

The Senate Public Safety Committee offered the following substitute to SB 365:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 2 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated,  
2 relating to organization and administration of the Georgia Emergency Management Agency,  
3 so as to provide for certain state government safety plans; to provide for exemptions; to  
4 provide for a program of training and technical assistance; to exempt certain records from  
5 public inspection and disclosure; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to  
9 organization and administration of the Georgia Emergency Management Agency, is amended  
10 by inserting a new Code section to read as follows:

11 "38-3-22.1.

12 (a) Every state agency or authority, except those exempted in subsection (b) of this Code  
13 section, shall prepare an agency safety plan to address the threat of terrorism, to respond  
14 effectively to such incidents, and to provide a safe environment for state personnel and for  
15 those citizens conducting business with state agencies. In addition to acts of terrorism,  
16 such plan shall also address preparedness for natural disasters, hazardous materials or  
17 radiological accidents, and acts of violence. The safety plans of agencies and authorities  
18 shall be prepared with input from the appropriate supervisors and rank-and-file employees  
19 and local law enforcement, fire service, public safety, and emergency management  
20 agencies. Such plans shall be reviewed internally and, if necessary, updated annually.  
21 Such plans shall be submitted to the local emergency management agency.

22 (b) The Department of Public Safety, the Department of Corrections, and any other state  
23 agency which operate secured facilities shall be exempt from the requirements of  
24 subsection (a) of this Code section.

25 (c) Subject to the availability of funds for such purpose, the Georgia Emergency  
26 Management Agency shall provide training and technical assistance to agencies and  
27 authorities and may provide such training and technical assistance to local units of  
28 government and to critical facilities operated by the private sector. Such training and

1 technical assistance shall include, but not be limited to, crisis response team development,  
2 site surveys and safety audits, crisis management planning, exercise design, safe school  
3 planning, emergency operations planning, search and seizure, bomb threat management,  
4 and model safety plans.

5 (d) The following records shall not be subject to public inspection or disclosure under  
6 Article 4 of Chapter 18 of Title 50:

7 (1) Site surveys, safety audits, and vulnerability assessments performed pursuant to  
8 subsection (a) of this Code section; and

9 (2) Any other record produced pursuant to this Code section the disclosure of which  
10 would, in the determination of the director of the Georgia Emergency Management  
11 Agency, endanger the life or physical safety of any person or persons or the physical  
12 safety of any public property."

13

## **SECTION 2.**

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