

House Bill 1516 (AS PASSED HOUSE AND SENATE)

By: Representatives Gaines of the 117th, Wiedower of the 119th, and Frye of the 118th

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
2 Annotated, relating to the Georgia Music Hall of Fame Authority, so as to provide for
3 definitions; to provide for the continuation in office of the members of the authority; to
4 provide for membership, appointment, and qualifications; to repeal provisions relating to
5 joint operation between the Georgia Music Hall of Fame and the Georgia Sports Hall of
6 Fame; to revise the corporate purposes and general powers; to provide for jurisdiction of
7 actions; to provide for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 SECTION 1.

10 Part 10 of Article 7 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated,
11 relating to the Georgia Music Hall of Fame Authority, is amended by revising Code Section
12 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.

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

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

31 ~~(3)~~(5) 'Project' means and includes one or a combination of two or more of the following:
 32 buildings, facilities, and all structures; electric, gas, steam, water, and sewerage utilities;
 33 and improvements of every kind and character deemed by the authority necessary or
 34 convenient for its purposes."

35

SECTION 2.

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

39 "(a) There is created a body corporate and politic to be known as the Georgia Music Hall
 40 of Fame Authority which shall be deemed to be an instrumentality of the State of Georgia
 41 and a public corporation; and by that name, style, and title such body may contract and be
 42 contracted with, bring and defend actions, implead and be impleaded, and complain and

43 defend in all courts of this state. No provision of this part is intended to diminish or impair,
44 nor shall any provision be construed as diminishing or impairing, the rights of any person
45 or entity under any contract with the authority. The members of the authority serving on
46 June 30, 2022, shall continue to serve as members of the authority until their successors are
47 designated and qualified as provided for in subsection (b) of this Code section.

48 (b)(1) The authority shall consist of nine members. The chairperson of the Georgia Hall
49 of Fame Overview Committee shall be a member and shall serve an initial term of office
50 of four years. The Governor shall appoint four members who represent the state's music
51 industry and each of the following cities: Athens, Augusta, Macon, and Savannah. Such
52 members shall serve initial terms of office as follows: two members for three years and
53 two members for four years. The Speaker of the House of Representatives shall appoint
54 two members who shall serve initial terms of office as follows: one member for one year
55 and one member for two years. The President of the Senate shall appoint two members
56 who shall serve initial terms of office as follows: one member for one year and one
57 member for two years. Initially, members shall serve staggered terms of office as
58 follows: two members for one year, two members for two years, two members for three
59 years, and three members for four years. Thereafter, each member After the initial terms
60 of office, members shall serve for a term of four years and. ~~All members shall be~~
61 ~~appointed by the Governor and confirmed by the Senate and shall serve until the~~
62 ~~appointment and qualification of their successors. The members appointed by the~~
63 ~~Governor shall be selected from the state at large but shall be representative of all of the~~
64 ~~geographic areas of the state. Such members also shall represent the state's music~~
65 ~~industry. The Governor, Speaker of the House of Representatives, and President of the~~
66 Senate are is authorized to appoint any elected or appointed state, county, municipal, or
67 school board official or employee, except officials and employees of the legislative or
68 judicial branches of state government, as members of the authority, and any person so
69 appointed is authorized to serve as a member of the authority. All successors shall be

70 appointed in the same manner as original appointments. Vacancies in office shall be
 71 filled in the same manner as original appointments. An appointment to fill a vacancy
 72 shall be for the unexpired term.

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

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

81 **SECTION 3.**

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

85 **SECTION 4.**

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

88 "12-3-523.

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

- 90 (1) ~~Constructing and maintaining a facility~~ Coordinating with the Classic Center
 91 Authority and entities dedicated to archiving and collecting music history and artifacts
 92 to house the Georgia Music Hall of Fame;
 93 (2) Operating, advertising, and promoting the Georgia Music Hall of Fame; and
 94 (3) Promoting music events ~~at the facility and~~ throughout the state."

95 **SECTION 5.**

96 Said part is further amended by revising paragraph (20) of Code Section 12-3-524, relating
97 to general powers, as follows:

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

99 **SECTION 6.**

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

101 "12-3-524.2.

102 (a) At all times, the authority shall maintain ownership of the Music Hall of Fame
103 collection; provided, however, that, upon request, the authority may rotate and share
104 materials of the collection throughout the state.

105 (b) The collection shall be managed, displayed, promoted, advertised, and procured in
106 compliance with all applicable copyright and trademark laws."

107 **SECTION 7.**

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