

House Bill 35

By: Representatives Irvin of the 45th, Davis of the 60th, Day of the 153rd, Everett of the 163rd, Bulloch of the 180th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated,
2 known as the "State Space Management Act of 1976," so as to provide that the Governor
3 with the assistance of the commissioner of administrative services shall provide a plan for
4 the decentralization of state agencies such that the number of employees of state agencies
5 employed within the Atlanta metropolitan area on July 1, 2001, shall be decreased by at least
6 25 percent by July 1, 2005; to define certain terms; to provide for purpose and intent; to
7 provide for contents of the plan; to prescribe duties for the commissioner of administrative
8 services and certain state agencies; to provide for advisory committees in the General
9 Assembly; to provide an effective date; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

11 Article 2 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, known as the
12 "State Space Management Act of 1976," is amended by adding following Code Section
13 50-5-39 a new Code Section 50-5-40 to read as follows:
14

15 "50-5-40.

16 (a) As used in this Code section, the term:

17 (1) 'Atlanta metropolitan area' means the counties designated by the United States
18 Environmental Protection Agency in the Code of Federal Regulations as of December 31,
19 2000, as Atlanta's nonattainment area which includes Fulton, DeKalb, Cobb, Gwinnett,
20 Clayton, Rockdale, Henry, Fayette, Coweta, Douglas, Paulding, Cherokee, and Forsyth
21 counties.

22 (2) 'Employees of state agencies' includes all officers and employees of state agencies;
23 provided, however, that such term shall not include the following:

24 (A) Elected officials;

1 (B) Employees of a state agency who are assigned to a local jurisdiction or area of the
2 Atlanta metropolitan area and who perform services at the local level the same as
3 employees of such agency perform in other areas of the state; or

4 (C) Employees of institutions of the University System of Georgia located within the
5 Atlanta metropolitan area.

6 (3) 'State agency' means:

7 (A) State authorities, state boards, and state commissions; and

8 (B) Departments, agencies, and offices of the executive, legislative, and judicial
9 branches of state government or offices or divisions thereof.

10 (b) This Code section is enacted pursuant to paragraph (6) of Code Section 45-12-73, Code
11 Section 45-12-175, and Code Section 50-5-35 in order to carry out the intent of the General
12 Assembly outlined in such statutes to provide effective and efficient delivery of services
13 throughout the geographic area of the state with an emphasis on decentralizing state
14 government. In particular, it is the intent of the General Assembly to decentralize state
15 government in order to:

16 (1) Improve air quality in the Atlanta metropolitan area;

17 (2) Promote economic development in some of the economically depressed areas of the
18 state, especially in the southern region of the state;

19 (3) Reduce the cost of state government; and

20 (4) Make state government services readily available to citizens of this state residing
21 outside of the Atlanta metropolitan area.

22 (c) The Governor with the assistance of the commissioner of administrative services shall
23 provide a plan for the decentralization of state agencies such that the number of employees
24 of state agencies employed within the Atlanta metropolitan area on July 1, 2001, shall be
25 decreased by at least 25 percent by July 1, 2005. The Governor shall present the
26 decentralization plan to the General Assembly by the second Friday in January, 2002. The
27 plan shall list the state agencies or offices or divisions thereof and the number of employees
28 of state agencies which will be relocated outside the Atlanta metropolitan area and the new
29 locations of such state agencies. Such plan shall include recommendations to the General
30 Assembly with respect to any legislation necessary to accomplish such decentralization.

31 (d) The commissioner shall consult with the heads of the various state agencies to
32 determine which state agencies or offices or divisions thereof are most appropriate to
33 relocate outside the Atlanta metropolitan area to accomplish the purposes of this Code
34 section. The cost of relocating a state agency or office or division thereof shall be a primary
35 factor in making such determination.

1 (e) The Speaker of the House of Representatives and the President of the Senate shall be
2 authorized to appoint advisory committees who may meet with the Governor and the
3 commissioner to make recommendations concerning the decentralization plan.

4 (f) The department is given the authority and charged with the duty of leasing
5 administrative space for such state agencies being decentralized and relocated in a manner
6 that is the most cost effective and operationally effective. At the request of the
7 commissioner and after the approval of the Governor, the State Properties Commission and
8 the Georgia Building Authority may procure real property and have buildings and facilities
9 erected for state agencies being relocated if such procurement and construction is cost
10 effective. To the extent possible, the relocation of state agencies shall be in the southern
11 region of the state and in compliance with the strategic state plan provided for in Code
12 Section 45-12-175.”

13 **SECTION 2.**

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

16 **SECTION 3.**

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