

House Bill 381 (AS PASSED HOUSE AND SENATE)

By: Representatives Greene of the 154th and Cheokas of the 151st

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), as amended, particularly by an Act approved
3 April 25, 2022 (Ga. L. 2022, p. 5725), so as to add Clay, Marion, and Webster counties to
4 the authority; to revise provisions for the appointment of members; to add references to said
5 additional counties to provisions related to credit not pledged, tort immunity, and effects on
6 other governments; to provide for related matters; to repeal conflicting laws; and for other
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act to create the Lower Chattahoochee Regional Transportation Authority, approved
11 April 11, 2012 (Ga. L. 2012, p. 5019), as amended, particularly by an Act approved April 25,
12 2022 (Ga. L. 2022, p. 5725), is amended by revising subsection (b) of Section 2 as follows:
13 "(b) The Authority shall consist of 15 members who shall be appointed as follows: two
14 members shall be appointed by each of the governing bodies of Clay, Harris, Marion,
15 Quitman, Randolph, Stewart, Webster, and The Unified Government of
16 Cusseta-Chattahoochee Counties. Each member shall serve for a term of four years except

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

SECTION 2.

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

"SECTION 13.

Credit not pledged.

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

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

43 **SECTION 3.**

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

45 "SECTION 25.

46 Tort immunity.

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

55 **SECTION 4.**

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

57 "SECTION 27.

58 Effect on other governments.

59 This Act shall not and does not in any way take from Clay, Harris, Marion, Quitman,
60 Randolph, Stewart, Webster, and The Unified Government of Cusseta-Chattahoochee
61 counties or any municipalities located in such counties or any adjoining counties the

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

65 **SECTION 5.**

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