

Senate Bill 365

By: Senators Marable of the 52nd, Dean of the 31st, Hill of the 4th and Walker of the 22nd

AS PASSED SENATE

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

1 authorities and may provide such training and technical assistance to local units of
2 government and to critical facilities operated by the private sector. Such training and
3 technical assistance shall include, but not be limited to, crisis response team development,
4 site surveys and safety audits, crisis management planning, exercise design, safe school
5 planning, emergency operations planning, search and seizure, bomb threat management,
6 and model safety plans.

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

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

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

15 **SECTION 2.**

16 All laws and parts of laws in conflict with this Act are repealed.