

House Bill 1425 (AS PASSED HOUSE AND SENATE)

By: Representatives Gilliard of the 162nd, Stephens of the 164th, Westbrook of the 163rd, and Petrea of the 166th

A BILL TO BE ENTITLED
AN ACT

1 To create the Weeping Time Cultural Heritage Corridor Authority; to provide for definitions;
2 to provide for the purpose and powers of the authority; to provide for appointment,
3 eligibility, and terms of members of the authority; to provide for organization, quorum,
4 meetings, and expenses of the authority; to provide for rules and regulations; to provide for
5 agents and employees; to provide for accountability and for financial and other records; to
6 provide for audits; to limit the powers of the authority; to provide for open meetings and
7 public records; to provide for judicial jurisdiction; to provide that the powers of the authority
8 are supplemental; to provide for liberal construction; to provide for related matters; to repeal
9 conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 As used in this Act, the term:

13 (1) "Project" means land, buildings, furnishings, equipment, and facilities located or to be
14 located in Chatham County, Georgia, in the Weeping Time Cultural Heritage Corridor
15 comprising the area along Augusta Avenue in West Savannah along with the Woodville
16 and Hudson Hill neighborhoods of Savannah, Georgia;

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17 (2) "Weeping Time" means the largest sale of enslaved Africans in American history
18 which occurred on March 2 and 3, 1859, on the western side of Savannah, Georgia, when
19 429 enslaved Africans from the Butler Island Plantation were torn apart from their families
20 and scattered across this country to pay off a gambling debt and maintain the wealth of the
21 Butler Island Plantation owners.

22 **SECTION 2.**

23 There is created a body corporate and politic to be known as the Weeping Time Cultural
24 Heritage Corridor Authority which shall be deemed to be an instrumentality of the State of
25 Georgia and a public corporation, and by that name, style, and title such body shall contract
26 and be contracted with, sue and be sued, implead and be impleaded, and complain and defend
27 in all courts of law and equity. The purpose of the authority shall be for the promotion and
28 provision of community and educational resources related to the Weeping Time, Gullah
29 Geechee culture and history, and the journey of African Americans from slavery to freedom
30 on the coast of Georgia. In carrying out that purpose, the authority shall solicit assistance
31 from persons and organizations interested in supporting, financially and in other ways, the
32 projects of the authority.

33 **SECTION 3.**

34 (a) The authority shall consist of five members who shall be appointed by the members of
35 the Senate and House of Representatives whose districts include all or part of Chatham
36 County. Each member of the authority shall be appointed for a term of two years and until
37 such person's successor is appointed and qualified.

38 (b) The members of the authority shall organize and enter upon the performance of their
39 duties immediately after the effective date of this Act. The authority shall elect from among
40 its members a chairperson and a vice chairperson. The officers shall serve for such terms as

41 shall be prescribed by the rules of the authority or until their successors are appointed and
42 qualified.

43 (c) Three members of the authority shall constitute a quorum, and no vacancy on the
44 authority shall impair the right of the quorum to exercise all of the rights and perform all of
45 the duties of the authority at every meeting, but in every instance, the affirmative vote of at
46 least three members of the authority shall be required to authorize any legal act of the
47 authority.

48 (d) The members of the authority shall not be entitled to compensation for their services, but
49 in the event that the authority has funds dedicated for such expenditures, the members shall
50 be reimbursed by the authority for their actual expenses in attending any meetings of the
51 authority. The authority shall make rules and regulations for its own governance, but the
52 authority may not employ professional staff or technical supervisors, assistants, experts, or
53 any other agents and employees, temporary or permanent. The authority shall also establish
54 the policies, rules, and regulations for the operation of its projects as it may require. The
55 members of the authority shall be accountable in all respects as trustees, and the authority
56 shall keep suitable books and records of all its obligations, contracts, transactions,
57 undertakings, income, receipts of every kind and nature, and expenditures of every kind. The
58 financial books and records of the authority shall be audited annually by the same auditor
59 employed to audit the books and records of the Chatham County government. The audit
60 shall be paid for by the authority. The audit shall be a public record.

61 **SECTION 4.**

62 The authority shall have the power to:

- 63 (1) Adopt and alter a corporate seal;
64 (2) Construct, reconstruct, acquire, equip, own, alter, repair, maintain, add to, extend,
65 improve, operate, upgrade, and manage projects;

- 66 (3) Acquire in its own name by purchase or lease, on such terms and conditions and in
67 such manner as it may deem proper, real property or rights or easements therein, any
68 personal property necessary or convenient for its corporate purposes and use;
- 69 (4) Contract with the State of Georgia and the agencies, instrumentalities, departments,
70 and political subdivisions thereof and with private persons or corporations in such manner
71 as may be necessary or convenient to accomplish the purposes of this Act, including but
72 not limited to contracts for constructing, reconstructing, leasing, acquiring, equipping,
73 altering, repairing, maintaining, adding to, extending, improving, operating, upgrading, and
74 managing projects;
- 75 (5) Exercise the powers provided by Code Section 45-9-1 of the O.C.G.A. to procure
76 policies of liability insurance and contracts of indemnity to insure or indemnify members
77 of the authority and its officers and employees against personal liability for damages
78 arising out of the performance of their duties or in any way connected therewith to the
79 extent that such members, officers, or employees are not immune from such liability;
- 80 (6) Make contracts and execute all instruments necessary or convenient in connection
81 therewith; and
- 82 (7) Adopt, alter, or repeal its own bylaws, rules, and regulations governing the manner in
83 which its business may be transacted.

84

SECTION 5.

85 The authority shall not have the power of eminent domain. The authority shall not have the
86 power to issue revenue bonds or certificates of participation. The authority shall not have
87 the power to incur any indebtedness in or for the purpose of the acquisition of real or
88 personal property.

89 **SECTION 6.**

90 All meetings of the authority shall be conducted in accordance with Chapter 14 of Title 50
91 of the O.C.G.A., relating to open and public meetings. Records of the authority shall
92 constitute public records in accordance with Article 4 of Chapter 18 of Title 50 of the
93 O.C.G.A., relating to inspection of public records.

94 **SECTION 7.**

95 Any action brought against the authority shall be brought in the Superior Court of Chatham
96 County and such court shall have exclusive jurisdiction of such action.

97 **SECTION 8.**

98 The provisions of this Act shall be deemed to provide an additional and alternative method
99 for the doing of things authorized by this Act and shall be regarded as supplemental and
100 additional to powers conferred by other laws and shall not be regarded as in derogation of
101 any powers now existing.

102 **SECTION 9.**

103 This Act, being for the welfare of Chatham County and its citizens, shall be liberally
104 construed to effect the purposes of this Act.

105 **SECTION 10.**

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