

House Bill 1041 (AS PASSED HOUSE AND SENATE)

By: Representatives Stephens of the 164th, Hitchens of the 161st, Petrea of the 166th, Westbrook of the 163rd, Jackson of the 165th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 50-7-55 of the Official Code of Georgia Annotated, relating to
2 creation of Savannah-Georgia Convention Center Authority, membership, and powers, so
3 as to increase the maximum amount of bonded indebtedness of the authority; to authorize the
4 authority to condemn public property; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Code Section 50-7-55 of the Official Code of Georgia Annotated, relating to creation of
8 Savannah-Georgia Convention Center Authority, membership, and powers, is amended by
9 revising subsection (m) as follows:

10 "(m) The authority is authorized:

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

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

14 (3) To acquire in its own name by purchase, on such terms and conditions and in such
15 manner as it may deem proper, interests in real property or rights of easements therein or
16 franchises necessary or convenient for its corporate purposes, to use the same so long as

17 its corporate existence shall continue, to lease or make contracts with respect to the use
18 of the same or to dispose of the same in any manner it deems to the best advantage of the
19 authority; and, if the authority shall deem it expedient to construct any property on any
20 lands, the title to which shall then be in the State of Georgia, the Governor is authorized
21 to convey for and on behalf of the state an interest in such lands to the authority upon
22 payment to the State of Georgia for the credit of the general fund of the state of the
23 reasonable value of such lands or upon the receipt of such lawful consideration as may
24 be determined by the parties to such conveyance; provided, however, that the authority
25 is specifically empowered to implement projects on lands of the state upon such terms
26 and conditions as agreed upon by the authority and the state. If the authority shall deem
27 it expedient to acquire and construct any project on any lands, the title to which shall then
28 be in the Board of Commissioners of Chatham County, the mayor and aldermen of the
29 City of Savannah, or any other municipality incorporated in such county, or the
30 governing authority or body of such county or any of the municipalities is authorized to
31 convey title to such lands to the authority, or to the state, upon the receipt of such lawful
32 consideration as may be determined by the parties to such conveyance or upon payment
33 for the credit of the general funds of such county or municipality of the reasonable value
34 of such lands, such value to be determined by the mutual consent of such county or
35 municipality and the authority or by an appraiser to be agreed upon by the governing
36 authority or body of such county or municipality and the chairperson of the authority;

37 (4) To select, appoint, and employ professional, administrative, clerical, or other
38 personnel and to contract for professional or other services and to allow suitable
39 compensation for such personnel and services;

40 (5) To make contracts and leases and to execute all instruments necessary or convenient,
41 including contracts for the acquisition and constructions of projects and leases of projects
42 or contracts with respect to the use and management of projects which it causes to be
43 erected or acquired, including contracts for acquiring, constructing, renting, managing,

44 and leasing of its projects for use of the State of Georgia or any of its departments,
45 agencies, or authorities, the Board of Commissioners of Chatham County, or the mayor
46 and aldermen of the City of Savannah, and to dispose by conveyance of its title in fee
47 simple of real and personal property of every kind and character, and any and all persons,
48 firms, and corporations and the state and any and all political subdivisions, departments,
49 institutions, or agencies of the state are authorized to enter into contracts, leases, or
50 agreements with the authority upon such terms and for such purposes as they deem
51 advisable; and, without limiting the generality of the above, authority is specifically
52 granted to municipal corporations and counties and to the authority to enter into contracts
53 and lease and sublease agreements with the State of Georgia or any agencies or
54 departments thereof and relative to any property which such department or other agency
55 or department of the State of Georgia has now or may hereafter obtain by lease from the
56 United States government or any agency or department thereof and the authority is
57 specifically authorized to convey title in fee simple to any and all of its lands and any
58 improvements thereon to any persons, firms, corporations, political subdivisions, the
59 State of Georgia, or the United States government, or any agency or department thereof;
60 (6) To acquire, construct, erect, own, repair, remodel, maintain, add to, extend, improve,
61 equip, operate, and manage projects, the cost of any such project to be paid in whole or
62 in part from the funds of the authority or Chatham County or the City of Savannah and
63 any grant from the State of Georgia, its departments, agencies, or authorities, or the
64 United States or any agency or instrumentality thereof;
65 (7) To accept grants of money or materials or property of any kind from the United
66 States or any agency or instrumentality thereof upon such terms and conditions as the
67 United States or such agency or instrumentality may impose;
68 (8) To accept grants of money or materials or property of any kind from the State of
69 Georgia or any department, agency, authority, or instrumentality or political subdivision

70 thereof, upon such terms and conditions as the State of Georgia or such department,
71 agency, authority, or instrumentality or political subdivision thereof may impose;

72 (9) To receive, accept, and utilize gifts, grants, donations, or contributions of money,
73 property, facilities, or services, with or without consideration, from any person, firm,
74 corporation, foundation, government, or other entity;

75 (10) To exercise any power which is usually possessed by private corporations
76 performing similar functions and which is not in conflict with the Constitution and laws
77 of this state;

78 (11) From time to time to sell, lease, grant, exchange, or otherwise dispose of any surplus
79 property, both real and personal, or interest therein not required in the normal operation
80 of the authority and not usable in the furtherance of the purposes for which the authority
81 was created;

82 (12) To advise the State of Georgia, its departments, agencies, or authorities, Chatham
83 County, and the mayor and aldermen of the City of Savannah on land acquisition,
84 facilities development, and other matters relating to the provision of convention and trade
85 opportunities for the coastal region of the state;

86 (13) To procure insurance against any loss in connection with property and other assets
87 of the authority;

88 (14) To exercise the power provided by Code Section 45-9-1 to procure policies of
89 liability insurance or contracts of indemnity or to formulate sound programs of
90 self-insurance to insure or indemnify members of the authority and its officers and
91 employees against personal liability for damages arising out of the performance of their
92 duties or in any way connected therewith to the extent that such members, officers, or
93 employees are not immune from such liability;

94 (15) To make contracts and to execute all instruments necessary or convenient in
95 connection therewith;

- 96 (16) To adopt, alter, or repeal its own bylaws, rules, and regulations governing the
97 manner in which its business may be transacted and in which the power granted to it may
98 be enjoyed as the authority may deem necessary or expedient in facilitating its business;
- 99 (17) To accept loans of any kind from the government of the United States or any agency
100 or instrumentality thereof upon such terms and conditions as the federal government or
101 such agency or instrumentality may require;
- 102 (18) To accept loans of any kind from the State of Georgia or any agency or
103 instrumentality or political subdivision thereof upon such terms and conditions as the
104 State of Georgia or such agency or instrumentality or political subdivision may require;
- 105 (19) To borrow money for any of its corporate purposes and to issue revenue bonds
106 payable solely from funds pledged for that purpose and to provide for the payment of the
107 same and for the rights of the holders thereof; provided, however, that the maximum
108 amount of bonded indebtedness that may be outstanding at any given time shall be
109 limited to ~~\$50 million~~ \$400 million;
- 110 (20) To exercise any power usually possessed by private corporations performing similar
111 functions, including the power to obtain long-term or short-term loans, to give deeds to
112 secure debt on real property, security agreements on personal property, or any other
113 security agreements, and approve, execute, and deliver appropriate evidence of such
114 indebtedness, provided no such power is in conflict with the Constitution or general laws
115 of this state;
- 116 (21) To the extent that a contract between the authority and a public or private agency
117 provides therefor, to act as an agent for such public or private agency in any matter
118 coming within the purposes or powers of the authority; ~~and~~
- 119 (22) To condemn public property to the extent allowed by law; and
- 120 (23) To do all things necessary or convenient to carry out the powers expressly given in
121 this part."

122

SECTION 2.

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