A BILL TO BE ENTITLED

AN ACT

1 To amend Part 10 of Article 7 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to the Georgia Music Hall of Fame Authority, so as to provide for definitions; to provide for the continuation in office of the members of the authority; to provide for membership, appointment, and qualifications; to repeal provisions relating to joint operation between the Georgia Music Hall of Fame and the Georgia Sports Hall of Fame; to revise the corporate purposes and general powers; to provide for jurisdiction of actions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

10 Part 10 of Article 7 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to the Georgia Music Hall of Fame Authority, is amended by revising Code Section 12-3-521, relating to definitions, as follows:

13 "12-3-521.

14 As used in this part, the term:

15 (1) 'Authority' means the Georgia Music Hall of Fame Authority.

16 (2) 'Classic Center' means one or more facilities of the Classic Center Authority.

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(3) 'Classic Center Authority' means the Classic Center Authority for Clarke County, approved March 10, 1988 (Ga. L. 1988, p. 3799), as amended.

(4) 'Cost of the project' means the cost of construction; the cost of all lands, properties, rights, easements, and franchises acquired; the cost of all machinery and equipment; financing charges; interest prior to and during construction and for one year after completion of construction; the cost of engineering, architectural, and legal expenses and of plans and specifications and other expenses necessary or incident to determining the feasibility or practicability of the project; administrative expenses; and such other expenses as may be necessary or incident to the financing authorized in this part, the construction of any project, the placing of the same in operation, and the condemnation of property necessary for such construction and operation. Any obligation or expense incurred for any of the foregoing purposes shall be regarded as a part of the cost of the project and may be paid or reimbursed as such out of such bonds or obligations as may be issued by any authority, department, commission, or agency of the State of Georgia.

(5) 'Project' means and includes one or a combination of two or more of the following: buildings, facilities, and all structures; electric, gas, steam, water, and sewerage utilities; and improvements of every kind and character deemed by the authority necessary or convenient for its purposes."

SECTION 2.

Said part is further amended by revising subsections (a) and (b) of Code Section 12-3-522, relating to creation, membership, meetings, expense allowance, perpetual existence, and records, as follows:

"(a) There is created a body corporate and politic to be known as the Georgia Music Hall of Fame Authority which shall be deemed to be an instrumentality of the State of Georgia and a public corporation; and by that name, style, and title such body may contract and be contracted with, bring and defend actions, implead and be impleaded, and complain and
defend in all courts of this state. No provision of this part is intended to diminish or impair, nor shall any provision be construed as diminishing or impairing, the rights of any person or entity under any contract with the authority. The members of the authority serving on June 30, 2022, shall continue to serve as members of the authority until their successors are designated and qualified as provided for in subsection (b) of this Code section.

(b)(1) The authority shall consist of nine members. The chairperson of the Georgia Hall of Fame Overview Committee shall be a member and shall serve an initial term of office of four years. The Governor shall appoint four members who represent the state’s music industry and each of the following cities: Athens, Augusta, Macon, and Savannah. Such members shall serve initial terms of office as follows: two members for three years and two members for four years. The Speaker of the House of Representatives shall appoint two members who shall serve initial terms of office as follows: one member for one year and one member for two years. The President of the Senate shall appoint two members who shall serve initial terms of office as follows: one member for one year and one member for two years. Initially, members shall serve staggered terms of office as follows: two members for one year, two members for two years, two members for three years, and three members for four years. Thereafter, each member after the initial terms of office, members shall serve for a term of four years and—All members shall be appointed by the Governor and confirmed by the Senate and shall serve until the appointment and qualification of their successors. The members appointed by the Governor shall be selected from the state at large but shall be representative of all of the geographic areas of the state. Such members also shall represent the state’s music industry. The Governor, Speaker of the House of Representatives, and President of the Senate are is authorized to appoint any elected or appointed state, county, municipal, or school board official or employee, except officials and employees of the legislative or judicial branches of state government, as members of the authority, and any person so appointed is authorized to serve as a member of the authority. All successors shall be
appointed in the same manner as original appointments. Vacancies in office shall be filled in the same manner as original appointments. An appointment to fill a vacancy shall be for the unexpired term.

(2) Upon the appointment and qualification of the members as provided for in this subsection, such members shall succeed the members in office on June 30, 2022, and the terms of such members in office on June 30, 2022, shall thereupon expire.

(3) In addition to the members provided for in paragraph (1) of this subsection, the board members of the Classic Center Authority shall appoint one of its members, and the Governor shall appoint one member who represents the Recording Academy or other entity that produces the GRAMMY Awards, to serve as nonvoting ex officio members of the authority."

SECTION 3.

Said part is further amended by repealing Code Section 12-3-522.1, relating to joint operation between the Georgia Music Hall of Fame and the Georgia Sports Hall of Fame and proposals for accomplishing objectives.

SECTION 4.

Said part is further amended by revising Code Section 12-3-523, relating to corporate purpose and general nature of business, as follows:

"12-3-523.

The corporate purpose and general nature of the business of the authority shall be:

(1) Constructing and maintaining a facility Coordinating with the Classic Center Authority and entities dedicated to archiving and collecting music history and artifacts to house the Georgia Music Hall of Fame;

(2) Operating, advertising, and promoting the Georgia Music Hall of Fame; and

(3) Promoting music events at the facility and throughout the state."
SECTION 5.
Said part is further amended by revising paragraph (20) of Code Section 12-3-524, relating to general powers, as follows:

"(20) To select a site for the building housing of a state music hall of fame;"

SECTION 6.
Said part is further amended by adding a new Code section to read as follows:

"12-3-524.2.
(a) At all times, the authority shall maintain ownership of the Music Hall of Fame collection; provided, however, that, upon request, the authority may rotate and share materials of the collection throughout the state.
(b) The collection shall be managed, displayed, promoted, advertised, and procured in compliance with all applicable copyright and trademark laws."

SECTION 7.
All laws and parts of laws in conflict with this Act are repealed.