

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 10 of Title 32 of the Official Code of Georgia Annotated, relating to the State Road and Tollway Authority, so as to abolish the State Road and Tollway Authority; to provide for the transfer of certain duties, responsibilities, obligations, and functions to the Department of Transportation; to provide for the disposition of liabilities, assets, and property of the authority; to provide for related matters; to conform statutory references; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 10 of Title 32 of the Official Code of Georgia Annotated, relating to the State Road and Tollway Authority, is amended by repealing Parts 1 and 2, relating to general provisions and revenue bonds, respectively, and designating said parts as reserved.

SECTION 2.

(a) Beginning July 1, 2011, all functions, duties, responsibilities, and obligations of the State Road and Tollway Authority shall belong to the Department of Transportation. The Department of Transportation shall also succeed to the rights, claims, remedies, securities, and any other debt or obligation owing to the State Road and Tollway Authority.

(b) The Department of Transportation shall be substituted for the State Road and Tollway Authority on any bonds, claims, causes of action, contracts, leases, agreements, or other indebtedness or obligations of the State Road and Tollway Authority. Contracts held by the State Road and Tollway Authority shall be considered contracts of the Department of Transportation, and any rights of renewal, prerogatives, benefits, and rights of enforcement under such contracts shall also be transferred to the Department of Transportation.

(c) All assets, moneys, properties both tangible and intangible, and other valuable instruments and consideration belonging to the State Road and Tollway Authority on the date of transfer shall become the property and assets of the Department of Transportation.

(d) Except as provided in Code Section 40-6-54, no further tolls shall be collected on any highways, roadways, or other roads under the authority of the State Road and Tollway Authority on June 30, 2011.

SECTION 3.

Said article is further amended by revising Code Section 32-10-121, relating to creation and governance of the Transportation Infrastructure Bank, as follows:

"32-10-121.

~~(a) There shall be created within the State Road and Tollway Authority an instrumentality of the state to be known as the Georgia Transportation Infrastructure Bank.~~

~~(b) The bank shall be governed by the board of the State Road and Tollway Authority as provided in this chapter.~~

~~(c) The corporate purpose of the bank is to assist in financing qualified projects by providing loans and other financial assistance to government units for constructing and improving highway and transportation facilities necessary for public purposes, including economic development. The exercise by the bank of a power conferred in this part is an essential public function.~~

~~(d) The bank shall establish and maintain at least the four following accounts in the authority fund:~~

~~(1) State and local roadway account;~~

~~(2) State and local nonroadway account;~~

~~(3) Federal roadway account; and~~

~~(4) Federal nonroadway account.~~

Reserved."

SECTION 4.

Said article is further amended by revising paragraph (2) of Code Section 32-10-122, relating to definitions, as follows:

"(2) 'Board' means the board of the State Road and Tollway Authority Reserved."

SECTION 5.

Said article is further amended by revising Code Section 32-10-123, relating to authority of the board, as follows:

57 "32-10-123.

58 ~~In administering the affairs of the bank, the board may exercise any or all of the powers~~
 59 ~~granted to the authority under Parts 1 and 2 of this article, as well as the powers granted in~~
 60 ~~this part. Without limiting the generality of the foregoing, the board is specifically~~
 61 ~~authorized to issue bonds for the purposes of the bank, in the same general manner~~
 62 ~~provided in Part 2 of this article~~ Reserved."

63 SECTION 6.

64 Chapter 7 of Title 12 of the Official Code of Georgia Annotated, relating to control of soil
 65 erosion and sedimentation, is amended by revising Code Section 12-7-7.1, relating to erosion
 66 and sediment control plans, as follows:

67 "12-7-7.1.

68 (a) As used in this Code section, the term 'contractor' means the individual, firm,
 69 corporation, or combination thereof or governmental organization contracting with the
 70 Department of Transportation ~~or State Road and Tollway Authority~~ for the performance
 71 of prescribed work.

72 (b)(1) In addition to the requirements of Code Section 12-7-6, the Department of
 73 Transportation ~~or the State Road and Tollway Authority after July 1, 2003~~, shall not
 74 contract for land-disturbing activity on any construction or maintenance project that will
 75 disturb one or more contiguous acres of land until an erosion and sediment control plan
 76 for such project has been prepared and accepted pursuant to this Code section.

77 (2) Through its own forces or by means of the acquisition of professional service
 78 pursuant to the provisions of Chapter 22 of Title 50, the Department of Transportation
 79 ~~or the State Road and Tollway Authority~~ shall be responsible for the preparation of an
 80 erosion and sediment control plan for any construction or maintenance project as required
 81 by paragraph (1) of this subsection. Any consultant providing such professional service
 82 shall be prequalified by the Department of Transportation as a responsible bidder for the
 83 design of erosion and sediment control plans. The division shall assist the Department
 84 of Transportation in developing the prequalification approval process for purposes of this
 85 subsection.

86 (c) Upon completion of a proposed plan, the same shall be submitted to the division for
 87 review and comment as required by the state general permit.

88 (d)(1) All bidders for any construction or maintenance project subject to this Code
 89 section shall review and submit with their bid proposal a cost estimate as a separate bid
 90 for the implementation of the plan, it being understood that the contractor may utilize
 91 either its own personnel and resources, qualified subcontractors, or both for
 92 implementation of the plan. All contractors and subcontractors for such project shall be

prequalified by the Department of Transportation as a responsible bidder for the installation of erosion and sediment control devices in accordance with a plan. The division shall assist the Department of Transportation in developing the prequalification approval process for purposes of this subsection.

(2) The contractor for a construction or maintenance project subject to this Code section shall be responsible for implementing the plan on the awarded project. Payment to any contractor under any contract for implementing any part or all of any plan shall not be on a lump sum basis; rather, such payment shall be based upon unit prices for specific quantities of work performed pursuant to the approved erosion and sediment control plan plus any additional quantities of completed work necessitated by project conditions affecting erosion and sediment control, including without limitation soil types and weather conditions. Charges for all maintenance and cleaning of erosion and sediment control devices shall likewise be paid on a unit price basis.

(e)(1) Through the services of independent consultants, contractors, or subcontractors, or by its own forces, the Department of Transportation shall monitor the water quality and inspect the installation and maintenance of the best management practices in accordance with the plan. All such consultants, contractors, or subcontractors shall be prequalified by the Department of Transportation as a responsible bidder for the inspection of such best management practices and shall have the necessary expertise to determine that such practices are being installed and maintained in accordance with the plan. The division shall assist the Department of Transportation in developing the prequalification approval process for purposes of this subsection.

(2) Proper design, installation, and maintenance of best management practices shall constitute a complete defense to any action by the director or to any other allegation of noncompliance with paragraph (2) of subsection (a) of Code Section 12-7-6.

(3) If deficiencies in the plan or installation or maintenance of best management practices are discovered during the inspection, the Department of Transportation ~~or the State Road and Tollway Authority~~ shall determine the appropriate corrective action. Further, the Department of Transportation ~~or State Road and Tollway Authority~~ may require the consultant to amend the plan or the contractor to change its procedures by change order or supplemental agreement in order to institute such changes as may be necessary to correct any errors or deficiencies in the plan, the implementation of the plan, or the maintenance of the best management practices.

(4) The division; or the Department of Transportation; ~~or the State Road and Tollway Authority~~ shall control or coordinate the work of its employees inspecting any project so as to prevent any delay of, interference with, or hindrance to any contractor performing land-disturbing activity on any project subject to the provisions of this Code section.

(f)(1) There shall be an Erosion and Sediment Control Overview Council which shall provide guidance on the best management practices for implementing any erosion and sediment control plan for purposes of this Code section. The council shall be composed of nine members, including one member who shall be appointed by the Speaker of the House of Representatives and serve at the pleasure thereof; one member who shall be appointed by the Lieutenant Governor and serve at the pleasure thereof; and seven members who shall be appointed by the Governor and serve at the pleasure thereof, including one employee each from the Department of Transportation, the Environmental Protection Division of the Department of Natural Resources, and the Georgia Regional Transportation Authority, a professional engineer licensed to practice in this state from a private engineering consulting firm practicing environmental engineering, two representatives of the highway contracting industry certified by the Department of Transportation, and a chairperson. The council shall meet at the call of the chairperson. Each councilmember shall receive a daily allowance in the amount specified in subsection (b) of Code Section 45-7-21; provided, however, that any full-time state employee serving on the council shall draw no compensation but shall receive necessary expenses. The commissioner is authorized to pay such compensation and expenses from department funds.

(2) The council may develop recommendations governing the preparation of plans and the installation and maintenance of best management practices. If a dispute concerning the requirements of this Code section should arise, the Erosion and Sediment Control Overview Council shall mediate the dispute.

(g) Nothing in this Code section shall be construed to affect the division's authority under Article 2 of Chapter 5 of this title, the 'Georgia Water Quality Control Act.'

SECTION 7.

Code Section 12-7-17 of the Official Code of Georgia Annotated, relating to exemptions from provisions concerning erosion and sediment control, is amended by revising paragraph (9) as follows:

"(9) Construction or maintenance projects, or both, undertaken or financed in whole or in part, or both, by the Department of Transportation; or the Georgia Highway Authority; ~~or the State Road and Tollway Authority;~~ or any road construction or maintenance project, or both, undertaken by any county or municipality; provided, however, that construction or maintenance projects of the Department of Transportation ~~or the State Road and Tollway Authority~~ which disturb one or more contiguous acres of land shall be subject to the provisions of Code Section 12-7-7.1; except where the Department of Transportation; or the Georgia Highway Authority, ~~or the State Road and Tollway~~

Authority is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case a copy of a notice of intent under the state general permit shall be submitted to the local issuing authority, the local issuing authority shall enforce compliance with the minimum requirements set forth in Code Section 12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders;"

SECTION 8.

Chapter 1 of Title 32 of the Official Code of Georgia Annotated, relating to general provisions relative to highways, bridges, and ferries, is amended by revising Code Section 32-1-8, relating to construction and maintenance of private roads, as follows:

"32-1-8.

It shall be unlawful for any official, officer, or employee of the department, ~~the State Road and Tollway Authority~~, the Georgia Highway Authority, or any similar authority or of any county or municipality to authorize the construction or maintenance of any private road."

SECTION 9.

Code Section 32-2-2 of the Official Code of Georgia Annotated, relating to powers and duties of the Department of Transportation generally, is amended by revising paragraphs (5) and (7) of subsection (a) as follows:

"(5) The department shall have the authority to negotiate, let, and enter into contracts with the Georgia Highway Authority, ~~the State Road and Tollway Authority~~, any person, any state agency, or any county or municipality of the state for the construction or maintenance of any public road or any other mode of transportation or for the benefit of or pertaining to the department or its employees in such manner and subject to such express limitations as may be provided by law;"

"(7) The department ~~and the State Road and Tollway Authority~~ shall be the proper ~~agencies~~ agency of the state to discharge all duties imposed on the state by any act of Congress allotting federal funds to be expended for public road and other transportation purposes in this state. The department shall have the authority to accept and use federal funds; to enter into any contracts or agreements with the United States or its agencies or subdivisions relating to the planning, financing, construction, improvement, operation, and maintenance of any public road or other mode or system of transportation; and to do all things necessary, proper, or expedient to achieve compliance with the provisions and requirements of all applicable federal-aid acts and programs. Nothing in this title is intended to conflict with any federal law; and, in case of such conflict, such portion as

may be in conflict with such federal law is declared of no effect to the extent of the conflict;"

SECTION 10.

Code Section 32-2-61 of the Official Code of Georgia Annotated, relating to limitations on power to contract, is amended by revising paragraph (1) of subsection (d) as follows:

"(1) The department is prohibited from negotiating any contract for the construction or maintenance of a public road involving the expenditure of \$100,000.00 or more except any contract:

(A) With counties, municipalities, and state agencies, provided that such negotiated contract shall be made at the average bid price of the same kind of work let to contract after advertisement during a period of 60 days prior to the making of the contract;

(B) With a railroad company or utility concerning relocation of its tracks or facilities where the same are not then located on a public road and such relocation is necessary as an incident to the construction or improvement of a public road. However, nothing contained in this subsection shall be construed as requiring the department to furnish a site or right of way for railroad or railway lines or tracks or utility facilities required to be removed from a public road. Furthermore, this subsection shall not prevent the department from assisting in the removal and relocation of publicly owned utilities from locations on public roads as provided in Code Section 32-6-170;

(C) For emergency construction or maintenance involving the expenditure of \$100,000.00 or more when the public interest requires that the work be done without the delay of advertising for public bids;

(D) For the procurement of business, professional, or other services from any person, firm, or corporation as an independent contractor; or

(E) ~~With the State Road and Tollway Authority; or~~

~~(F) Through the provisions of a design-build contract as provided for in Code Section 32-2-81."~~

SECTION 11.

Code Section 32-2-75 of the Official Code of Georgia Annotated, relating to contract clauses for retainage of amounts constituting a percentage of gross value of completed work, is amended by revising subsection (a) as follows:

"(a) As used in this Code section and Code Sections 32-2-76 and 32-2-77, the term:

(1) 'Engineer' means the chief engineer or the engineer designated by the Georgia Highway Authority ~~or the State Road and Tollway Authority.~~

(2) 'Escrow account' means the certificates of deposit issued by a state or national bank in Georgia and any uninvested cash held in escrow.

(3) 'State' means the Department of Transportation; or the Georgia Highway Authority; ~~or the State Road and Tollway Authority.~~

(4) 'Treasurer' means the treasurer of the Department of Transportation; or the treasurer of the Georgia Highway Authority; ~~or the treasurer of the State Road and Tollway Authority."~~

SECTION 12.

Code Section 32-4-22 of the Official Code of Georgia Annotated, relating to creation of the Developmental Highway System, is amended by revising subsection (c) as follows:

"(c) The Developmental Highway System shall be under the control and supervision of the board, subject to the provisions of this Code section or any other Act of the General Assembly; ~~provided, however, that the State Road and Tollway Authority is authorized to construct all or any part of such system and to enter into agreements with the department, pursuant to Code Section 32-2-61, for such purpose.~~ Any project the cost of which is paid from the proceeds of garvee bonds as defined in Code Section 32-10-90.1 shall be, pursuant to a contract or agreement between the authority and the department, planned, designed, and constructed by the Department of Transportation or a contractor contracting with the Department of Transportation."

SECTION 13.

Code Section 32-5-1 of the Official Code of Georgia Annotated, relating to receipt of federal funds by the state, is amended by revising subsection (a) as follows:

"(a) The state treasurer is designated a proper authority to receive any of the federal-aid funds apportioned by the federal government under 23 U.S.C. and to receive any other federal funds apportioned to the State of Georgia for public road and other public transportation purposes; ~~unless designated otherwise by the federal government and except as such funds may be directed by the federal government to the State Road and Tollway Authority."~~

SECTION 14.

Article 1 of Chapter 5 of Title 32 of the Official Code of Georgia Annotated, relating to federal funds, is amended by revising Code Section 32-5-2, relating to appropriations of funds to the Department of Transportation, as follows:

266 "32-5-2.

267 All federal funds received by the state treasurer under Code Section 32-5-1 are continually
 268 appropriated to the department for the purpose specified in the grants of such funds ~~except~~
 269 ~~as such funds may be directed by the federal government to the State Road and Tollway~~
 270 ~~Authority~~, provided that no federal funds or funds appropriated to the department shall be
 271 expended for procurement of rights of way for a road to be constructed on a county road
 272 system except as otherwise provided by law or by agreement between the federal
 273 government and the department."

274 SECTION 15.

275 Chapter 9 of Title 32 of the Official Code of Georgia Annotated, relating to mass
 276 transportation, is amended by revising Code Section 32-9-12, relating to a pilot program for
 277 funding streetcar projects, as follows:

278 "32-9-12.

279 The department will form a pilot program that will provide a state level flow through point
 280 for any available federal funding or other forms of financial and development sources and
 281 assistance for local, regional, and public-private streetcar projects. Any funding through
 282 bonds for such pilot and grant program shall be administered by the ~~State Road and~~
 283 ~~Tollway Authority~~ department."

284 SECTION 16.

285 Code Section 32-10-4 of the Official Code of Georgia Annotated, relating to powers of the
 286 Georgia Highway Authority generally, is amended by revising paragraph (12) as follows:

287 "(12) To incorporate one or more nonprofit corporations as subsidiary corporations of
 288 the authority for the purpose of carrying out any of the powers of the authority and to
 289 accomplish any of the purposes of the authority. Any such subsidiary corporation shall
 290 be a nonprofit corporation, a body corporate and politic, and an instrumentality and
 291 public corporation of the state and shall exercise essential governmental functions. Any
 292 subsidiary corporations created pursuant to this power shall be created pursuant to
 293 Chapter 3 of Title 14, the 'Georgia Nonprofit Corporation Code,' and shall be filed with
 294 the Secretary of State, who shall be authorized to accept such filings. The commissioner
 295 and two individuals appointed by the members of the authority shall constitute the
 296 members of and shall serve as directors of any subsidiary corporation, and such
 297 appointment shall not constitute a conflict of interest, provided that the provisions of
 298 subsection (a) of Code Section 45-10-23 or any other law shall not prevent full-time
 299 employees of the authority or the Department of Transportation from serving as members
 300 of the governing board of such subsidiary corporation. Upon dissolution of any

subsidary corporation of the authority, any assets shall revert to the authority or to any successor to the authority or, failing such succession, to the state, ~~provided that any toll collection or other tollway operations remain under the authority of the State Road and Tollway Authority.~~ The authority shall not be liable for the debts, obligations, or bonds of any subsidiary corporation or for the actions or omissions to act of any subsidiary corporation unless the authority in writing expressly so consents."

SECTION 17.

Code Section 35-2-101 of the Official Code of Georgia Annotated, relating to jurisdiction, duties, and powers of the Motor Carrier Compliance Division, is amended by revising paragraph (5) of subsection (b) as follows:

"(5) Enforcement of all state laws on the following properties owned or controlled by the Department of Transportation ~~or the State Road and Tollway Authority~~: rest areas, truck-weighing stations or checkpoints, wayside parks, parking facilities, toll facilities, and any buildings and grounds for public equipment and personnel used for or engaged in administration, construction, or maintenance of the public roads or research pertaining thereto;"

SECTION 18.

Code Section 36-60-21 of the Official Code of Georgia Annotated, relating to contracts with private companies to construct and operate private toll roads and bridges to facilitate public transportation without additional tax revenues, is amended by revising subsection (f) as follows:

"(f) A project operated pursuant to a contract, license, or contract and license authorized under this Code section shall not be subject to regulation as to toll amounts or any other matters by the Public Service Commission; or the Department of Transportation, ~~or the State Road and Tollway Authority~~, except those matters related to the regulation of safety or hazardous materials as provided for in Title 46."

SECTION 19.

Article 6 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to administration and enforcement of chapter, is amended by repealing Code Section 40-2-135.1, relating to suspension of offender's motor vehicle registration for multiple violations of toll provisions.

SECTION 20.

Code Section 40-6-54 of the Official Code of Georgia Annotated, relating to designation of travel lanes for exclusive use of certain vehicles, is amended by revising subsection (d) as follows:

"(d) The General Assembly finds and declares that the development, improvement, and use of exclusive or preferential high occupancy vehicle lanes, emergency vehicle lanes, and truck lanes or routes should be undertaken in order to relieve congestion and increase the efficiency of the federal-aid highway system. The Department of Transportation ~~in cooperation with the State Road and Tollway Authority~~ is hereby authorized to implement high occupancy toll (HOT) lanes where appropriate in qualifying HOV lanes. A 'HOT lane' is a designated lane which allows single occupancy vehicles to gain access to HOV lanes by paying a toll set by the ~~State Road and Tollway Authority~~ Department of Transportation. The department may design and develop a system of HOT lanes which uses value pricing and lane management. 'Value pricing' recognizes the need to vary the road user charge according to the levels of congestion and time of day; and 'lane management' restricts access to the designated HOT lanes based on occupancy, vehicle type, or other objective which would maximize the efficiency of the federal-aid highway system."

SECTION 21.

Code Section 40-16-2 of the Official Code of Georgia Annotated, relating to primary responsibilities of the Department of Driver Services, is amended by revising paragraph (8) of subsection (b) as follows:

"(8) Enforcement of all state laws on the following properties owned or controlled by the Department of Transportation ~~or the State Road and Tollway Authority~~ is transferred to the Department of Public Safety: rest areas, truck-weighing stations or checkpoints, wayside parks, parking facilities, toll facilities, and any buildings and grounds for public equipment and personnel used for or engaged in administration, construction, or maintenance of the public roads or research pertaining thereto;"

SECTION 22.

Article 1 of Chapter 15 of Title 45 of the Official Code of Georgia Annotated, relating to general provisions relative to the Attorney General, is amended by revising Code Section 45-15-13, relating to representation of state authorities by the Attorney General, as follows:

"45-15-13.

As used in Code Sections 45-15-14 through 45-15-16, the term 'state authorities' means the following instrumentalities of the state: Georgia Building Authority, Georgia Building

Authority (Hospital), Georgia Building Authority (Markets), Georgia Building Authority (Penal), Georgia Education Authority (Schools), Georgia Education Authority (University), Georgia Highway Authority, Georgia Ports Authority, ~~State Road and Tollway Authority~~, Jekyll Island—State Park Authority, and Stone Mountain Memorial Association."

SECTION 23.

Code Section 50-17-21 of the Official Code of Georgia Annotated, relating to definitions regarding the "Georgia State Financing and Investment Commission Act," is amended by revising paragraph (9) as follows:

"(9) 'State authorities' means the following instrumentalities of the state: Georgia Building Authority, Georgia Building Authority (Hospital), Georgia Building Authority (Penal), Georgia Building Authority (Markets), Georgia Education Authority (Schools), Georgia Education Authority (University), Georgia Highway Authority, ~~State Road and Tollway Authority~~, Georgia Ports Authority, Georgia Development Authority, Jekyll Island—State Park Authority, Stone Mountain Memorial Association, North Georgia Mountains Authority, Lake Lanier Islands Development Authority, Groveland Lake Development Authority, Georgia Higher Education Assistance Authority, the Georgia Housing and Finance Authority, and other instrumentalities of the state created by the General Assembly and authorized to issue debt and not specifically exempt from this article."

SECTION 24.

Code Section 50-17-22 of the Official Code of Georgia Annotated, relating to the State Financing and Investment Commission, is amended by revising paragraph (2) of subsection (b) as follows:

"(2) There shall be a construction division of the commission administered by a director who shall not be a member of the commission and who shall also serve as the executive secretary for the commission. The director and the staff of the construction division shall be appointed by and serve at the pleasure of the commission, shall provide administrative support for all personnel of the commission, and shall account for and keep all records pertaining to the operation and administration of the commission and its staff. The director, as executive secretary, shall prepare ~~agenda~~ agendas and keep minutes of all meetings of the commission. In construction and construction related matters, the construction division shall act in accordance with the policies, resolutions, and directives of the Georgia Education Authority (Schools) and the Georgia Education Authority (University) until such time as such policies, resolutions, or directives are changed or modified by the commission. In carrying out its responsibilities in connection with the

application of any funds under its control, including the proceeds of any debt or any appropriation made directly to it for construction purposes, the commission is specifically authorized to acquire and construct projects for the benefit of any department or agency of the state or to contract with any such department or agency for the acquisition or construction of projects under policies, standards, and operating procedures to be established by the commission; provided, however, that the commission shall contract with the Department of Transportation or the Georgia Highway Authority ~~or the State Road and Tollway Authority~~ or any combination of the foregoing both for the supervision of and contracting for design, planning, building, rebuilding, constructing, reconstructing, surfacing, resurfacing, laying out, grading, repairing, improving, widening, straightening, operating, owning, maintaining, leasing, and managing any public roads and bridges for which general obligation debt has been authorized. The construction division also shall perform such construction related services and grant administration services for state agencies and instrumentalities and for local governments, instrumentalities of local governments, and other political subdivisions as may be assigned to the commission or to the construction division by executive order of the Governor."

SECTION 25.

Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to when disclosure of public records is not required, is amended by revising paragraph (18) of subsection (a) as follows:

"(18) Records of the ~~State Road and Tollway Authority~~ Department of Transportation which would reveal the financial accounts or travel history of any individual who is a motorist upon ~~such a~~ toll project. Such financial records shall include, but not be limited to, social security number, home address, home telephone number, e-mail address, credit or debit card information, and bank account information but shall not include the user's name;"

SECTION 26.

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

SECTION 27.

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