upon the
 1688 concurrence of the Governor, a majority of the ~~board~~ State Transportation Board, and the
 1689 authority, ~~the~~ such board or the authority is authorized and empowered to commence the
 1690 study of any given project or projects and to provide for their construction. An appropriate
 1691 resolution of such joint meeting shall provide for divisions of duties and responsibilities
 1692 between the authority and the ~~board~~ State Transportation Board in connection with such
 1693 studies. In keeping with such resolution or resolutions, the authority and the ~~board~~ State
 1694 Transportation Board are authorized, in the performance of their assigned duties, to expend
 1695 from any sums available such sums as may be necessary for the survey and study and
 1696 completion of any such project or projects; and such expenditures may include those
 1697 necessary for all traffic surveys, expert studies, and all other expense reasonably necessary
 1698 in establishing the feasibility of any given state highway or federal-aid highway project and
 1699 in the execution of all plans, specifications, and all other things necessary for revenue bond
 1700 financing and construction, including all supervision of every kind required in its
 1701 completion. If such expenditures, or any part of them, shall be undertaken by the ~~board~~
 1702 State Transportation Board, ~~the~~ such board shall keep proper records which shall reflect the
 1703 amounts spent on each and every project study. Upon completion of any given state
 1704 highway or federal-aid highway project or projects financed by any given revenue bond
 1705 issued, so long as there shall be funds available in the hands of the authority from the issue
 1706 of revenue bonds to finance such project or projects, the ~~board~~ State Transportation Board
 1707 may demand the reimbursement of such expenditures; however, if not reimbursed, said

1708 expenditures shall be legitimate expenses of operation of ~~the~~ such board. The authority,
 1709 upon the completion or receipt of such studies or plans and specifications or other aids,
 1710 shall proceed, if such project or projects are possible, to finance, acquire rights of way,
 1711 construct, and operate such projects pursuant to its purposes, powers, and duties.

1712 (b) Upon the concurrence of the ~~board~~ State Transportation Board, the Department of
 1713 Transportation shall have the right to provide maintenance and operational assistance to the
 1714 authority as may be necessary to effectuate the purposes of this ~~article~~ chapter, including
 1715 but not limited to authorizing employees of the ~~department~~ Department of Transportation
 1716 to assist the authority in the collection of tolls on authority projects. The authority shall
 1717 reimburse the ~~department~~ Department of Transportation for such assistance."

1718 SECTION 5-8.

1719 Said article is further amended by revising Code Section 32-10-68, relating to letting of
 1720 contracts by competitive bid, as follows:

1721 "~~32-10-68~~ 50-41-12.

1722 All contracts of the authority for the construction of any roadway capacity project on any
 1723 state highway or federal-aid highway authorized by this ~~article~~ chapter shall be let to the
 1724 reliable bidder submitting the lowest sealed bid upon plans and specifications approved by
 1725 the ~~department~~ Department of Transportation, except as otherwise provided for projects
 1726 authorized under any provisions of Code Sections 32-2-78 through 32-2-81. The
 1727 procedures for letting such bids shall conform to those prescribed for the ~~department~~
 1728 Department of Transportation in Code Sections 32-2-64 through 32-2-72 and 32-2-78
 1729 through 32-2-81."

1730 SECTION 5-9.

1731 Said article is further amended by revising Code Section 32-10-69, relating to conveyance
 1732 by Governor of real property and power to acquire and expend funds for property interests,
 1733 as follows:

1734 "~~32-10-69~~ 50-41-13.

1735 (a) The Governor is authorized and empowered to convey to the authority, on behalf of the
 1736 state, any real property or interest therein or any rights of way owned by the state,
 1737 including property or rights of way acquired in the name of the ~~department or board~~
 1738 Department of Transportation or State Transportation Board, which is used at the time or
 1739 may, upon completion of any action committed to the authority by this ~~article~~ chapter, be
 1740 used as a project. The consideration for such conveyance shall be determined by the
 1741 Governor and expressed in the deed of conveyance; however, such consideration shall be
 1742 nominal, the benefits flowing to the state and its citizens constituting full and adequate

1743 actual consideration, provided that in the event of the inability of the authority to issue or
 1744 sell the revenue bonds required for financing the completion of any given project or
 1745 projects, then, subject to the intervening rights of any innocent party, all rights, titles, and
 1746 interests so conveyed shall forever revert to the ~~department~~ Department of Transportation
 1747 or other agency from which it came.

1748 (b) The governing authority of any county or incorporated municipality of this state is
 1749 authorized and empowered on behalf of such political subdivision to convey to the
 1750 authority any real property or interest therein or any rights of way owned by such political
 1751 subdivision, which is used at the time or may, upon completion of any action committed
 1752 to the authority by this ~~article~~ chapter, be used as a project if conveyed by a county or
 1753 incorporated municipality. The consideration for such conveyance shall be determined by
 1754 the governing authority of such political subdivision and expressed in the deed of
 1755 conveyance. Such consideration, however, shall be nominal, the benefits flowing to the
 1756 political subdivisions and its citizens constituting full and adequate actual consideration.
 1757 However, nothing in this subsection shall prevent the authority from reimbursing a political
 1758 subdivision, as authorized in Code Section ~~32-10-70~~ 50-41-14.

1759 (c) The ~~board or its successors and the department,~~ the State Transportation Board, and the
 1760 Department of Transportation are empowered to acquire, in any manner now permitted to
 1761 them by law, and to expend funds available to them for such acquisition, real property,
 1762 interests therein, or rights of way which upon acquisition may be conveyed by the
 1763 Governor as provided in this Code section to the authority."

1764 **SECTION 5-10.**

1765 Said article is further amended by revising Code Section 32-10-71, relating to acquisition,
 1766 maintenance, and operation of tollway projects, as follows:

1767 "~~32-10-71~~ 50-41-15.

1768 (a) The authority is authorized and empowered to acquire, maintain, repair, improve, and
 1769 operate a tollway project whose status at the time of acquisition is a toll facility or which
 1770 was operated as a toll facility at some point in its existence. For the purpose of earning
 1771 sufficient revenue to make possible the maintenance, repair, and improvement of the
 1772 acquired project, the authority is authorized to collect tolls on each and every project it
 1773 acquires.

1774 (b) When an existing state tollway facility has been acquired from a local government by
 1775 the authority or the ~~department~~ Department of Transportation, and the state tollway facility
 1776 provides access to an island with public beaches that are in need of maintenance, repair,
 1777 or restoration, the ~~State Road and Tollway Authority~~ authority may assist the local
 1778 government in the collection of a parking fee for each vehicle entering the island. The

1779 local government is authorized to set a fee on roads, streets, and parking facilities owned
 1780 by the local government for such purposes and may contract with the authority to collect
 1781 the fee. The ~~department~~ Department of Transportation is authorized to assist the authority
 1782 in the collection of the fee. The local government shall reimburse the ~~department~~
 1783 Department of Transportation and the authority for any costs associated with executing the
 1784 terms of the contract.

1785 (c) When a state highway provides access to an island with public beaches that are in need
 1786 of maintenance, repair, or restoration, the Department of Transportation may, if consistent
 1787 with federal law and regulations, authorize the local government to set and collect a
 1788 parking fee for the purpose of providing funding for such maintenance, repair, or
 1789 restoration. The ~~department~~ Department of Transportation is authorized to allow the
 1790 authority to collect such parking fee on the state highway system, provided that the
 1791 collection point shall lie within the corporate limits of the local government setting the
 1792 parking fee. The authority is authorized to contract with the local government for the
 1793 collection of the fee. The local government shall reimburse the authority for any costs
 1794 associated with executing the terms of the contract."

1795 SECTION 5-11.

1796 Said article is further amended by revising Code Section 32-10-72, relating to authority fund,
 1797 as follows:

1798 "~~32-10-72~~ 50-41-16.

1799 All revenue in excess of all obligations of the authority of any nature, together with all
 1800 unused receipts and gifts of every kind and nature whatsoever, shall be and become the
 1801 authority fund. The authority, in its discretion, is charged with the duty of pledging,
 1802 utilizing, or expending the authority fund for the following purposes:

- 1803 (1) Pledges to the payment of any revenue bond issue requirements, sinking or reserve
 1804 funds, as may be provided for under Code Section ~~32-10-102~~ 50-41-43;
- 1805 (2) The payment of any outstanding unpaid revenue bond obligations or administrative
 1806 expenses;
- 1807 (3) The construction of all or any part of projects, the need for which is concurred in by
 1808 the Governor and the ~~board~~ State Transportation Board;
- 1809 (4) The most advantageous obtainable redemptions and retirements of the authority's
 1810 bonds pursuant to the prepayment redemption privileges accorded to the authority upon
 1811 the various issues of bonds outstanding;
- 1812 (5) The most advantageous open market purchase of the authority's bonds that the
 1813 authority may accomplish;

1814 (6) Investment in such securities and in such manner as it determines to be in its best
 1815 interest; ~~and~~
 1816 (7) Subject to the terms of any resolution or trust indenture authorizing the issuance of
 1817 revenue bonds and upon concurrence by the Governor, the transfer of funds to the
 1818 department to be used by the department for ~~department~~ purposes related to projects or
 1819 operations of surface transportation or mass transportation; or
 1820 (8) Subject to the terms of any resolution or trust indenture authorizing the issuance of
 1821 revenue bonds and upon concurrence by the Governor, the transfer of funds to the
 1822 Department of Transportation to be used by the department for purposes related to
 1823 projects or operations of surface transportation or mass transportation."

1824 SECTION 5-12.

1825 Said article is further amended by revising Code Section 32-10-77, relating to General
 1826 Assembly approval of funding for streetcar projects, as follows:

1827 "~~32-10-77~~ 50-41-21.

1828 No funding by issuing bonds, any other state funds, or federal funds administered by the
 1829 department or the Department of Transportation shall be allowed for streetcar projects by
 1830 any state entity or authority, including, but not limited to, the department, the Department
 1831 of Transportation, or the ~~State Road and Tollway Authority~~ authority, or any other
 1832 subsidiary of the state, without specific prior approval by passage of a general Act by the
 1833 General Assembly."

1834 SECTION 5-13.

1835 Said article is further amended by revising Code Section 32-10-90, relating to power of
 1836 authority to issue bonds generally, pledging of tolls and other project revenues for payment
 1837 of principal and interest bonds, and attributes of bonds generally, as follows:

1838 "~~32-10-90~~ 50-41-30.

1839 The authority shall have the power and is authorized, at one time or from time to time, to
 1840 provide by resolution for the issuance of negotiable revenue bonds of the authority for the
 1841 purpose of paying all or any part of the cost, as defined in ~~paragraph (4) of Code Section~~
 1842 ~~32-10-60~~ 50-41-1, of any one or a combination of projects. The principal and interest of
 1843 such revenue bonds shall be payable from and may be secured by a pledge of tolls and
 1844 other revenues of all or any part of the project financed in whole or in part with the
 1845 proceeds of such issue or with the proceeds of bonds refunded or to be refunded by such
 1846 issue or by a pledge of any other revenues of the authority that are legally available for
 1847 such purpose. The bonds of each issue shall be dated, shall bear interest as provided for in
 1848 Code Section ~~32-10-91~~ 50-41-32, shall mature not later than 40 years from the date of

1849 issue, shall be payable in such media of payments as to both principal and interest as may
 1850 be determined by the authority, and may be made redeemable before maturity, at the option
 1851 of the authority, at such price or prices and under such terms and conditions as may be
 1852 fixed by the authority in the resolution providing for the issuance of the bonds."

1853 **SECTION 5-14.**

1854 Said article is further amended by revising Code Section 32-10-90.1, relating to garvee bond
 1855 provisions, as follows:

1856 "~~32-10-90.1~~ 50-41-31.

1857 (a) As used in this Code section, the term 'grant anticipation revenue vehicle' or 'garvee
 1858 bond' means any bond issued by the authority which is an eligible debt financing
 1859 instrument within the scope of 23 U.S.C. Section 122 or which is otherwise to be repaid
 1860 or reimbursed in whole or in part, directly or indirectly, from federal funds.

1861 (b) With respect to garvee bonds and projects financed by garvee bonds, the provisions
 1862 and limitations of this Code section shall control over any other conflicting provisions of
 1863 this ~~article~~ chapter, it being the intention of the General Assembly that grant anticipation
 1864 revenue vehicles and projects funded thereby be fully subject to the terms expressed in this
 1865 Code section.

1866 (c) For the purpose of issuance and use of the proceeds of garvee bonds, the authority and
 1867 the ~~department~~ Department of Transportation shall give priority, as far as reasonably
 1868 practicable in the judgment of ~~the~~ such department, to the completion of those portions of
 1869 the Developmental Highway System as set out in paragraphs (1) through (13) and
 1870 paragraphs (15) and (16) of subsection (a) of Code Section 32-4-22 and such further
 1871 paragraphs as may be added to such subsection from time to time, with due regard to the
 1872 timely and economical completion of the portion set out in paragraph (14) thereof.

1873 (d) Any project the cost of which is paid from the proceeds of garvee bonds shall be,
 1874 pursuant to a contract or agreement between the authority and the ~~department~~ Department
 1875 of Transportation, planned, designed, and constructed by the Department of Transportation
 1876 or a contractor contracting with the Department of Transportation.

1877 (e) If during any state fiscal year the amount of federal reimbursement available to the
 1878 State of Georgia under 23 U.S.C. Section 122 is or will be reduced below 90 percent of the
 1879 amount available during Fiscal Year 2000-2001, the authority shall not thereafter issue any
 1880 garvee bond.

1881 (f) If cost effective as determined by the authority, garvee bonds shall be insured."

SECTION 5-15.

1882
 1883 Said article is further amended by revising Code Section 32-10-102, relating to pledges of
 1884 revenues, tolls, and earnings and creation and disposition of sinking funds, as follows:

1885 "~~32-10-102~~ 50-41-43.

1886 (a) The revenues, tolls, and earnings derived from any particular project or projects and
 1887 all or any part of the revenues, tolls, and earnings received by the authority, regardless of
 1888 whether or not such tolls, earnings, and revenues were produced by a particular project for
 1889 which bonds have been issued, unless otherwise pledged or allocated, may be pledged by
 1890 the authority to the payment of the principal and interest obligations of any revenue bond
 1891 issues of the authority. All funds so pledged, from whatever source received, which may
 1892 include funds received from one or more of all sources of the authority's income, shall be
 1893 set aside at regular intervals, as may be provided in the resolutions or trust indentures, into
 1894 sinking funds which shall be pledged to and charged with the payment of (1) the interest
 1895 upon such revenue bonds as such interest shall fall due, (2) the principal of the bonds as the
 1896 same shall mature, (3) the necessary charges of paying agents for paying principal and
 1897 interest, and (4) any premium required upon bonds retired by call or purchase as may be
 1898 provided in the resolutions or trust indentures.

1899 (b) The use and disposition of such sinking funds shall be subject to such regulations as
 1900 may be provided in the resolutions authorizing the issuance of the revenue bonds or in the
 1901 trust indentures; but, except as may otherwise be provided in such resolutions or trust
 1902 indentures, such sinking funds, individually, shall be funds for the benefit of all revenue
 1903 bonds of the given issue for which they are created without distinction or priority of one
 1904 over another. Subject to the resolution or trust indenture of any given bond issue, any
 1905 moneys in such sinking funds, after all bonds and the interest thereon for which such
 1906 sinking funds were pledged have been paid, may be paid into the authority fund provided
 1907 for in Code Section ~~32-10-72~~ 50-41-16."

SECTION 5-16.

1908
 1909 Said article is further amended by revising Code Section 32-10-105, relating to investment
 1910 of funds in bonds and deposit of bonds as securities, as follows:

1911 "~~32-10-105~~ 50-41-46.

1912 The bonds authorized in paragraph (8) of Code Section ~~32-10-63~~ 50-41-4 and in Code
 1913 Section ~~32-10-90~~ 50-41-30 are deemed securities in which (1) all public officers and bodies
 1914 of this state and all municipalities and all municipal subdivisions, (2) all insurance
 1915 companies and associations and other persons carrying on an insurance business, (3) all
 1916 banks, bankers, trust companies, savings banks and savings associations, including savings
 1917 and loan associations, building and loan associations, investment companies, and other

1918 persons carrying on a banking business, (4) all administrators, guardians, executors,
 1919 trustees, and other fiduciaries, and (5) all other persons whatsoever who are now or may
 1920 hereafter be authorized to invest in bonds or other obligations of the state may properly and
 1921 legally invest funds, including capital in their control or belonging to them. The bonds are
 1922 also deemed securities which may be deposited with and shall be received by all public
 1923 officers and bodies of this state and all municipalities and municipal subdivisions for any
 1924 purpose for which the deposit of the bonds or other obligations of this state is now or may
 1925 hereafter be authorized."

1926 **SECTION 5-17.**

1927 Said article is further amended by revising Code Section 32-10-108, relating to transfer of
 1928 projects to state highway system free from tolls, as follows:

1929 "~~32-10-108~~ 50-41-49.

1930 Upon payment in full of all bonds and the interest thereon and obligations of every nature
 1931 whatsoever for the payment of which the revenues of any given project or projects have
 1932 been pledged, in whole or in part, either originally or subsequently, either primarily or
 1933 secondarily, directly or indirectly or otherwise, or upon the setting aside in trust, for the
 1934 benefit of bondholders or other obligees, of a sufficient amount for the payment of all such
 1935 bonds and other obligations and the interest thereon to the maturity thereof, such project
 1936 or projects, if deemed by the ~~department~~ Department of Transportation to be in a safe and
 1937 satisfactory condition of repair and traffic capacity, may become part of the state highway
 1938 system and thereafter shall be maintained by the ~~department~~ Department of Transportation
 1939 free of tolls. In the event such project or projects to be transferred are not in good
 1940 condition, in the judgment of the ~~department~~ Department of Transportation, ~~the~~ such
 1941 ~~department~~ shall be charged with the duty of immediately advising the authority in writing
 1942 what will be necessary to accomplish such safe and satisfactory condition of repair and
 1943 traffic capacity; and the authority thereafter shall apply sufficient revenue from such
 1944 project or projects to the accomplishment of such safe condition of repair and traffic
 1945 capacity; and, upon its accomplishment, such project or projects shall become toll free as
 1946 provided in this Code section. Upon the fulfillment of all conditions necessary to the
 1947 cessation of tolls upon any such project, the authority shall convey by deed all right, title,
 1948 and interest in and to such project to the ~~department~~ Department of Transportation for and
 1949 in consideration of \$1.00, which the treasurer of the ~~department~~ Department of
 1950 Transportation is authorized to pay from any such department funds available to him or her
 1951 for any ~~department~~ Department of Transportation expenditure."

SECTION 5-18.

1952
1953 Said article is further amended by revising Code Section 32-10-122, relating to definitions
1954 relative to the Transportation Infrastructure Bank, as follows:

1955 "~~32-10-122~~ 50-41-67.

1956 As used in this ~~part~~ article, the term:

1957 (1) 'Bank' means the Georgia Transportation Infrastructure Bank.

1958 (2) 'Board' means the board of the State Road and Tollway Authority.

1959 (3) ~~'Department of Transportation' means the Georgia Department of Transportation and~~
1960 ~~its successors.~~

1961 ~~(4)~~ 'Eligible costs' means, as applied to a qualified project to be financed from the federal
1962 roadway account, the costs that are permitted under applicable federal laws, requirements,
1963 procedures, and guidelines in regard to establishing, operating, and providing assistance
1964 from the bank. As applied to a qualified project to be financed from the state and local
1965 roadway account, these costs include the costs of preliminary engineering, traffic and
1966 revenue studies, environmental studies, right of way acquisition, legal and financial
1967 services associated with the development of the qualified project, construction,
1968 construction management, facilities, and other costs necessary for the qualified project.
1969 As applied to any qualified project to be financed from the federal nonroadway account,
1970 these costs include the costs of preliminary engineering, traffic and revenue studies,
1971 environmental studies, right of way acquisition, legal and financial services associated
1972 with the development of the qualified project, construction, construction management,
1973 equipment, facilities, and other nonoperating costs necessary for the qualified project.
1974 As applied to any qualified project to be financed from the state and local nonroadway
1975 account, these costs include the costs of preliminary engineering, traffic and revenue
1976 studies, environmental studies, right of way acquisition, legal and financial services
1977 associated with the development of the qualified project, construction, construction
1978 management, equipment, facilities, and other nonoperating costs necessary for the
1979 qualified project.

1980 ~~(5)~~(4) 'Eligible project' means a highway, including bridges, air transport and airport
1981 facilities, and rail, or transit or bicycle facility project which provides public benefits by
1982 either enhancing mobility and safety, promoting economic development, or increasing
1983 the quality of life and general welfare of the public. The term 'eligible project' also
1984 includes mass transit systems, including, but not limited to, monorail and monobeam
1985 mass transit systems. There may be included as part of any such project all
1986 improvements necessary to the full utilization thereof, including site preparation, roads
1987 and streets, sidewalks, water supply, outdoor lighting, belt line railroad sidings and lead
1988 tracks, bridges, causeways, terminals for railroad, automotive, and air transportation,

1989 transportation facilities incidental to the project, and the dredging and improving of
 1990 harbors and waterways, none of which foregoing descriptive words shall be construed to
 1991 constitute a limitation.

1992 ~~(6)~~(5) 'Federal accounts' means, collectively, the separate accounts for federal roadway
 1993 funds and federal nonroadway funds.

1994 ~~(7)~~(6) 'Financing agreement' means any agreement entered into between the bank and a
 1995 qualified borrower pertaining to a loan or other financial assistance. This agreement may
 1996 contain, in addition to financial terms, provisions relating to the regulation and
 1997 supervision of a qualified project, or other provisions as the board may determine. The
 1998 term 'financing agreement' includes, without limitation, a loan agreement, trust indenture,
 1999 security agreement, reimbursement agreement, guarantee agreement, bond or note,
 2000 ordinance or resolution, or similar instrument.

2001 ~~(8)~~(7) 'Government unit' means a municipal corporation, county, community
 2002 improvement district, or any public operator of transit, including combinations of two or
 2003 more of these entities, acting jointly to construct, own, or operate a qualified project, or
 2004 any other state authority, board, commission, agency, or department which may construct,
 2005 own, or operate a qualified project.

2006 ~~(9)~~(8) 'Loan' means an obligation subject to repayment which is provided by the bank to
 2007 a qualified borrower for all or a part of the eligible costs of a qualified project. A loan
 2008 may be disbursed in anticipation of reimbursement for or direct payment of the eligible
 2009 costs of a qualified project.

2010 ~~(10)~~(9) 'Loan obligation' means a bond, note, or other evidence of an obligation issued
 2011 by a qualified borrower.

2012 ~~(11)~~(10) 'Other financial assistance' includes, but shall not be limited to, grants,
 2013 contributions, credit enhancement, capital or debt reserves for bonds or debt instrument
 2014 financing, interest rate subsidies, provision of letters of credit and credit instruments,
 2015 provision of bond or other debt financing instrument security, and other lawful forms of
 2016 financing and methods of leveraging funds that are approved by the board, and, in the
 2017 case of federal funds, as allowed by federal law.

2018 ~~(12)~~(11) 'Project revenues' or 'revenues' means all rates, rents, fees, assessments, charges,
 2019 and other receipts derived or to be derived by a qualified borrower from a qualified
 2020 project or made available from a special source, and, as provided in the applicable
 2021 financing agreement, derived from any system of which the qualified project is a part or
 2022 from any other revenue producing facility under the ownership or control of the qualified
 2023 borrower, including, without limitation, proceeds of grants, gifts, appropriations and
 2024 loans, including the proceeds of loans made by the bank, investment earnings, reserves
 2025 for capital and current expenses, proceeds of insurance or condemnation and proceeds

2026 from the sale or other disposition of property and from any other special source as may
2027 be provided by the qualified borrower.

2028 ~~(13)~~(12) 'Qualified borrower' means any government unit authorized to construct,
2029 operate, or own a qualified project.

2030 ~~(14)~~(13) 'Qualified project' means an eligible project which has been selected by the
2031 bank to receive a loan or other financial assistance from the bank to defray an eligible
2032 cost.

2033 ~~(15)~~(14) 'State and local accounts' means, collectively, the separate accounts for state and
2034 local roadway funds and state and local nonroadway funds."

2035 **SECTION 5-19.**

2036 Said article is further amended by revising Code Section 32-10-123, relating to authority of
2037 the Transportation Infrastructure Bank board, as follows:

2038 "~~32-10-123~~ 50-41-68.

2039 In administering the affairs of the bank, the board may exercise any or all of the powers
2040 granted to the authority under ~~Parts~~ Articles 1 and 2 of this ~~article~~ chapter, as well as the
2041 powers granted in this ~~part~~ article. Without limiting the generality of the foregoing, the
2042 board is specifically authorized to issue bonds for the purposes of the bank, in the same
2043 general manner provided in ~~Part~~ Article 2 of this ~~article~~ chapter."

2044 **SECTION 5-20.**

2045 Said article is further amended by revising Code Section 32-10-124, relating to power of the
2046 Transportation Infrastructure Bank board and meaning of use of the word "bank" for
2047 purposes of this article, as follows:

2048 "~~32-10-124~~ 50-41-69.

2049 (a) In addition to the powers contained elsewhere in this ~~article~~ chapter, the board has all
2050 power necessary, useful, or appropriate to fund, operate, and administer the bank, and to
2051 perform its other functions, including, but not limited to, the power to:

2052 (1) Have perpetual succession;

2053 (2) Adopt, promulgate, amend, and repeal bylaws, not inconsistent with provisions in
2054 this ~~part~~ article for the administration of the bank's affairs and the implementation of its
2055 functions, including the right of the board to select qualifying projects and to provide
2056 loans and other financial assistance;

2057 (3) Sue and be sued in the name of the bank;

2058 (4) Have a seal and alter it at its pleasure, although the failure to affix the seal does not
2059 affect the validity of an instrument executed on behalf of the bank;

- 2060 (5) Make loans to qualified borrowers to finance the eligible costs of qualified projects
2061 and to acquire, hold, and sell loan obligations at prices and in a manner as the board
2062 determines advisable;
- 2063 (6) Provide qualified borrowers with other financial assistance necessary to defray
2064 eligible costs of a qualified project;
- 2065 (7) Enter into contracts, arrangements, and agreements with qualified borrowers and
2066 other persons and execute and deliver all financing agreements and other instruments
2067 necessary or convenient to the exercise of the powers granted in this ~~part~~ article;
- 2068 (8) Enter into agreements with a department, agency, or instrumentality of the United
2069 States or of this state or another state for the purpose of providing for the financing of
2070 qualified projects;
- 2071 (9) Establish:
- 2072 (A) Policies and procedures for the making and administering of loans and other
2073 financial assistance; and
- 2074 (B) Fiscal controls and accounting procedures to ensure proper accounting and
2075 reporting by the bank and government units;
- 2076 (10) Acquire by purchase, lease, donation, or other lawful means and sell, convey,
2077 pledge, lease, exchange, transfer, and dispose of all or any part of its properties and assets
2078 of every kind and character or any interest in it to further the public purpose of the bank;
- 2079 (11) Procure insurance, guarantees, letters of credit, and other forms of collateral or
2080 security or credit support from any public or private entity or instrumentality of the
2081 United States for the payment of any bonds issued by it, including the power to pay
2082 premiums or fees on any insurance, guarantees, letters of credit, and other forms of
2083 collateral or security or credit support;
- 2084 (12) Collect or authorize the trustee under any trust indenture securing any bonds to
2085 collect amounts due under any loan obligations owned by it, including taking the action
2086 required to obtain payment of any sums in default;
- 2087 (13) Unless restricted under any agreement with holders of bonds, consent to any
2088 modification with respect to the rate of interest, time, and payment of any installment of
2089 principal or interest, or any other term of any loan obligations owned by it;
- 2090 (14) Borrow money through the issuance of bonds and other forms of indebtedness as
2091 provided in this ~~article~~ chapter;
- 2092 (15) Expend funds to obtain accounting, management, legal, financial consulting, and
2093 other professional services necessary to the operations of the bank;
- 2094 (16) Expend funds credited to the bank as the board determines necessary for the costs
2095 of administering the operations of the bank;

2096 (17) Establish advisory committees as the board determines appropriate, which may
 2097 include individuals from the private sector with banking and financial expertise, including
 2098 the requirement that the bank shall consult with the ~~Department of Transportation~~ State
 2099 Accounting Office for the purpose of implementing the project accounting procedures
 2100 required by subparagraph (B) of paragraph (9) of this subsection;

2101 (18) Procure insurance against losses in connection with its property, assets, or activities
 2102 including insurance against liability for its acts or the acts of its employees or agents or
 2103 to establish cash reserves to enable it to act as a self-insurer against any and all such
 2104 losses;

2105 (19) Collect fees and charges in connection with its loans or other financial assistance;

2106 (20) Apply for, receive, and accept from any source, aid, grants, or contributions of
 2107 money, property, labor, or other things of value to be used to carry out the purposes of
 2108 this ~~part~~ article subject to the conditions upon which the aid, grants, or contributions are
 2109 made;

2110 (21) Enter into contracts or agreements for the servicing and processing of financial
 2111 agreements;

2112 (22) Accept and hold, with or without payment of interest, funds deposited with the bank
 2113 by government units and private entities; and

2114 (23) Do all other things necessary or convenient to exercise powers granted or
 2115 reasonably implied by this ~~part~~ article.

2116 (b) The bank shall not be authorized or empowered to be or to constitute a bank or trust
 2117 company within the jurisdiction or under the control of this state or an agency of it or the
 2118 Comptroller of the Currency or the Treasury Department of the United States, or a bank,
 2119 banker, or dealer in securities within the meaning of, or subject to the provisions of, any
 2120 securities, securities exchange, or securities dealers' law of the United States or of this state.
 2121 The use of the word 'bank' in the 'Georgia Transportation Infrastructure Bank' is required
 2122 by federal law. For the express purposes of this ~~part~~ article, the use of the word 'bank' in
 2123 the 'Georgia Transportation Infrastructure Bank Act' does not violate Code Section
 2124 7-1-243. In addition, all deposits taken by the Georgia Transportation Infrastructure Bank
 2125 shall contain a notice stating that the deposits are not insured by the Federal Deposit
 2126 Insurance Corporation."

2127 **SECTION 5-21.**

2128 Said article is further amended by revising Code Section 32-10-125, relating to revenue
 2129 sources for the Transportation Infrastructure Bank, as follows:

2130 ~~"32-10-125~~ 50-41-70.

2131 (a) The following sources may be used to capitalize the bank and for the bank to carry out
2132 its purposes:

2133 (1) Appropriations by the General Assembly;

2134 (2) Federal funds available to the state, ~~as approved by the Department of~~
2135 ~~Transportation~~;

2136 (3) Contributions, donations, and deposits from government units, private entities, and
2137 any other source as may become available to the bank;

2138 (4) All moneys paid or credited to the bank, by contract or otherwise, payments of
2139 principal and interest on loans or other financial assistance made from the bank, and
2140 interest earnings which may accrue from the investment or reinvestment of the bank's
2141 moneys;

2142 (5) Proceeds from the issuance of bonds as provided in this part article; and

2143 (6) Other lawful sources not already dedicated for another purpose as determined
2144 appropriate by the board.

2145 (b) Without limiting the provisions of subsection (a) of this Code section, it shall be
2146 specifically provided that any local government may use the proceeds of any local funds
2147 which may be hereafter made available by law for the purposes of this part article,
2148 including without limitation the funding of eligible projects and contributions, donations,
2149 and deposits to the bank."

2150 **SECTION 5-22.**

2151 Said article is further amended by revising Code Section 32-10-127, relating to loans and
2152 other financial assistance and determination of eligible projects relative to the Transportation
2153 Infrastructure Bank, as follows:

2154 ~~"32-10-127~~ 50-41-72.

2155 (a) The bank may provide loans and other financial assistance to a government unit to pay
2156 for all or part of the eligible costs of a qualified project. The term of the loan or other
2157 financial assistance shall not exceed the useful life of the project. The bank may require
2158 the government unit to enter into a financing agreement in connection with its loan
2159 obligation or other financial assistance. The board shall determine the form and content
2160 of loan applications, financing agreements, and loan obligations including the term and rate
2161 or rates of interest on a financing agreement. The terms and conditions of a loan or other
2162 financial assistance from federal accounts shall comply with applicable federal
2163 requirements.

2164 (b)(1) The board shall determine which projects are eligible projects and then select from
2165 among the eligible projects qualified projects. When determining eligibility, the board

2166 shall make every effort to balance any loans or other financial assistance among all
2167 regions of this state.

2168 (2) Preference for loans may be given to eligible projects prioritized by the department
2169 in tier 1 and tier 2 counties, as defined in Code Section 48-7-40 and by the Department
2170 of Community Affairs.

2171 (3) Preference for grants and other financial assistance may be given to eligible projects
2172 which have local financial support."

2173 **SECTION 5-23.**

2174 Said article is further amended by revising Code Section 32-10-128, relating to authority of
2175 qualified borrowers relative to the Transportation Infrastructure Bank, as follows:

2176 "~~32-10-128~~ 50-41-73.

2177 (a) Qualified borrowers are authorized to obtain loans or other financial assistance from
2178 the bank through financing agreements. Qualified borrowers entering into financing
2179 agreements and issuing loan obligations to the bank may perform any acts, take any action,
2180 adopt any proceedings, and make and carry out any contracts or agreements with the bank
2181 as may be agreed to by the bank and any qualified borrower for the carrying out of the
2182 purposes contemplated by this part article.

2183 (b) In addition to the authorizations contained in this part article, all other statutes or
2184 provisions permitting government units to borrow money and issue obligations, including,
2185 but not limited to, Article 3 of Chapter 82 of Title 36, the 'Revenue Bond Law,' may be
2186 utilized by any government unit in obtaining a loan or other financial assistance from the
2187 bank to the extent determined necessary or useful by the government unit in connection
2188 with any financing agreement and the issuance, securing, or sale of loan obligations to the
2189 bank.

2190 (c) A qualified borrower may receive, apply, pledge, assign, and grant security interests
2191 in project revenues to secure its obligations as provided in this part article. A qualified
2192 borrower may fix, revise, charge, and collect fees, rates, rents, assessments, and other
2193 charges of general or special application for the operation or services of a qualified project,
2194 the system of which it is a part, and any other revenue producing facilities from which the
2195 qualified borrower derives project revenues to meet its obligations under a financing
2196 agreement or to provide for the construction and improving of a qualified project."

2197 **SECTION 5-24.**

2198 Chapter 12 of Title 45 of the Official Code of Georgia Annotated, relating to the Governor,
2199 is amended by revising Code Section 45-12-203, relating to membership, chair, and meetings
2200 of the Governor's Development Council, as follows:

2201 "45-12-203.

2202 (a) ~~The members of the board of directors of the Georgia Regional Transportation~~
 2203 ~~Authority provided by Code Section 50-32-4, upon their initial appointment and thereafter,~~
 2204 ~~shall constitute the membership of the council. Membership on that authority or the council~~
 2205 ~~shall not constitute an appointment to an office of honor or trust for purposes of subsection~~
 2206 ~~(a) of Code Section 50-32-4. The council's board of directors shall consist of 15 members.~~
 2207 All members of the board and their successors shall be appointed for terms of five years
 2208 each, except that the initial terms for eight members of the board appointed in 2019 shall
 2209 be three years each; and the particular beginning and ending dates of such terms shall be
 2210 specified by the Governor. All members of the board shall be appointed by the Governor
 2211 and shall serve until the appointment and qualification of a successor, the provisions of
 2212 subsection (b) of Code Section 45-12-52 to the contrary notwithstanding, except as
 2213 otherwise provided in this Code section. No person holding any other office created by or
 2214 under the provisions of the Constitution of Georgia shall be appointed to membership;
 2215 provided, however, that elected officials of county or local governments shall be eligible
 2216 for such appointment.

2217 (b) The chair of the ~~Georgia Regional Transportation Authority~~ board of directors shall
 2218 ~~serve as the chair of the council~~ be appointed and designated by the Governor.

2219 (c) The council shall hold meetings as often as the chair determines, but not more than 12
 2220 days each year. The chair may call special meetings upon adequate written, personal,
 2221 telephone, or facsimile notice to members of the council. A majority of the members of
 2222 the council shall constitute a quorum for conducting business. No member may act through
 2223 a proxy, designee, or delegate. The council may establish, from time to time, such
 2224 additional rules and procedures as the council deems appropriate for conducting the
 2225 council's business. These rules and procedures may be established in bylaws or in such
 2226 other form as the council deems appropriate."

2227 **SECTION 5-25.**

2228 The following Code sections of the Official Code of Georgia Annotated are amended by
 2229 replacing "Article" and "article" wherever either such term appears with "Chapter" or
 2230 "chapter":

- 2231 (1) Code Section 32-10-65, relating to fixing, revising, charging, and collecting tolls and
 2232 the use and imposition of tolls generally;
- 2233 (2) Code Section 32-10-65.1, relating to expiration of tolls established;
- 2234 (3) Code Section 32-10-70, relating to transfer of real and personal property to authority
 2235 by public bodies and officers;

- 2236 (4) Code Section 32-10-73, relating to designation of moneys received pursuant to article
 2237 as trust funds;
- 2238 (5) Code Section 32-10-74, relating to effect of article;
- 2239 (6) Code Section 32-10-75, relating to construction of article;
- 2240 (7) Code Section 32-10-94, relating to status of bonds as negotiable instruments and
 2241 exemption for bonds, their transfer, and income therefrom;
- 2242 (8) Code Section 32-10-98, relating to conditions precedent to taking effect of resolutions
 2243 for bond issuance, issuance of bonds of a single issue for purpose of paying cost of one or
 2244 more projects;
- 2245 (9) Code Section 32-10-99, relating to credit of state not pledged;
- 2246 (10) Code Section 32-10-100, relating to trust indenture as security for bonds;
- 2247 (11) Code Section 32-10-101, relating to payment of bond proceeds to trustee;
- 2248 (12) Code Section 32-10-103, relating to rights and remedies of holders of bonds or
 2249 interest coupons and indenture trustees;
- 2250 (13) Code Section 32-10-104, relating to refunding bonds;
- 2251 (14) Code Section 32-10-109, relating to covenant with holders as to tax-exempt status of
 2252 authority property and bonds; and
- 2253 (15) Code Section 32-10-110, relating to venue and jurisdictions of actions.

2254

SECTION 5-26.

2255 The following Code sections of the Official Code of Georgia Annotated are amended by
 2256 replacing "Part" and "part" wherever either such term appears with "Article" or "article":

- 2257 (1) Code Section 32-10-120, relating to short title relative to the Transportation
 2258 Infrastructure Bank;
- 2259 (2) Code Section 32-10-121, relating to creation, governance, corporate purpose, and types
 2260 of accounts;
- 2261 (3) Code Section 32-10-126, relating to earnings, establishment of accounts and
 2262 subaccounts, and commingling of funds relative to the Transportation Infrastructure Bank;
- 2263 (4) Code Section 32-10-131, relating to liability of officer, employee, or committee of the
 2264 Transportation Infrastructure Bank; and
- 2265 (5) Code Section 32-10-132, relating to notice prior to action or referendum by the
 2266 Transportation Infrastructure Bank not required.

2267

SECTION 5-27.

2268 The following Code sections of the Official Code of Georgia Annotated are amended by
 2269 redesignating:

- 2270 (1) Code Section 32-10-63.1, relating to exemption for transit service buses, motor
2271 vehicles, and rapid rail systems from requirements relating to identification and regulation
2272 of motor vehicles, as Code Section 50-41-5;
- 2273 (2) Code Section 32-10-65, relating to fixing, revising, charging, and collecting tolls and
2274 the use and imposition of tolls generally, as Code Section 50-41-7;
- 2275 (3) Code Section 32-10-65.1, relating to expiration of tolls established, as Code
2276 Section 50-41-8;
- 2277 (4) Code Section 32-10-65.2, relating to annual reporting, as Code Section 50-41-9;
- 2278 (5) Code Section 32-10-70, relating to transfer of real and personal property to authority
2279 by public bodies and officers, as Code Section 50-41-14;
- 2280 (6) Code Section 32-10-72, relating to authority fund, as Code Section 50-41-16;
- 2281 (7) Code Section 32-10-73, relating to designation of moneys received pursuant to article
2282 as trust funds, as Code Section 50-41-17;
- 2283 (8) Code Section 32-10-74, relating to effect of article, as Code Section 50-41-18;
- 2284 (9) Code Section 32-10-75, relating to construction of article, as Code Section 50-41-19;
- 2285 (10) Code Section 32-10-76, relating to grant and pilot programs for streetcar projects, as
2286 Code Section 50-41-20;
- 2287 (11) Code Section 32-10-91, relating to obtaining loans and issuance of sale of notes and
2288 bonds and sale of obligations, as Code Section 50-41-32;
- 2289 (12) Code Section 32-10-92, relating to bonds authorized by resolution, specification of
2290 terms, and public or private sale, as Code Section 50-41-33;
- 2291 (13) Code Section 32-10-93, relating to execution, seal, and signing of bonds, as Code
2292 Section 50-41-34;
- 2293 (14) Code Section 32-10-94, relating to status of bonds as negotiable instruments and
2294 exemption for bonds, their transfer, and income therefrom, as Code Section 50-41-35;
- 2295 (15) Code Section 32-10-95, relating to utilization of bond proceeds, as Code Section
2296 50-41-36;
- 2297 (16) Code Section 32-10-96, issuance of interim receipts, interim certificates, and
2298 temporary bonds, as Code Section 50-41-37;
- 2299 (17) Code Section 32-10-97, relating to replacement of lost or mutilated bonds, as Code
2300 Section 50-41-38;
- 2301 (18) Code Section 32-10-98, relating to conditions precedent to taking effect of resolutions
2302 for bond issuance, issuance of bonds of a single issue for purpose of paying cost of one or
2303 more projects, as Code Section 50-41-39;
- 2304 (19) Code Section 32-10-99, relating to credit of state not pledged, as Code Section
2305 50-41-40;

- 2306 (20) Code Section 32-10-100, relating to trust indenture as security for bonds, as Code
 2307 Section 50-41-41;
- 2308 (21) Code Section 32-10-101, relating to payment of bond proceeds to trustee, as Code
 2309 Section 50-41-42;
- 2310 (22) Code Section 32-10-103, relating to rights and remedies of holders of bonds or
 2311 interest coupons and indenture trustees, as Code Section 50-41-44;
- 2312 (23) Code Section 32-10-104, relating to refunding bonds, as Code Section 50-41-45;
- 2313 (24) Code Section 32-10-106, relating to protection of interests and rights of bondholders,
 2314 as Code Section 50-41-47;
- 2315 (25) Code Section 32-10-107, relating to confirmation and validation of bonds, as Code
 2316 Section 50-41-48;
- 2317 (26) Code Section 32-10-109, relating to covenant with holders as to tax-exempt status of
 2318 authority property and bonds, as Code Section 50-41-50;
- 2319 (27) Code Section 32-10-110, relating to venue and jurisdiction of actions, as Code
 2320 Section 50-41-51;
- 2321 (28) Code Section 32-10-120, relating to short title relative to the Transportation
 2322 Infrastructure Bank, as Code Section 50-41-65;
- 2323 (29) Code Section 32-10-121, relating to creation, governance, corporate purpose, and
 2324 types of accounts, as Code Section 50-41-66;
- 2325 (30) Code Section 32-10-126, relating to earnings, establishment of accounts and
 2326 subaccounts, and commingling of funds relative to the Transportation Infrastructure Bank,
 2327 as Code Section 50-41-71;
- 2328 (31) Code Section 32-10-129, relating to exemption of the Transportation Infrastructure
 2329 Bank from taxes and assessments, as Code Section 50-41-74;
- 2330 (32) Code Section 32-10-130, relating to withholding of funds by the Transportation
 2331 Infrastructure Bank, as Code Section 50-41-75;
- 2332 (33) Code Section 32-10-131, relating to liability of officer, employee, or committee of
 2333 the Transportation Infrastructure Bank, as Code Section 50-41-76;
- 2334 (34) Code Section 32-10-132, relating to notice prior to action or referendum by the
 2335 Transportation Infrastructure Bank not required, as Code Section 50-41-77; and
- 2336 (35) Code Section 32-10-133, relating to annual report by the Transportation Infrastructure
 2337 Bank, as Code Section 50-41-78.

2338 **SECTION 5-28.**

2339 The Official Code of Georgia Annotated is further amended by designating:

- 2340 (1) Code Section 50-41-1 through Code Section 50-41-21 as Article 1 of Chapter 41 of
 2341 Title 50;

- 2342 (2) Code Section 50-41-30 through Code Section 50-41-51 as Article 2 of Chapter 41 of
2343 Title 50; and
2344 (3) Code Section 50-41-65 through Code Section 50-41-78 as Article 3 of Chapter 41 of
2345 Title 50.

2346 **SECTION 5-29.**

- 2347 The Official Code of Georgia Annotated is further amended by designating Article 2 of
2348 Chapter 10 of Title 32, relating to the State Road and Tollway Authority, as reserved.

2349 **PART VI**

2350 **EFFECTIVE DATES**

2351 **SECTION 6-1.**

- 2352 (a) Except as provided for in subsection (b), this Act shall become effective on July 1,
2353 2019.
2354 (b) Section 3-3 of this Act shall become effective on July 1, 2020.

2355 **PART VII**

2356 **REPEALER**

2357 **SECTION 7-1.**

- 2358 All laws and parts of laws in conflict with this Act are repealed.