

House Bill 579

By: Representatives Oliver of the 82nd, Efstoration of the 104th, Wilson of the 80th, Drenner of the 85th, Lopez of the 86th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 75 of Title 36 of the Official Code of Georgia Annotated, relating to war
2 on terrorism local assistance, so as to change a short title to the "Public Safety and Judicial
3 Facilities Act"; to repeal the requirement for referendums prior to issuance of bonded
4 indebtedness for new projects; to provide for related matters; to repeal conflicting laws; and
5 for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 75 of Title 36 of the Official Code of Georgia Annotated, relating to war on
9 terrorism local assistance, is amended by revising Code Section 36-75-1, relating to a short
10 title, as follows:

11 "36-75-1.

12 This chapter shall be known and may be cited as the ~~"War on Terrorism Local Assistance~~
13 ~~Act."~~ "Public Safety and Judicial Facilities Act."

SECTION 2.

14

15 Said chapter is further amended by revising Code Section 36-75-11, relating to resolutions
16 and referendums required prior to issuance of bonded indebtedness for new projects and
17 exclusions, as follows:

18 "36-75-11.

19 (a) On and after May 24, 2007, no public safety and judicial facilities authority created and
20 activated by a single county pursuant to this chapter shall be authorized to issue bonds for
21 new projects unless a resolution approving such projects is passed by a majority vote of the
22 governing authority of the county that created and activated such authority ~~was ratified by~~
23 ~~the electors of the county in a referendum.~~

24 (b) The proceeds of bonds issued by a public safety and judicial facilities authority created
25 and activated by a single county pursuant to this chapter and any interest on such proceeds
26 shall be used only for the projects set forth in the resolution approving the issuance of such
27 bonds or for debt service on such bonds.

28 (c) Any authority other than the type of authority defined in paragraph (1) of Code
29 Section 36-75-3:

30 (1) Which is authorized by general or local Act to operate and issue bonds in a single
31 county that has activated or that activates a public safety and judicial facilities authority
32 pursuant to this chapter; and

33 (2) Which constructs or operates buildings or facilities for use by any department,
34 agency, division, or commission of any county that has activated or that activates a public
35 safety and judicial facilities authority pursuant to this chapter shall obtain approval by
36 resolution ~~and referendum~~ as provided for in subsection (a) in of this Code section prior
37 to issuing bonds for any new buildings, facilities, or real property or improvements to
38 existing buildings, facilities, or real property and shall be bound to such resolution as
39 provided in subsection (b) of this Code section.

40 (d) Subsections (a), (b), and (c) of this Code section shall apply only to the issuance of
41 bonds the principal and interest of which will be repaid, directly or indirectly, in whole or
42 in part, through funds of the county by agreement between the county and:

43 (1) A public safety and judicial facilities authority created and activated pursuant to this
44 chapter; or

45 (2) Any authority other than the type of authority defined in paragraph (1) of Code
46 Section 36-75-3 that meets the conditions set forth in paragraphs (1) and (2) of
47 subsection (c) of this Code section.

48 (e) The provisions of this Code section shall not apply under any circumstances to the
49 issuance of 'recovery zone economic development bonds' and 'recovery zone facility bonds'
50 as such terms are defined in Section 1401 of the federal American Recovery and
51 Reinvestment Act of 2009."

52 **SECTION 3.**

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