

House Bill 107

By: Representative Martin of the 47th

A BILL TO BE ENTITLED
AN ACT

1 To amend the Official Code of Georgia Annotated, so as to correct typographical, stylistic,
2 capitalization, punctuation, and other errors and omissions in the Official Code of Georgia
3 Annotated and in Acts of the General Assembly amending the Official Code of Georgia
4 Annotated; to reenact the statutory portion of the Official Code of Georgia Annotated, as
5 amended; to provide for necessary or appropriate revisions and modernizations of matters
6 contained in the Official Code of Georgia Annotated; to repeal portions of the Code which
7 have become obsolete; to delete portions of the Code which have been superseded by
8 subsequent state laws; to provide for and to correct citations in the Official Code of Georgia
9 Annotated and other codes and laws of the state; to rearrange, renumber, and redesignate
10 provisions of the Official Code of Georgia Annotated; to provide for other matters relating
11 to the Official Code of Georgia Annotated; to provide an effective date; to repeal conflicting
12 laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 **SECTION 1.**

15 Reserved.

16 **SECTION 2.**

17 Title 2 of the Official Code of Georgia Annotated, relating to agriculture, is amended as
18 follows:

19 (1) By striking "Upon July 1, 2000," and inserting in its place "On or after July 1, 2000," in
20 subsection (c) of Code Section 2-21-3, relating to certification requirements for organic
21 certification and labeling.

22 **SECTION 3.**

23 Reserved.

24 **SECTION 4.**

1 Reserved.

2 **SECTION 5.**

3 Title 5 of the Official Code of Georgia Annotated, relating to appeal and error, is amended
4 as follows:

5 (1) By striking "25,000,000.00" and inserting in its place "\$25 million" in subsection (e) of
6 Code Section 5-6-46, relating to the operation of notice of appeal as supersedeas in civil
7 cases, requirement of supersedeas bond, fixing of amount, procedure upon no or insufficient
8 filing, effect of bond as to liability of surety, and punitive damages.

9 **SECTION 6.**

10 Reserved.

11 **SECTION 7.**

12 Title 7 of the Official Code of Georgia Annotated, relating to banking and finance, is
13 amended as follows:

14 (1) By striking the period and inserting in its place "; and" at the end of paragraph (1) of
15 Code Section 7-1-282, relating to the direct leasing of personal and real property by banks.

16 (2) By striking "corporation" and inserting in its place "company" in subsection (i) of Code
17 Section 7-1-1004, relating to the investigation of an applicant for a license as a mortgage
18 lender or mortgage broker and its officers, audits, and education, experience, and other
19 requirements relative to licensees and registrants.

20 (3) By striking "licensed, registered," and inserting in its place "licensed or registered" in
21 subsection (a) of Code Section 7-1-1018, relating to cease and desist orders, enforcement
22 procedure, civil penalty, and fines.

23 (4) By striking "12 U.S.C." and inserting in its place "15 U.S.C." in subsection (c) of Code
24 Section 7-5-4, relating to credit card charges and fees.

25 **SECTION 8.**

26 Title 8 of the Official Code of Georgia Annotated, relating to buildings and housing, is
27 amended as follows:

28 (1) By striking "A90.1a-1976" and inserting in its place "A90.1-1976" in subsection (b) of
29 Code Section 8-2-102, relating to inspections of manlifts.

30 (2) By striking "as long as" and inserting in its place "so long as" in subsection (c) of Code
31 Section 8-3-30, relating to general powers of housing authorities and applicability of laws
32 as to acquisition, operation, or disposition of property by other public bodies.

SECTION 9.

Title 9 of the Official Code of Georgia Annotated, relating to civil practice, is amended as follows:

(1) By striking "obligors" and inserting in its place "obligors," and by striking "contractors," and inserting in its place "contractors" in the introductory language and by striking "party;" and inserting in its place "party," in paragraph (2) of subsection (a) of Code Section 9-10-31, relating to the actions against certain codefendants residing in different counties, pleading requirements, and application.

(2) By striking "Superior" and inserting in its place "superior" and by striking "State" and inserting in its place "state" in subsection (b) of Code Section 9-11-3, relating to the commencement of a civil action and the filing of a civil case filing form.

SECTION 10.

Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, is amended as follows:

(1) By striking "subparagaraph" and inserting in its place "subparagraph" in subparagraph (b)(16)(G) of Code Section 10-1-393, relating to unlawful, unfair, or deceptive practices in consumer transactions.

(2) By striking "advisor" and inserting in its place "adviser" in paragraph (1) and by striking the period and inserting in its place "; and" at the end of paragraph (2) of subsection (b) of Code Section 10-4-107.1, relating to tobacco contracts.

SECTION 11.

Reserved.

SECTION 12.

Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural resources, is amended as follows:

(1) By striking "an historical" and inserting in its place "a historical" in subsection (c) of Code Section 12-3-57, relating to the historical and cultural museum assistance program of the Division of Historic Preservation.

(2) By striking "an historic" and inserting in its place "a historic" in subsection (b) of Code Section 12-3-130, relating to the legislative purpose of the Franklin D. Roosevelt Warm Springs Pools and Springs Site Commission.

(3) By inserting a comma after "news release" in the first sentence of paragraph (2) of subsection (d) of Code Section 12-3-243.1, relating to a master plan for the management, preservation, protection, and development of Jekyll Island.

1 (4) By striking "enjoyed," and inserting in its place "enjoyed" in paragraph (10) and by
2 striking "authority," and inserting in its place "authority" in paragraph (14) of Code Section
3 12-3-474, relating to powers of the Georgia Agricultural Exposition Authority generally.

4 (5) By striking "without" and inserting in its place "outside" in subsection (b) of Code
5 Section 12-3-573, relating to revenue bonds of the Georgia Sports Hall of Fame Authority.

6 (6) By striking "hereto" and inserting in its place "to this part" in subsections (a) and (c), by
7 striking "director," and inserting in its place "director" in subsection (b), and by striking
8 "hereunder" and inserting in its place "under this part" both times it appears and by striking
9 "herein" in subsection (d) of Code Section 12-4-48, relating to actions by the director of the
10 Environmental Protection Division of the Department of Natural Resources to enforce the
11 Oil and Gas and Deep Drilling Act of 1975, civil penalties, and the effect of the Code section
12 on a cause of action by royalty owners, lienholders, or other claimants.

13 (7) By striking "hereunder" and inserting in its place "under this part" in paragraph (6) of
14 Code Section 12-4-53, relating to prohibited acts under the Oil and Gas and Deep Drilling
15 Act of 1975.

16 (8) By inserting a comma after "1996" in paragraph (3) of subsection (c) of Code Section
17 12-5-23.2, relating to waste-water discharge limitations, schedule of construction milestones,
18 and penalties.

19 (9) By striking "hereunder" and inserting in its place "under this Code section" in paragraph
20 (1) of subsection (k) of Code Section 12-5-31, relating to permits for withdrawal, diversion,
21 or impoundment of surface waters, and monitoring, recording, and reporting water
22 withdrawn by certain irrigation systems.

23 (10) By striking "proceedings" and inserting in its place "proceeds" in the introductory
24 language of subsection (b) of Code Section 12-5-137, relating to the procedure for
25 confiscation and sale of contraband equipment and defenses.

26 (11) By striking "notwithstanding" and inserting in its place "notwithstanding" in subsection
27 (a) of Code Section 12-5-180.1, relating to allocating water and waste-water usage among
28 tenants and charging tenants for usage.

29 (12) By inserting a hyphen between "federal" and "aid" in Code Section 12-6-8, relating to
30 federal financial aid and expenditure of funds for forest farming and marketing of forest
31 products.

32 (13) By striking "Title 43" and inserting in its place "Title 43," in Code Section 12-6-46,
33 relating to meetings and officers of the State Board of Registration for Foresters.

34 (14) By striking "Title 43 shall" and inserting in its place "Title 43, shall" in the first
35 sentence of Code Section 12-6-51, relating to examinations with regard to the practice of
36 professional forestry.

1 (15) By striking "provided further that the forgoing" and inserting in its place "provided,
2 further, that the foregoing" in subsection (d) of Code Section 12-6-90, relating to the permit
3 required for burning woods, lands, marshes, or other flammable vegetation.

4 (16) By striking "procedure" and inserting in its place "procedures" in subsection (c) of Code
5 Section 12-8-2, relating to dumping sanitary sewer, kitchen, or toilet wastes in storm or
6 sanitary sewers and forfeiture of involved vehicles.

7 (17) By striking "subsections (a) and (b) of" in paragraph (3) of subsection (b) of Code
8 Section 12-8-34, relating to labeling rigid plastic containers or bottles.

9 (18) By striking "constructed; provided" and inserting in its place "constructed, provided"
10 in paragraph (5) of Code Section 12-8-56, relating to powers of regional solid waste
11 management authorities.

12 (19) By striking "fossil-fuel-fired" and inserting in its place "fossil fuel fired" in paragraph
13 (28) of subsection (a) of Code Section 12-9-3, relating to definitions relating to air quality.

14 (20) By striking "10" and inserting in its place "ten" and by inserting a comma after "testing"
15 in subsection (h) of Code Section 12-9-45, relating to certificate of emission inspection.

17 **SECTION 13.**

18 Title 13 of the Official Code of Georgia Annotated, relating to contracts, is amended as
19 follows:

20 (1) By striking "thereof," and inserting in its place "thereof" in the introductory language in
21 subsection (b) of Code Section 13-10-1, relating to bid bonds or other securities, bonds or
22 other security required on contracts for public works, bids by affiliated corporations, and
23 approval of bonds as to form and solvency.

24 **SECTION 14.**

25 Title 14 of the Official Code of Georgia Annotated, relating to corporations, partnerships,
26 and associations, is amended as follows:

27 (1) By striking "described," and inserting in its place "described" in subsection (b) of Code
28 Section 14-2-601, relating to authorized shares of business corporations.

29 (2) By striking "director; provided that," and inserting in its place "director, provided that"
30 in paragraph (2) of subsection (d), by striking "Code section 14-2-1110" and inserting in its
31 place "Code Section 14-2-1110" in paragraph (2) of subsection (e), and by striking "does not
32 purport" and inserting in its place "do not purport" in paragraph (3) of subsection (e) of Code
33 Section 14-2-624, relating to share options.

34 (3) By striking "shareholders" and inserting in its place "shareholder" in subsection (d) of
35 Code Section 14-2-732, relating to shareholder agreements.

(4) By striking "Code Section 14-2-732" and inserting in its place "Code Section 14-2-732," in subsection (c) of Code Section 14-2-801, relating to the requirement for and duties of the board of directors.

SECTION 15.

Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended as follows:

(1) By striking "regards" and inserting in its place "regard" in paragraph (2) of subsection (a) of Code Section 15-5-82, relating to the authority of the Georgia Courts Automation Commission, appointment of committees, annual report, providing courts access to data bases, and court workload not to be increased by use of electronically transferred information.

(2) By striking "subsection (b)" and inserting in its place "subsection (e)" in the introductory language of subsection (b) and by striking "subsections (e) and (f)" and inserting in its place "subsections (g) and (h)" in the introductory language of subsection (c) of Code Section 15-6-77.1, relating to additional fees of clerks of superior courts in counties with populations of 550,000 or more and disposition of such fees.

(3) By striking "probate court" and inserting in its place "probate court," the first time it appears in paragraph (2) of subsection (a) of Code Section 15-9-141, relating to retired judges of the probate courts, petitioning Governor for senior judge appointment, written requests for assistance, and compensation.

(4) By striking "Code section" and inserting in its place "Code section," in paragraph (3) of subsection (d) of Code Section 15-11-18, relating to creation of juvenile courts, terms and compensation of judges, state grants for judicial salaries, qualifications, presiding judge, practice of law, actions by judges, administration, and expenditures.

(5) By striking "acts," and inserting in its place "acts" in Code Section 15-11-68, relating to counseling or counsel and advice for children and their parents or guardians.

(6) By striking "15-11-15" and inserting in its place "15-11-29" in subsection (b) of Code Section 15-11-112, relating to notice of abortion on unemancipated minor and hearing.

(7) By striking "15-11-24 through 15-11-26" and inserting in its place "15-11-38, 15-11-38.1, and 15-11-39" in Code Section 15-11-113, relating to the time and notice of a hearing.

(8) By striking "herein fixed" and inserting in its place "fixed in this subsection" in subsection (a) of Code Section 15-12-61, relating to number of grand jurors, votes necessary for indictment or presentment, alternate grand jurors, and report on preceding grand jury by foreman or clerk.

(9) By striking "subsection (b)" and inserting in its place "subsection (a)" in subsection (b) of Code Section 15-18-45, relating to authorization for the Prosecuting Attorneys' Council

1 of the State of Georgia to conduct or approve training programs and credit and
2 reimbursement for attending.

3 (10) By striking "Association and" and inserting in its place "Association, and" in the
4 undesignated paragraph in subsection (a) of Code Section 15-21-143, relating to the
5 appointment of members and personnel of the Brain and Spinal Injury Trust Fund Authority
6 and agencies.

7 **SECTION 16.**

8 Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is
9 amended as follows:

10 (1) By striking "value," and inserting in its place "value" and by striking "year and not" and
11 inserting in its place "nor" in paragraph (1) of subsection (a) and by striking "year and not"
12 and inserting "nor" in subsection (b) of Code Section 16-8-17, relating to the intent to cheat
13 or defraud a retailer.

14 (2) By striking "imposed separate" and inserting in its place "imposed separately" in
15 subsection (c) of Code Section 16-10-33, relating to removal or attempted removal of a
16 weapon from a public official.

17 (3) By striking the semicolon at the end of paragraph (3) and inserting a comma and by
18 striking "in such event" in the undesignated text of paragraph (3) in subsection (a) of Code
19 Section 16-11-64.3, relating to an emergency situation and application for an investigation
20 warrant.

21 (4) By striking "or noncontrolled" and inserting in its place "or any noncontrolled" in
22 paragraph (4) of subsection (b) of Code Section 16-11-106, relating to possession of a
23 firearm or knife during commission of or attempt to commit certain crimes.

24 (5) By striking "30-4-1" and inserting in its place "30-4-2" in subparagraph (a)(6)(A) of
25 Code Section 16-12-120, relating to certain acts in public transit buses, rapid rail cars, or
26 stations.

27 **SECTION 17.**

28 Reserved.

29 **SECTION 18.**

30 Reserved.

31 **SECTION 19.**

32 Reserved.

SECTION 20.

Title 20 of the Official Code of Georgia Annotated, relating to education, is amended as follows:

(1) By striking "schoolteachers" and inserting in its place "school teachers" in Code Section 20-1-1, relating to the acceptance and adoption of annuity contracts of teachers hired from other Georgia school systems.

(2) By striking "20-2-282" and inserting in its place "20-2-200" in Code Section 20-2-108, relating to certification and classification of local school superintendents and compensation.

(3) By striking "schoolteachers" and inserting in its place "school teachers" in paragraph (2) of subsection (d) of Code Section 20-2-142, relating to prescribed courses and development and dissemination of instructional materials on effect of alcohol.

(4) By striking "; and" and inserting a period in its place at the end of subparagraph (b)(1)(A), by striking the period and inserting a semicolon in its place at the end of subparagraph (b)(1)(B) and paragraph (2) of subsection (b), and by striking the period and inserting in its place "; and" at the end of paragraph (3) of subsection (b) of Code Section 20-2-151, relating to general and career education programs, purpose, and authorized programs.

(5) By striking "state-earned" and inserting in its place "state earned" both times it appears in paragraph (1) of subsection (a) of Code Section 20-2-167, relating to the funding for direct instructional, media center, and staff development costs, a computerized uniform budget and accounting system, and submission of local budgets to the state board.

(6) By striking "equivalency" after "(GED)" in paragraphs (1) and (3) of subsection (a) of Code Section 20-2-204, relating to paraprofessionals and aides.

(7) By striking "limited to," and inserting in its place "limited to" in subsection (c) of Code Section 20-2-231, relating to the Georgia Education Leadership Academy.

(8) By striking "student record" and inserting in its place "student records" in the second sentence and by striking "education agency" and inserting in its place "educational agency" in subsection (c) of Code Section 20-2-320, relating to the Education Information Steering Committee and comprehensive educational information network.

(9) By striking "equivalency" after "(GED)" in paragraph (3) of subsection (c) of Code Section 20-2-690, relating to educational entities and the requirements for private schools and home study programs.

(10) By striking "Code Section 20-2-769" and inserting in its place "Code Section 20-2-154.1" in subsection (b) of Code Section 20-2-751.6, relating to the suspension policy for students committing acts of physical violence resulting in injury to teachers.

(11) By striking "telephone call or" and inserting in its place "telephone call and" in Code Section 20-2-766, relating to chronic disciplinary problem students returning from expulsion or suspension.

(12) By striking "schoolteachers" and inserting in its place "school teachers" in Code Section 20-2-832, relating to the Governor's power to use allocated funds to pay teachers and borrowing to replace funds.

(13) By striking "schoolteacher" and inserting in its place "school teacher" in paragraph (2) of subsection (a) of Code Section 20-2-833, relating to additional payments to supervisors of student teachers.

(14) By striking "schoolteacher" and inserting in its place "school teacher" the five times it appears in paragraph (4) of Code Section 20-2-880, relating to definitions relating to health insurance plans for public school teachers.

(15) By striking "schoolteachers" and inserting in its place "school teachers" in subsection (a) of Code Section 20-2-881, relating to the duties of the Board of Community Health to establish plans, rules and regulations, extent of coverage, and recommendations to General Assembly for schedule of maximum fees for hospitals and practitioners.

(16) By striking "schoolteacher" and inserting in its place "school teacher" in subsection (a) and four times in subsection (c), by striking "schoolteachers" and inserting in its place "school teachers" in subsections (a) and (b), and by striking "schoolteachers'" and inserting in its place "school teachers'" in subsection (c) of Code Section 20-2-885, relating to coverage for retiring school teachers and their dependents.

(17) By striking "schoolteacher" and inserting in its place "school teacher" the two times it appears in subsection (a) of Code Section 20-2-887, relating to coverage for dependents where both husband and wife are eligible to be insured.

(18) By striking "schoolteacher" and inserting in its place "school teacher" in Code Section 20-2-1182, relating to persons other than students who insult or abuse school teachers in presence of pupils may be ordered to leave school premises.

(19) By striking "House University System of Georgia Committee" and inserting in its place "House Higher Education Committee" in paragraph (7) of subsection (b) of Code Section 20-3-250.5, relating to administration, general powers, and duties of the Nonpublic Postsecondary Education Commission.

(20) By striking "education development (GED) certificate" and inserting in its place "educational development (GED) diploma" in division (2)(C)(i) of Code Section 20-3-411, relating to definitions relating to tuition equalization grants at private colleges and universities.

(21) By striking "his" and inserting in its place "his or her" in paragraphs (1), (2), (6), (7), and (8), by striking "chairman" and inserting in its place "chairperson" in paragraphs (1), (6),

1 and (7), and by striking "House University System of Georgia Committee" and inserting in
2 its place "House Higher Education Committee" in paragraph (6) of subsection (a) of Code
3 Section 20-3-423, relating to the creation, composition, and duties of the selection committee
4 for North Georgia College military scholarships.

5 (22) By striking "equivalency" after "(GED)" in paragraphs (16), (21), and (22) of Code
6 Section 20-3-519, relating to definitions relating to HOPE scholarships and grants.

7 (23) By striking "equivalency" after "(GED)" in division (a)(2)(B)(i) of Code Section
8 20-3-519.2, relating to eligibility requirements for a HOPE scholarship at a public
9 postsecondary institution.

10 (24) By striking "equivalency" after "(GED)" in division (a)(2)(B)(i) of Code Section
11 20-3-519.3, relating to eligibility requirements for a HOPE scholarship at a private
12 postsecondary institution.

13 (25) By striking "equivalency" after "(GED)" in subsection (a) of Code Section 20-3-519.6,
14 relating to HOPE GED vouchers.

15 (26) By striking "equivalency diploma" and inserting in its place "(GED) diploma" in
16 division (2)(B)(ii) of Code Section 20-4-11, relating to powers of the State Board of
17 Technical and Adult Education.

18 (27) By striking "division" and inserting in its place "office" in paragraph (2) of Code
19 Section 20-5-45, relating to the directors of library systems and their duties and
20 responsibilities.

21 (28) By striking "division" and inserting in its place "office" in subsection (c) of Code
22 Section 20-5-47, relating to written constitutions for library boards of trustees.

23 (29) By striking "the" before "technical" in subsection (a) of Code Section 20-14-3, relating
24 to membership, officers, and meetings of the Education Coordinating Council.

25 (30) By striking "Board of Regents, officials" and inserting in its place "board of regents and
26 officials" in subsection (b) of Code Section 20-15-3, relating to establishment of the Georgia
27 Medical Center Authority and appointment of members, terms of office, vacancies, removal
28 from office, and compensation.

29 **SECTION 21.**

30 Reserved.

31 **SECTION 22.**

32 Reserved.

33 **SECTION 23.**

34 Title 23 of the Official Code of Georgia Annotated, relating to equity, is amended as follows:

(1) By striking "sales. Provided" and inserting in its place "sales; provided" and by striking "herein" and inserting in its place "in this Code section" in Code Section 23-3-44, relating to redemption and notice.

SECTION 24.

Reserved.

SECTION 25.

Reserved.

SECTION 26.

Reserved.

SECTION 27.

Title 27 of the Official Code of Georgia Annotated, relating to game and fish, is amended as follows:

(1) By striking "the Code" and inserting in its place "this Code" in subsection (c) of Code Section 27-2-31, relating to wildlife control permits.

(2) By striking "commposite" and inserting in lieu thereof "composite" in paragraph (18) of subsection (b) of Code Section 27-4-130.1, relating to open seasons, creel and possession limits, and minimum size limits for certain finfish species.

SECTION 28.

Reserved.

SECTION 29.

Title 29 of the Official Code of Georgia Annotated, relating to guardian and ward, is amended as follows:

(1) By striking "(=usname of ward)" and inserting in its place "(name of ward)" in subsection (d) of Code Section 29-6-11, relating to for what purposes expenditures from a ward's estate are authorized and court orders permitting other expenditures.

SECTION 30.

Title 30 of the Official Code of Georgia Annotated, relating to handicapped persons, is amended as follows:

(1) By striking from the introduction "the following words shall have the following meaning:" and inserting in its place "the term:" in Code Section 30-10-2, relating to definitions.

SECTION 31.

Title 31 of the Official Code of Georgia Annotated, relating to health, is amended as follows:

(1) By striking subsection (a) of Code Section 31-6-45.1, relating to automatic revocation of a certificate of need or authority and inserting in its place the following:

"(a) A health care facility which has a certificate of need or is otherwise authorized to operate pursuant to this chapter shall have such certificate of need or authority to operate automatically revoked by operation of law without any action by the Department of ~~Human Resources~~ Community Health when that facility's permit to operate pursuant to Code Section 31-7-4 is finally revoked by order of the Department of Human Resources. For purposes of this subsection, the date of such final revocation shall be as follows:

(1) When there is no appeal of the order pursuant to Chapter 5 of this title, the one hundred and eightieth day after the date upon which expires the time for appealing the revocation order without such an appeal being filed; or

(2) When there is an appeal of the order pursuant to Chapter 5 of this title, the date upon which expires the time to appeal the last administrative or judicial order affirming or approving the revocation or revocation order without such appeal being filed.

The Department of ~~Human Resources~~ Community Health may become a party to any judicial proceeding to review a decision by the Department of Human Resources to revoke such a permit."

(2) By striking "within or without" and inserting in its place "within or outside" in the fourth sentence of Code Section 31-7-24, relating to issuance of revenue bonds.

(3) By striking "within or without" and inserting in its place "within or outside" in the first sentence of Code Section 31-7-26, relating to security for bonds.

(4) By inserting a comma after "subsection" in the introductory language in paragraph (6) of subsection (a) of Code Section 31-9-2, relating to persons authorized to consent to surgical or medical treatment.

(5) By striking "If a patient" and inserting in its place "A patient" in paragraph (3) of subsection (e) of Code Section 31-9-6.1, relating to disclosure of certain information to persons undergoing certain surgical or diagnostic procedures, failure to comply, exceptions, and regulations establishing standards for implementation.

(6) By striking "requires" and inserting in its place "require" in Code Section 31-28-3, relating to denial, suspension, and revocation of permits.

(7) By striking "organizations, shall" and inserting in its place "organizations and shall" in Code Section 31-43-5, relating to appointments to the Commission on Men's Health.

(8) By striking "rules" and inserting "rules and regulations" both times it appears in the undesignated text at the end of subsection (a) of Code Section 31-45-10, relating to rules and regulations regarding swimming pools.

SECTION 32.

Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, is amended as follows:

(1) By inserting "and" after "facility;" at the end of subparagraph (f)(2)(A) of Code Section 32-2-3, relating to development of transportation plans, public hearings, approval of plans by board, and promulgation of rules and regulations.

(2) By striking "36-82-101" and inserting in its place "13-10-1" in paragraph (1) of Code Section 32-2-70, relating to the bonds of a successful bidder.

(3) By striking "ZIP code" and inserting in its place "ZIP Code" in subparagraphs (a)(2)(A) and (a)(2)(B) of Code Section 32-4-2, relating to official map, list, and records, and rules and regulations.

(4) By striking "Title 36 shall be" and inserting in its place "Title 36, shall be" in Code Section 32-4-74, relating to applicability of other laws to this part.

(5) By striking "Code Section 36-84-1" and inserting in its place "subsection (e) of Code Section 36-91-22" in Code Section 32-4-122, relating to an oath by a successful bidder.

(6) By striking "quinquennially" and inserting in its place "quinquennially" in subsection (a) of Code Section 32-5-30, relating to allocation of state and federal funds and authorization of reduction of funds allocated.

(7) By inserting paragraph (7) after paragraph (2), renumbering paragraph (7) as paragraph (3) and renumbering paragraphs (3) through paragraph (6) as paragraphs (4) through paragraph (7) of subsection (a), respectively, by inserting "and" at the end of subparagraph (b)(1)(D), by striking the period and inserting "; and" at the end of subparagraph (b)(1)(E), and by inserting "and" at the end of subparagraph (b)(2)(B) of Code Section 32-6-24, relating to length of vehicles and loads.

(8) By deleting as obsolete subsection (e) of Code Section 32-6-75.1, relating to Roadside Enhancement and Beautification Council, membership, purpose, compensation, and abolition of Outdoor Advertising Citizens Advisory Council.

(9) By inserting "or" at the end of paragraph (3) of Code Section 32-6-84, relating to interests and losses which may be compensable under Code Sections 32-6-82 and 32-6-83.

SECTION 33.

Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended as follows:

(1) By redesignating division (b)(15)(A)(i) as division (b)(15)(A)(ii) and division (b)(15)(A)(ii) as division (b)(15)(A)(i), respectively, in Code Section 33-6-4, relating to enumeration of unfair methods of competition and unfair or deceptive acts or practices and penalty.

(2) By repealing the obsolete provisions contained in Code Section 33-9-41, relating to the study of effect of 1987 legislation on loss experience, cooperation of insurers, and report to General Assembly, and reserving the Code section number designation.

(3) By striking "(7)" and inserting in its place "(8)" in the introductory language in subsection (a) and by striking "(a)(7)(B)" and inserting in its place "(a)(8)(B)" in subsection (b) of Code Section 33-23-5, relating to qualifications and requirements for insurance license applicants.

(4) By striking the semicolons and inserting in their place periods in subparagraphs (c)(1)(A) through (c)(1)(C) and (c)(1)(E) and by striking "; and" and inserting in its place a period in subparagraph (c)(1)(F) of Code Section 33-23-12, relating to limited insurance licenses.

(5) By striking the current obsolete, repealed subsection (g) and redesignating subsection (h) as subsection (g) in Code Section 33-24-29, relating to coverage for treatment of mental disorders under accident and sickness insurance benefit plans providing major medical benefits covering small groups, studies, and federal law.

(6) By striking the obsolete, repealed subsection (g) of Code Section 33-24-29.1, relating to coverage for mental disorders under accident and sickness insurance benefit plans providing major medical benefits covering all groups except small groups and studies.

SECTION 34.

Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations, is amended as follows:

(1) By striking "limited liability corporation" and inserting in its place "limited liability company" in paragraph (2) of subsection (a) of Code Section 34-1-4, relating to employer immunity for disclosure of information regarding job performance.

SECTION 35.

Reserved.

SECTION 36.

Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended as follows:

(1) By striking "Article IX" and inserting in its place "Article XI" in paragraph (2) of subsection (d) of Code Section 36-1-21, relating to the civil service system for county employees.

SECTION 37.

Title 37 of the Official Code of Georgia Annotated, relating to mental health, is amended as follows:

(1) By striking "abandoned or is" and inserting in its place "abandoned, is" in Code Section 37-2-37, relating to abuse of service recipients.

SECTION 38.

Reserved.

SECTION 39.

Reserved.

SECTION 40.

Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is amended as follows:

(1) By striking "levelling" and inserting in its place "leveling" in paragraph (59) of Code Section 40-1-1, relating to definitions relating to motor vehicles and traffic.

(2) By inserting a comma after "1997" the first time it appears in subsection (b.1) of Code Section 40-2-31, relating to a five-year and annual license plates, design, and revalidation and county decals.

(3) By striking "state highway patrolman" and inserting in its place "state patrolman" in subsections (b) and (d) of Code Section 40-2-40, relating to the registration of delinquent vehicles and collection and disposition of penalties.

(4) By striking "such government" and inserting in its place "such governments" in Code Section 40-6-97.1, relating to solicitation permits for charitable organizations.

(5) By striking "with his horn, but" and inserting in its place "with his or her horn but" in subsection (a) of Code Section 40-8-70, relating to horns and warning devices.

SECTION 41.

Reserved.

SECTION 42.

Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, is amended as follows:

(1) By striking the quotation marks around "reasonable" both times it appears and by striking "herein" and inserting in its place "in this Code section" in paragraph (2) of Code Section 42-5-9, relating to the notification of the projected release date of an inmate.

(2) By striking "(g)" and inserting in its place "(f)" in subsection (c) of Code Section 42-8-34, relating to probation hearings and determinations.

(3) By striking "the effective date of this Code section" and inserting in its place "May 1, 2000," in paragraph (1) of Code Section 42-8-116.1, relating to the effect of failing to comply and previously installed ignition interlock devices.

SECTION 43.

Title 43 of the Official Code of Georgia Annotated, relating to professions and business, is amended as follows:

(1) By striking "general educational diploma (GED)" and inserting in its place "general educational development (GED) diploma" in subsection (a) of Code Section 43-10-9, relating to application for certificate of registration, examination, and reciprocity regarding cosmetologists.

(2) By striking "certified or statutory overnight delivery mail" and inserting in its place "certified mail or statutory overnight delivery" in subsection (b) of Code Section 43-20-5, relating to meetings, reimbursement of members, and notice of meetings regarding the State Board of Hearing Aid Dealers and Dispensers.

SECTION 44.

Reserved.

SECTION 45.

Reserved.

SECTION 46.

Title 46 of the Official Code of Georgia Annotated, relating to public utilities and public transportation, is amended as follows:

(1) By striking "paragraph (13)" and inserting in its place "paragraph (21)" in subsection (a) of Code Section 46-3-34, relating to the utilities protection center, funding of activities, notice of work, delay, and responsibility for completing safety requirements.

(2) By striking "Title 50 of the O.C.G.A." and inserting in its place "Title 50." in subsection (f) of Code Section 46-9-324, relating to membership of the Southwest Georgia Railroad Excursion Authority, the chairperson, conflicts of interest, and compensation.

SECTION 47.

Reserved.

SECTION 48.

Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is amended as follows:

(1) By striking "my be claimed" and inserting in its place "may be claimed" in subsection (b) of Code Section 48-7-40.18, relating to tax credit for businesses headquartered in the state and full-time jobs.

(2) By striking "limited liability corporation" and inserting in its place "limited liability company" in paragraph (2) of subsection (a) of Code Section 48-7-42, relating to affiliated entity defined, assignment of corporate income tax credit, carryover of unused credit, and joint and severable liability.

(3) By striking "both persons have" and inserting in its place "both persons are under" and by striking "of the property" after "ownership" in the introductory language of paragraph (42) of Code Section 48-8-3, relating to exemptions from sales and use taxes.

(4) By striking "tangible services" and inserting in its place "taxable services" in subsection (g) of Code Section 48-8-30, relating to the imposition of tax, rates, and collection.

SECTION 49.

Title 49 of the Official Code of Georgia Annotated, relating to social services, is amended as follows:

(1) By striking "15-11-137" and inserting in its place "15-11-173" in paragraph (3) of subsection (e) of Code Section 49-5-41, relating to persons and agencies permitted access to records.

(2) By repealing and reserving Article 12 of Chapter 5 of Title 49, Code Sections 49-5-250 through 49-5-264, relating to the Policy Council for Children and Families.

SECTION 50.

Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended as follows:

(1) By striking "Provided, further, the" and inserting in its place "The" in paragraph (7) of subsection (a) and by inserting "or" after "bid in paragraph (3) of subsection (b) of Code Section 50-18-72, relating to inspection of public records and when public disclosure is not required and disclosure of exempting legal authority.

(2) By striking "paragraph (3)" and inserting in its place "paragraph (6)" in subparagraph (A) of paragraph (4) of Code Section 50-22-2, relating to definitions relating to acquisition of professional services.

(3) By striking "the commissioner of the Department of Community Affairs; and the commissioner of the Department of Industry, Trade, and Tourism" and inserting in its place

1 "the commissioner of community affairs; and the commissioner of industry, trade, and
2 tourism" in subsection (f) of Code Section 50-34-6, relating to the OneGeorgia Authority and
3 the powers of the authority.

4 **SECTION 51.**

5 Title 51 of the Official Code of Georgia Annotated, relating to torts, is amended as follows:

6 (1) By striking "ten point" and inserting in its place "ten-point" in subsection (c) of Code
7 Section 51-12-72, relating to the requirement of a written transfer agreement in regards to
8 damages in tort actions.

9 **SECTION 52.**

10 Title 52 of the Official Code of Georgia Annotated, relating to waters of the state, ports, and
11 watercraft, is amended as follows:

12 (1) By striking "Office and Planning" and inserting in its place "Office of Planning" in
13 subsection (b) of Code Section 52-2-5, relating to the composition of the Georgia Ports
14 Authority, appointment, terms, and qualifications of members generally, filling of vacancies,
15 election of chairperson, vice chairperson, and secretary-treasurer, and quorum.

16 **SECTION 53.**

17 Reserved.

18 **SECTION 54.**

19 Except for Title 47, the text of Code sections and title, chapter, article, part, subpart, Code
20 section, subsection, paragraph, subparagraph, division, and subdivision numbers and
21 designations as contained in the Official Code of Georgia Annotated published under
22 authority of the state by The Michie Company in 1982 and contained in Volumes 3 through
23 40 of such publication or replacement volumes thereto, as amended by the text and
24 numbering of Code sections as contained in the 2000 supplements to the Official Code of
25 Georgia Annotated published under authority of the state in 2000 by LEXIS Publishing, is
26 reenacted and shall have the effect of statutes enacted by the General Assembly of Georgia.
27 Annotations; editorial notes; Code Revision Commission notes; research references; notes
28 on law review articles; opinions of the Attorney General of Georgia; indexes; analyses; title,
29 chapter, article, part, and subpart captions or headings, except as otherwise provided in the
30 Code; catchlines of Code sections or portions thereof, except as otherwise provided in the
31 Code; and rules and regulations of state agencies, departments, boards, commissions, or other
32 entities which are contained in the Official Code of Georgia Annotated are not enacted as
33 statutes by the provisions of this Act. Material which has been added in brackets or

1 parentheses and editorial, delayed effective date, effect of amendment, or other similar notes
2 within the text of a Code section by the editorial staff of the publisher in order to explain or
3 to prevent a misapprehension concerning the contents of the Code section and which is
4 explained in an editorial note is not enacted by the provisions of this section and shall not be
5 considered a part of the Official Code of Georgia Annotated. The reenactment of the
6 statutory portion of the Official Code of Georgia Annotated by this Act shall not affect,
7 supersede, or repeal any Act of the General Assembly, or portion thereof, which is not
8 contained in the Official Code of Georgia Annotated and which was not repealed by Code
9 Section 1-1-10, specifically including those Acts which have not yet been included in the text
10 of the Official Code of Georgia Annotated because of effective dates which extend beyond
11 the effective date of the Code or the publication date of the Code or its supplements or
12 replacement volumes. The provisions contained in other sections of this Act and in the other
13 Acts enacted at the 2001 regular session of the General Assembly of Georgia shall supersede
14 the provisions of the Official Code of Georgia Annotated reenacted by this section.

15 **SECTION 55.**

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

18 **SECTION 56.**

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