

The House Committee on Governmental Affairs offers the following substitute to SB 26:

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)(1) The department shall be authorized to establish, implement, and support a
34 state-wide electric vehicle manufacturing program for the promotion of electric vehicle
35 and component manufacturing in this state. The program shall advance the state's interest
36 in 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 (2) Pursuant to the purpose of the state-wide electric vehicle manufacturing program, the
44 department shall be authorized to contract with the Department of Transportation, the
45 State Road and Tollway Authority, the Georgia Technology Authority, the Georgia
46 Environmental Finance Authority, or other instrumentalities of the state for the
47 construction and maintenance of infrastructure which support the EV industry.

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

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

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

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

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

64 (5) To provide for assessments of the state interest in and benefit from encouraging the
65 growth of the EV industry in this state.

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

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

94 subsection shall serve for terms of two years. Members appointed pursuant to
 95 subparagraphs (J) and (K) of paragraph (1) of this subsection shall serve for terms
 96 concurrent with their corresponding terms as members of the General Assembly.

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

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

104 **PART II**

105 **SECTION 2-1.**

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

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

117 "(h)(1) The following bodies and committees thereof shall be authorized to conduct
 118 meetings by teleconference, provided that any such meeting shall be considered to be

119 conducted in compliance with this chapter so long as the notice required by this chapter
 120 is provided and, if fewer than a quorum of the members of a body or committee thereof
 121 are physically present, means have been afforded for the public to have simultaneous
 122 access to the teleconference meeting:

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

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

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

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

133 (2) The participation by teleconference of members of such bodies or committees thereof
 134 means full participation in the same manner as if such members were physically present.
 135 In the event such teleconference meeting is a public hearing, and if fewer than a quorum
 136 of the members of a body or committee thereof are physically present, then members of
 137 the public shall be afforded the means to participate fully in the same manner as if such
 138 members of the public were physically present."

139 **PART III**

140 **SECTION 3-1.**

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

143

SECTION 3-2.

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