

Senate Bill 417

By: Senators Mullis of the 53rd, Gooch of the 51st, Beach of the 21st and Ginn of the 47th

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 45-7-21 of the Official Code of Georgia Annotated, relating to
2 expense allowance and travel cost reimbursement for members of certain boards and
3 commissions, so as to revise the per diem and transportation costs received by members of
4 boards whose membership is elected wholly by votes of the members of the House of
5 Representatives and Senate; to amend Chapter 7 of Title 50 of the Official Code of Georgia
6 Annotated, relating to the Department of Economic Development, so as to create the
7 "Georgia Film and Television Trail Act"; to provide for a short title; to provide for
8 definitions; to provide for a purpose; to provide for the Department of Economic
9 Development to plan and develop the trail; to provide for policies; to provide for the
10 Department of Transportation to place trail signs designed in conjunction with the
11 Department of Economic Development; to provide for certain immunities; to provide for
12 related matters; to repeal conflicting laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 **SECTION 1.**

15 Code Section 45-7-21 of the Official Code of Georgia Annotated, relating to expense
16 allowance and travel cost reimbursement for members of certain board and commissions, is
17 amended by deleting paragraph (6) of subsection (a) and designating such paragraph as
18 reserved and adding a new subsection to read as follows:

19 "(a.1) Each member of any state board whose membership is elected wholly by votes of
20 the members of the House of Representatives and Senate shall receive the same per diem
21 and transportation costs as that received by a member of the General Assembly for each
22 day of actual attendance at meetings of such board and the committee meetings of such
23 boards."

SECTION 2.

24
25 Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the Department
26 of Economic Development, is amended by adding a new article to read as follows:

"ARTICLE 9

27
28 50-7-110.

29 This article shall be known and may be cited as the 'Georgia Film and Television Trail Act.'

30 50-7-111.

31 In order to acknowledge the increasing production of films and television in this state, in
32 order to promote the enjoyment and appreciation of the film and television industry in
33 Georgia, and in order to provide public interest and enjoyment in visiting and viewing the
34 location sites of films and television productions made in Georgia, a trail shall be
35 developed to provide an opportunity for the public to be aware of these locations and visit
36 film and television location sites throughout this state. Therefore, the purpose of this
37 article is to provide for a Georgia Film and Television Trail.

38 50-7-112.

39 As used in this article, the term 'trail' means the Georgia Film and Television Trail provided
40 for in this article.

41 50-7-113.

42 The Department of Economic Development shall have the responsibility of creating and
43 developing a Georgia Film and Television Trail. In carrying out such responsibilities, it
44 shall be the duty of the department to identify and plan the trail, to acquire or otherwise
45 gain control over or rights to the use of the necessary land for the signs to identify the
46 locations of certain film and television productions that the department determines are of
47 interest to the general public and to work with the Department of Transportation to design
48 appropriate signs. For the purpose of carrying out its primary duties as provided in this
49 article, the department shall be authorized to exercise any powers heretofore provided by
50 law for the department, except for the powers of eminent domain.

51 50-7-114.

52 The department shall be guided by the following policies in creating and administering the
53 Georgia Film and Television Trail:

54 (1) A balanced system of locations throughout the state should be sought;

- 55 (2) Assistance and encouragement should be provided for local governments in the
 56 development of the trail;
- 57 (3) The advice, cooperation, and assistance of other state agencies, local governments
 58 and agencies thereof, and private associations and organizations should be sought in
 59 developing and maintaining the signs;
- 60 (4) The trail should be planned, constructed, and maintained on a long-term basis, and in
 61 connection therewith long-term control of the signs and marking of the trail; and
- 62 (5) A program for the publicity and education of the public on the existence of the trail
 63 should be established.

64 50-7-115.

- 65 (a) The Department of Transportation is authorized and directed to place signs in this state
 66 at film and television production sites determined by the Department of Economic
 67 Development and approved by the Department of Transportation pursuant to this article.
- 68 (b) Nothing contained in this Code section shall be deemed or construed to prevent local
 69 governing authorities or private associations and organizations from placing signs or
 70 otherwise indicating the location of the film or television production sites in this state,
 71 provided that the power of eminent domain shall not be exercised for the acquisition or
 72 construction of such signs for film or television production location sites.
- 73 (c) Notwithstanding the provisions of any other statute concerning the improvement of
 74 land held in fee simple by the State of Georgia, the Department of Transportation shall be
 75 authorized to expend state funds, subject to appropriations, for construction, placement, and
 76 maintenance of the signs indicating the film or television production locations designated
 77 by the department and may through purchase, easement, lease, or donation.

78 50-7-116.

- 79 (a) Any person who goes upon or through the premises, including, but not limited to,
 80 lands, waters, and private ways, of another with or without permission to sightsee, or for
 81 any other purpose, without the payment of monetary consideration, or with the payment
 82 of monetary consideration directly or indirectly on his or her behalf by an agency of the
 83 state or federal government, is not thereby entitled to any assurance that the premises are
 84 safe for such purpose. The owner of such premises does not assume responsibility for or
 85 incur liability for any injury to person or property caused by an act or failure to act of other
 86 persons using such premises.
- 87 (b) Nothing in this Code section shall be construed as affecting the existing case law of
 88 Georgia regarding liability of owners or possessors of premises with respect to business
 89 invitees in commercial establishments or to invited guests, nor shall this Code section be

90 construed so as to affect the attractive nuisance doctrine. In addition, nothing in this Code
91 section shall excuse the owner or occupant of premises from liability for injury to persons
92 or property caused by the malicious or illegal acts of the owner or occupant.

93 50-7-117.

94 The Department of Economic Development is authorized to adopt and promulgate such
95 rules and regulations as may be necessary to carry out this article."

96 **SECTION 3.**

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