

Senate Bill 26

By: Senators Dolezal of the 27th, Ginn of the 47th, Goodman of the 8th, Walker III of the 20th, Hickman of the 4th and others

AS PASSED

A BILL TO BE ENTITLED

AN ACT

1 To amend Title 50 of the Official Code of Georgia Annotated, relating to state government,
2 so as to authorize the establishment of a state-wide electric vehicle manufacturing program
3 for the promotion of electric vehicle and component manufacturing in this state; to provide
4 for purposes of such program; to provide for powers and duties of the department relative to
5 such program; to establish a Georgia Electric Vehicle Manufacturing Commission; to
6 provide for purposes and powers of such commission; to provide for membership; to provide
7 for terms and reimbursement for members; to provide for definitions; to provide for a short
8 title; to permit meetings and public hearings of local workforce development boards,
9 development authorities, community improvement districts, hospital authorities, and boards
10 of trustees or governing bodies of certain retirement systems to be held by teleconference;
11 to provide that such teleconference meetings be open to the public in certain instances; to
12 provide for related matters; to provide for an effective date; to repeal conflicting laws; and
13 for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 **PART I**

16 **SECTION 1-1.**

17 This part shall be known and may be cited as the "Georgia Electric Vehicle Future Act."

18 **SECTION 1-2.**

19 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
20 in Article 1 of Chapter 7, relating to general provisions relative to the Department of
21 Economic Development, by adding a new Code section to read as follows:

22 "50-7-19.

23 (a) As used in this Code section, the term:

24 (1) 'Commission' means the Georgia Electric Vehicle Manufacturing Commission
25 created pursuant to this Code section.

26 (2) 'Department' means the Department of Economic Development.

27 (3) 'EV industry' means the commercial enterprise of manufacturing electric vehicles and
28 related components within this state.

29 (4) 'Marketing' means promotion, advertising, signage, public relations, press relations,
30 and branding; creation, use, and licensing of a trademark, copyright, and other intellectual
31 property; providing discounts; and other activities of similar nature or within the term as
32 it is commonly understood.

33 (b) The department shall be authorized to establish, implement, and support a state-wide
34 electric vehicle manufacturing program for the promotion of electric vehicle and
35 component manufacturing in this state. The program shall advance the state's interest in
36 developing, marketing, promoting, or recruiting the growth of the EV industry through
37 continued investment or job creation in this state. The carrying out of the purposes and
38 program in this article are in all respects for the benefit of the people of this state and
39 constitute a public purpose. Actions by the department pursuant to this article shall be

40 an essential governmental function in the exercise of the powers conferred upon it by this
41 article. Such program shall not consider, evaluate, or make recommendations relative to
42 the sale, distribution, or servicing of electric vehicles.

43 (c) There is created the Georgia Electric Vehicle Manufacturing Commission, as a body
44 corporate and politic and an instrumentality of the state, for the following public purposes
45 and powers:

46 (1) To formulate recommendations to the Governor and the General Assembly to support
47 and expand the growth of electric vehicle and component manufacturing in this state
48 through a state-wide electric vehicle manufacturing program;

49 (2) To consult with private sector employers, primary and secondary schools, the
50 University System of Georgia, the Technical College System of Georgia, and other
51 entities to determine workforce needs for the EV industry and to make training
52 recommendations to educational institutions and the General Assembly;

53 (3) To advise the department in supporting and meeting infrastructure needs for the EV
54 industry, including, but not limited to, transportation, charging networks, energy supply,
55 manufacturing sites, and communications networks;

56 (4) To develop, in consultation with the EV industry, such marketing materials and
57 advertising as the commission finds useful to promote the continued growth of EV
58 industry jobs in this state;

59 (5) To provide for assessments of the state interest in and benefit from encouraging the
60 growth of the EV industry in this state; and

61 (6) The commission shall not consider, evaluate, or make recommendations relative to
62 the sale, distribution, or servicing of electric vehicles.

63 (d)(1) The commission shall consist of:

64 (A) The commissioner of economic development;

65 (B) The director of planning for the Department of Transportation;

66 (C) The commissioner of the Technical College System of Georgia;

- 67 (D) The chancellor of the University System of Georgia;
68 (E) One representative from each electric vehicle manufacturer that is manufacturing
69 vehicles in this state, appointed by the Governor;
70 (F) Two representatives of electric vehicle component manufacturers that are operating
71 in this state, appointed by the Governor.
72 (G) A representative of an investor owned utility company, appointed by the Governor;
73 (H) A representative of a cooperative utility provider, appointed by the Governor;
74 (I) A licensed franchise new motor vehicle dealer in this state, appointed by the
75 Governor;
76 (J) Two members of the House of Representatives to serve as ex officio members,
77 appointed by the Speaker of the House of Representatives; and
78 (K) Two members of the Senate to serve as ex officio members, appointed by the
79 President of the Senate.
- 80 (2) The commission shall elect a chairperson from among its membership. A majority
81 of the commission shall constitute a quorum, and the acts of the majority shall be the acts
82 of the commission.
- 83 (3) Members of the commission who are state officials or employees shall receive no
84 compensation for their service on the commission but may be reimbursed for expenses
85 incurred by them in the performance of their duties as members of the commission. Any
86 members of the commission who are not state officials or employees shall receive a daily
87 expense allowance in the amount specified in subsection (b) of Code Section 45-7-21 for
88 each day such member is in attendance at a meeting of the commission.
- 89 (4) Members of the commission appointed pursuant to subparagraphs (A) through (D)
90 of paragraph (1) of this subsection may designate persons to serve in their place.
91 Members appointed pursuant to subparagraphs (E) through (I) of paragraph (1) of this
92 subsection shall serve for terms of two years. Members appointed pursuant to

93 subparagraphs (J) and (K) of paragraph (1) of this subsection shall serve for terms
 94 concurrent with their corresponding terms as members of the General Assembly.

95 (e) The commission is assigned to the department for administrative purposes only. The
 96 Attorney General shall be the attorney for the commission.

97 (f) The commissioner of economic development shall be authorized to promulgate any
 98 rules and regulations necessary to implement and administer the provisions of this Code
 99 section to further promote the marketing of this state to the EV industry for future
 100 investment. Rule making or actions undertaken pursuant to this Code section by the
 101 department shall be subject to Chapter 13 of Title 50, the 'Administrative Procedure Act.'

102 (g) Neither the commission nor the department shall issue any rule or regulation, take any
 103 action, or consider, evaluate, or make recommendations relative to the ownership,
 104 operation, or control of dealerships by manufacturers and franchisors pursuant to Code
 105 Section 10-1-664.1

106 **PART II**

107 **SECTION 2-1.**

108 Said title is further amended in Code Section 50-14-1, relating to meetings to be open to the
 109 public, limitation on action to contest agency action, recording, notice of time and place,
 110 access to minutes, and teleconference, by revising subsection (f) and adding a new subsection
 111 to read as follows:

112 "(f) An agency with state-wide jurisdiction or a committee of such an agency shall be
 113 authorized to conduct meetings by teleconference; provided, however, that any such
 114 meeting is conducted in compliance with this chapter. A local workforce development
 115 board formed pursuant to the federal Workforce Innovation and Opportunity Act,
 116 P.L. 113-128, as now in effect or as hereafter amended, or its committees or local elected

117 officials when performing duties relative to such board, shall qualify as an agency under
118 this subsection."

119 "(h)(1) The following bodies and committees thereof shall be authorized to conduct
120 meetings by teleconference, provided that any such meeting shall be considered to be
121 conducted in compliance with this chapter so long as the notice required by this chapter
122 is provided and, if fewer than a quorum of the members of a body or committee thereof
123 are physically present, means have been afforded for the public to have simultaneous
124 access to the teleconference meeting:

125 (A) Development authorities created pursuant to or authorized by the provisions of
126 Chapter 42 or Chapter 62 of Title 36, by or pursuant to Article IX, Section VI,
127 Paragraph III of the Georgia Constitution, or by or pursuant to any amendment to the
128 Constitution continued pursuant to the authority of Article XI, Section I, Paragraph IV
129 of the Constitution;

130 (B) Community improvement districts created pursuant to the provisions of Article IX,
131 Section VII of the Georgia Constitution;

132 (C) Hospital authorities created pursuant to Article 4 of Chapter 7 of Title 31; and

133 (D) The board of trustees or other governing body of any large retirement system as
134 such term is defined in subsection (a) of Code Section 47-20-84.

135 (2) The participation by teleconference of members of such bodies or committees thereof
136 means full participation in the same manner as if such members were physically present.

137 In the event such teleconference meeting is a public hearing, and if fewer than a quorum
138 of the members of a body or committee thereof are physically present, then members of
139 the public shall be afforded the means to participate fully in the same manner as if such
140 members of the public were physically present."

141

PART III

142

SECTION 3-1.

143 This Act shall become effective upon its approval by the Governor or upon its becoming law
144 without such approval.

145 **SECTION 3-2.**

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