

House Bill 1536 (AS PASSED HOUSE AND SENATE)

By: Representatives Greene of the 151st, Smith of the 134th, Smith of the 133rd, Cheokas of the 138th, and Buckner of the 137th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to create the Lower Chattahoochee Regional Transportation Authority,
2 approved April 11, 2012 (Ga. L. 2012, p. 5019), so as to add Harris County and the Unified
3 Government of Cusseta-Chattahoochee County to the authority; to revise provisions for the
4 appointment of members; to add references to said additional counties to provisions related
5 to credit not pledged, tort immunity, and effects on other governments; to provide for related
6 matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act to create the Lower Chattahoochee Regional Transportation Authority, approved
10 April 11, 2012 (Ga. L. 2012, p. 5019), is amended by revising subsection (b) of Section 2 as
11 follows:

12 "(b) The Authority shall consist of 11 members who shall be appointed as follows: two
13 members shall be appointed by each of the following governing bodies of Stewart,
14 Quitman, Randolph, Harris, and The Unified Government of Cusseta-Chattahoochee
15 Counties. Each member shall serve for a term of four years except that one of the two
16 initial members appointed by each governing body shall serve for two years. The ten

17 members so appointed shall appoint the eleventh member, who shall be a resident of
18 Stewart, Quitman, Randolph, Harris, or The Unified Government of
19 Cusseta-Chattahoochee counties for a term of four years. Members of the Authority shall
20 serve the term specified and until their successors are appointed and qualified; provided
21 however, that any member of the Authority may be removed at any time by the governing
22 Authority which appointed such member, with or without cause. Any member of the
23 Authority may be selected and appointed to succeed himself or herself. Any vacancy on
24 the Authority shall be filled in the same manner as was the original appointment of the
25 member whose term of membership resulted in such vacancy, and the person so selected
26 and appointed shall serve for the remainder of the expired term. The members of the
27 Authority shall be reimbursed out of the funds of the Authority for all actual expenses
28 incurred in the performance of their duties. The Authority shall make rules and
29 regulations for its own government. The Authority shall have perpetual existence."

30

SECTION 2.

31 Said Act is further amended by revising Section 13 as follows:

32

"SECTION 13.

33

Credit not pledged.

34 Revenue Bonds issued under the provisions of this Act shall not be deemed to constitute
35 a debt of Stewart, Quitman, Randolph, Harris, or The Unified Government of
36 Cusseta-Chattahoochee counties nor pledge of faith and credit of any of said counties; but
37 such bonds shall be payable solely from the funds provided in this Act, and the issuance
38 of such revenue bonds shall not directly, indirectly, or contingently obligate said counties
39 to levy or pledge any form of taxation whatever therefore or to make any appropriation for

40 their payment. All such bonds shall contain recitals on their face covering the foregoing
41 provisions of this section."

42 **SECTION 3.**

43 Said Act is further amended by revising Section 25 as follows:

44 "SECTION 25.

45 Tort immunity.

46 The Authority shall have the same immunity and exemption from liability for torts and
47 negligence as Stewart, Quitman, Randolph, Harris, or The Unified Government of
48 Cusseta-Chattahoochee counties and the officers, agents, and employees of the Authority,
49 when in performance of their work for the Authority, shall have the same immunity and
50 exemption from liability for torts and negligence as officers, agents, and employees of
51 Stewart, Quitman, Randolph, Harris, or The Unified Government of
52 Cusseta-Chattahoochee counties as when the performance of their public duties or work
53 of such counties."

54 **SECTION 4.**

55 Said Act is further amended by revising Section 27 as follows:

56 "SECTION 27.

57 Effect on other governments.

58 This Act shall not and does not in any way take from Stewart, Quitman, Randolph, Harris,
59 or The Unified Government of Cusseta-Chattahoochee counties or any municipalities
60 located in such counties or any adjoining counties the authority to own, operate, and

61 maintain projects or to issue revenue bonds as provided in Article 3 of Chapter 82 of
62 Title 36 of the Official Code of Georgia Annotated, the 'Revenue Bond Law.'"

63 **SECTION 5.**

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