22 LC 39 3375S

The Senate Committee on Transportation offered the following substitute to SB 558:

A BILL TO BE ENTITLED AN ACT

- 1 To amend Chapter 2 of Title 32 of the Official Code of Georgia Annotated, relating to the
- 2 Department of Transportation, so as to amend notice provisions relative to meetings for the
- 3 election of board members; to provide for negotiations in request for proposals relative to
- 4 public-private partnerships (P3s); to amend Code Section 50-18-72 of the Official Code of
- 5 Georgia Annotated, relating to when public disclosure not required by a state agency, so as
- 6 to exempt certain records from public disclosure requirements; to provide for related matters;
- 7 to provide for an effective date; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 SECTION 1.

- 10 Chapter 2 of Title 32 of the Official Code of Georgia Annotated, relating to the Department
- 11 of Transportation, is amended in Code Section 32-2-20, relating to composition of board,
- 12 qualifications of members, terms of office, selection of members, filling of vacancies,
- 13 officers, meetings, and compensation, by revising subsection (b) as follows:
- 14 "(b) Each member shall be elected to serve for a term of five years and until his or her
- successor is duly elected and certified. The member of the board from each congressional
- district shall be elected by a majority vote of the members of the House of Representatives

22 LC 39 3375S

17 and Senate whose respective districts are embraced or partly embraced within such 18 congressional district, meeting in caucus at the regular session of the General Assembly 19 immediately preceding the expiration of the term of office of each such board member. 20 Said caucus shall be called at the state capitol by the Speaker of the House of 21 Representatives and the President of the Senate within the first ten days of the convening 22 of the General Assembly in regular session by mailing to the members of the General 23 Assembly who are affected written notice. Notice of such meeting shall be sent by email 24 to the members of the General Assembly who are affected at least four days before the 25 caucus, which notice and shall state the time, place, and purpose of said caucus. Within 26 15 days after each such election, the Speaker of the House and the President of the Senate 27 shall jointly transmit a certificate of such election to the Secretary of State who, upon 28 receipt thereof, shall immediately issue his or her commission thereon, with the great seal 29 of the state affixed thereto. Any member of the board shall be subject to recall at any time 30 by a majority vote of the legislative caucus that elected the member."

31 SECTION 2.

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32 Said chapter is further amended in Code Section 32-2-80, relating to public-private 33 partnerships (P3s), by revising paragraph (4) of subsection (b) as follows:

"(4) Upon conclusion of discussions described in paragraph (3) of this subsection, the department shall rank respondents on the basis of the evaluation criteria set forth in the request for proposal. The department shall select in the order of preference two or more respondents whose qualifications and proposed services are deemed most meritorious and shall conduct negotiations with those respondents. Negotiations conducted under this paragraph can may include, but are not shall not be limited to, one-on-one meetings or requests for proposals proposal revisions."

22 LC 39 3375S

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- 42 Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to when public
- 43 disclosure not required by a state agency, is amended by revising paragraph (28) of
- 44 subsection (a) as follows:
- 45 "(28) Records or data of the State Road and Tollway Authority or the Department of
- 46 <u>Transportation</u> which would reveal the financial accounts, or travel history, vehicle
- 47 <u>information</u>, or personally identifiable information of any individual who is a motorist
- 48 upon any toll project or roadway;"
- 49 **SECTION 4.**
- 50 This Act shall become effective upon its approval by the Governor or upon its becoming law
- 51 without such approval.
- 52 SECTION 5.
- 53 All laws and parts of laws in conflict with this Act are repealed.