

Senate Bill 515

By: Senators Mullis of the 53rd, Bowen of the 13th, Scott of the 36th and Thomas of the 54th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Title 25 of the Official Code of Georgia Annotated, relating to fire protection and
2 safety, so as to change certain provisions relating to general requirements, equipment and
3 clothing, personnel, and insurance relative to fire departments; to change certain provisions
4 relating to suspension or revocation of certificate of compliance; to change certain provisions
5 relating to definitions relative to firefighter standards and training; to change certain
6 provisions relating to the Georgia Firefighter Standards and Training Council; to provide for
7 an executive director of the Georgia Firefighter Standards and Training Council; to change
8 certain provisions relating to a basic firefighter training course and transfer of certification;
9 to change certain provisions relating to mandatory annual training; to change certain
10 provisions; to provide an effective date; to repeal conflicting laws; and for other purposes.

11 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

12 **SECTION 1.**

13 Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety, is
14 amended by striking Code Section 25-3-23, relating to general requirements, equipment and
15 clothing, personnel, and insurance relative to fire departments, and inserting in lieu thereof
16 the following:

17 "25-3-23.

18 (a) Except as otherwise provided in subsection (d) of this Code section, in order to be
19 legally organized:

20 (1) A fire department shall comply with the following requirements:

21 (A) Be established ~~in accordance with the provisions of the National Fire Protection~~
22 ~~Association Standard 1201~~ to provide fire and other emergency and nonemergency
23 services in accordance with standards specified solely by the Georgia Firefighter
24 Standards and Training Council and the applicable local government;

25 (B) Be capable of providing fire protection 24 hours a day, ~~seven days a week~~ 365 days
26 per year;

1 (C) Be responsible for a defined area of operations depicted on a map located at the fire
2 station; and

3 (D) Be staffed with a sufficient number of ~~qualified firefighters who are full-time, part~~
4 ~~time, or volunteers and who shall have successfully completed an approved basic~~
5 ~~fire-fighting course conducted by or through the Georgia Fire Academy~~ full-time,
6 part-time, or volunteer firefighters who have successfully completed basic firefighter
7 training as specified by the Georgia Firefighter Standards and Training Council; and

8 (2) A fire department shall possess the following items of approved equipment and
9 protective clothing:

10 (A) A minimum of one fully equipped, operable pumper with a capacity of at least ~~100~~
11 750 GPM at ~~120~~ 150 PSI and a tank capacity of a minimum of 250 gallons; provided,
12 however, a ~~minimum of one fully equipped, operable, and approved pumper of at least~~
13 ~~750 GPM capacity is recommended~~ that previously approved fire apparatus which does
14 not meet such minimum standards shall not be obsolete for service until replaced by the
15 local authority;

16 (B) A minimum of equipment, appliances, adapters, and accessories necessary to
17 perform and carry out the duties and responsibilities of a fire department set forth in
18 Code Sections 25-3-1 and 25-3-2 as approved by the Georgia Firefighter Standards and
19 Training Council;

20 (C) A minimum of two approved self-contained breathing apparatus for each pumping
21 apparatus as approved by the Georgia Firefighter Standards and Training Council; and

22 (D) A minimum issue of sufficient personal protective clothing to permit each member
23 to perform safely the duties of a firefighter.

24 ~~(b) A minimum of 15 firefighters for each fire department is recommended; however,~~
25 ~~departments existing on or before July 1, 1984, shall be exempt from this recommendation.~~

26 ~~(e)~~(b) A legally organized fire department shall purchase and maintain sufficient insurance
27 coverage on each member of the fire department to pay claims for injuries sustained en
28 route to, during, and returning from fire calls or other emergencies and disasters and
29 scheduled training sessions.

30 ~~(d)~~(c) On and after July 1, 1998, the Georgia Firefighter Standards and Training Council
31 shall be authorized, by rules and regulations, to establish and modify minimum
32 requirements for all fire departments operating in this state, provided that such
33 requirements are equal to or exceed the requirements provided in subsections ~~(a), (b), and~~
34 ~~(c)~~ (a) and (b) of this Code section."

35 **SECTION 2.**

1 Said title is further amended by striking Code Section 25-3-25, relating to suspension or
2 revocation of certificate of compliance, and inserting in lieu thereof the following:

3 "25-3-25.

4 (a) The certificate of compliance issued by the executive director shall be subject to
5 suspension or revocation at any time he or she receives satisfactory evidence that:

6 (1) The fire department is not maintaining sufficient personnel, equipment, or insurance
7 required by Code Section 25-3-23 or the rules and regulations of the Georgia Firefighter
8 Standards and Training Council pursuant to subsection (d) of Code Section 25-3-23; or

9 (2) The fire department is not serving the best interests of the citizens of its area of
10 operations.

11 (b) The council may bring a civil action to enjoin any organization which is not in
12 compliance with the applicable requirements of this chapter from performing any or all
13 firefighting functions until such requirements are met by such organization."

14 SECTION 3.

15 Said title is further amended by striking Code Section 25-4-2, relating to definitions relative
16 to firefighter standards and training, and inserting in lieu thereof the following:

17 "25-4-2.

18 As used in this chapter, the term:

19 (1) 'Candidate' means a prospective firefighter who has not yet been certified by the
20 council as having met the requirements of this chapter.

21 (2) 'Certified firefighter' or 'state certified firefighter' means any firefighter who has been
22 certified by the council as having met the requirements of this chapter.

23 ~~(2)~~(3) 'Council' means the Georgia Firefighter Standards and Training Council.

24 ~~(3)~~(4) 'Firefighter' means any person who is employed as a professional firefighter on a
25 full-time basis of at least 40 hours per week by any municipal, county, or state
26 government fire department employing three or more firefighters and who has the
27 responsibility of preventing and suppressing fires, protecting life and property, and
28 enforcing municipal, county, and state fire prevention codes, as well as enforcing any law
29 pertaining to the prevention and control of fires, or who is employed full time as a public
30 safety officer by any municipal, county, or state government employing three or more
31 public safety officers and who has responsibilities which include preventing and
32 suppressing fires, protecting life and property, and enforcing ordinances and state laws
33 a trained individual who is a full-time employee, part-time employee, or volunteer for a
34 municipal, county, state, or private incorporated fire department and as such has duties
35 of responding to mitigate a variety of emergency and nonemergency situations where
36 life, property, or the environment is at risk, which may include without limitation fire

1 suppression, fire prevention activities, emergency medical services, hazardous materials
 2 response and preparedness, technical rescue operations, search and rescue, disaster
 3 management and preparedness, community service activities, response to civil
 4 disturbances and terrorism incidents, nonemergency functions including training,
 5 preplanning, communications, maintenance, physical conditioning, and other related
 6 emergency and nonemergency duties as may be assigned or required; provided, however,
 7 that a firefighter's assignments may vary based on geographic, climatic, and demographic
 8 conditions or other factors including training, experience, and ability.

9 (5) 'Full-time' means employed for compensation on a basis of at least 40 hours per week
 10 by any municipal, county, state, or private incorporated fire department.

11 (6) 'Part-time' means employed for compensation on less than a full-time basis by any
 12 municipal, county, state, or private incorporated fire department.

13 (7) 'Volunteer' means not employed for compensation by but appointed and regularly
 14 enrolled to serve as a firefighter for any municipal, county, state, or private incorporated
 15 fire department."

16 SECTION 4.

17 Said title is further amended by striking Code Section 25-4-7, relating to the Georgia
 18 Firefighter Standards and Training Council, and inserting in lieu thereof the following:

19 "25-4-7.

20 The council is vested with the following functions and powers:

- 21 (1) To promulgate rules and regulations for the administration of the council;
 22 (2) To provide rules of procedure for its internal management and control;
 23 (3) To enter into contracts or do such things as may be necessary and incidental to the
 24 administration of its authority pursuant to this chapter;
 25 (4) To establish uniform minimum standards for the employment and training of
 26 full-time, part-time, or volunteer firefighters, fire and life safety educators, fire inspectors,
 27 and fire investigators, including qualifications and requirements, which are consistent
 28 with this chapter;
 29 (5) To establish minimum curriculum requirements for schools operated by or for any
 30 employing agency for the specific purpose of training firefighter recruits or full-time,
 31 part-time, or volunteer firefighters, fire and life safety educators, fire inspectors, and fire
 32 investigators;
 33 (6) To approve institutions and facilities for school operation by or for any employing
 34 agency for the specific purpose of training firefighters and firefighter recruits;
 35 (7) To make or support studies on any aspect of fire-fighting education and training or
 36 recruitment;

- 1 (8) To make recommendations concerning any matter within its purview;
- 2 (9) ~~To establish a firefighter recruit training program administered by such agencies and~~
 3 ~~institutions as it approves and to issue or authorize the issuance of a certificate of~~
 4 ~~completion to any person satisfactorily completing the training program~~ To establish
 5 basic firefighter training requirements for full-time, part-time, and volunteer firefighters;
- 6 (10) ~~To issue a certificate of compliance to~~ certify any person satisfactorily complying
 7 with the training program established in accordance with paragraph (9) of this Code
 8 section and the qualifications for employment covered in this chapter; and
- 9 (11) ~~To issue, at its discretion,~~ a certificate to any person who has received training in
 10 another state, when the council has determined that the training was at least equivalent
 11 to that required by the council for approved firefighter education and training programs
 12 in this state and when the person has satisfactorily complied with all other requirements
 13 of this chapter."

14 SECTION 5.

15 Said title is further amended by adding a new Code Section 25-4-7.1 to read as follows:

16 "25-4-7.1.

- 17 (a) The council shall appoint and establish the compensation of an executive director who
 18 shall serve at the pleasure of the council.
- 19 (b) The executive director may contract for such services and employ such other
 20 professional, technical, and clerical personnel as may be necessary and convenient to carry
 21 out the purposes of this chapter."

22 SECTION 6.

23 Said title is further amended by striking Code Section 25-4-9, relating to a basic firefighter
 24 training course and transfer of certification, and inserting in lieu thereof the following:

25 "25-4-9.

- 26 ~~(a) In addition to complying with the preemployment standards as set forth in Code~~
 27 ~~Section 25-4-8, each and every candidate, within 12 months after being appointed as a~~
 28 ~~full-time paid member of any fire department or fire division of any department of public~~
 29 ~~safety which employs three or more firemen, shall specifically complete at least a basic~~
 30 ~~training course of 120 hours of instruction. The council shall determine the courses, the~~
 31 ~~number of hours per course, and all matters relative to the basic training course. Upon~~
 32 ~~satisfactory completion of the course, a firefighter shall receive a certificate from the~~
 33 ~~council evidencing his satisfactory completion of the minimum standards of the training~~
 34 ~~program.~~ Full-time, part-time, and volunteer firefighters shall successfully complete a
 35 basic training course. The council shall determine the course content, number of hours, and

1 all other matters relative to basic firefighter training. Upon satisfactory completion of such
 2 basic training, a firefighter shall be issued a certificate of completion evidencing the same.
 3 Each firefighter shall be required to successfully complete such basic training course within
 4 12 months after being employed or appointed as a firefighter.

5 (b) A firefighter certified by the council may, upon termination of employment from any
 6 fire department and upon agreement with a subsequently employing fire department,
 7 transfer such certification to the employing fire department.

8 (c) Notwithstanding the provisions of subsection (b) of this Code section, any local fire
 9 department may refuse to accept the transfer of previously acquired certification and may
 10 require any newly employed firefighter to complete the basic training course provided for
 11 in subsection (a) of this Code section."

12 **SECTION 7.**

13 Said title is further amended by striking Code Section 25-4-10, relating to mandatory annual
 14 training, and inserting in lieu thereof the following:

15 "25-4-10.

16 As a condition of ~~tenure or continued employment~~ certification, all firefighters shall train,
 17 drill, or study ~~at least 120 clock hours in each calendar year~~ at schools, classes, or courses
 18 at the local, area, or state level, as ~~provided~~ specified by the council. Authorized leaves of
 19 absence are expected."

20 **SECTION 8.**

21 This Act shall become effective on July 1, 2003.

22 **SECTION 9.**

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