

House Bill 855

By: Representatives Royal of the 164th, Houston of the 166th and Scott of the 165th

A BILL TO BE ENTITLED
AN ACT

1 To create the Colquitt County Family Connection Collaborative on Children and Families;
2 to provide for a short title; to provide for findings and determinations; to provide for
3 definitions; to provide for the creation of the collaborative; to provide for the membership
4 of the collaborative; to provide for the organization and meetings of the collaborative; to
5 provide for the purposes for which the collaborative is created; to provide the powers and
6 duties of the collaborative; to provide that the members of the collaborative shall be trustees;
7 to provide for certain exemptions from taxation, levy and sale, garnishment, and attachment;
8 to provide the court in which an action against the collaborative may be brought; to provide
9 for the liberal construction of this Act; to provide for other matters relative to the foregoing;
10 to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 style="text-align:center">**SECTION 1.**

13 style="text-align:center">Short title.

14 This Act shall be known and may be cited as, the "Colquitt County Family Connection
15 Collaborative on Children and Families Act."

16 style="text-align:center">**SECTION 2.**

17 style="text-align:center">Findings.

18 (a) It is found, determined, and declared that many of the children and families in the
19 Colquitt County community are facing or experiencing serious and discouraging problems
20 which include, but are not limited to:

- 21 (1) Dropping of school before graduation;
22 (2) Failing in school or failing to progress in school at a satisfactory rate;
23 (3) Teen pregnancy and motherhood;

- 1 (4) Child abuse and neglect;
- 2 (5) Drug use and juvenile delinquency;
- 3 (6) Problems associated with idleness and unemployment for youths ages 16 through 19;
- 4 and
- 5 (7) Severe economic hardship in their families.
- 6 (b) It is further found and determined that public and private agencies and institutions are
- 7 less effective in mitigating the effects of these problems on children and families or keeping
- 8 children and families free of these problems because such agencies' and institutions'
- 9 programs are not coordinated, evaluated, or administered in a systematic manner under a
- 10 single comprehensive plan to address these problems.
- 11 (c) It is further found and determined that the citizens of Colquitt County are deeply
- 12 concerned about the children and families in the community experiencing these problems and
- 13 desire comprehensive and effective community efforts to prevent or mitigate these problems
- 14 in children and families.
- 15 (d) It is further found that the citizens of the community desire to work in partnership with
- 16 the state in comprehensively addressing the conditions confronting children and families in
- 17 the manner envisioned by the state under the provisions of Article 12 of Chapter 5 of Title
- 18 49 of the O.C.G.A., the "Georgia Policy Council for Children and Families Act."
- 19 (e) Because of the findings and determinations described in subsections (a) through (d) of
- 20 this section, it is further found that there is a need for the creation of a public collaborative
- 21 to develop a comprehensive plan for public and private agencies in the Colquitt County
- 22 community to deal more effectively with the problems facing children and families in the
- 23 community who are exposed to or are experiencing the conditions listed in subsection (a) of
- 24 this section, so that such children will be eligible for gainful employment when they reach
- 25 maturity, will be law abiding and productive adults, and will have successful and happy
- 26 futures that develop and utilize their talents and abilities to the fullest extent possible.
- 27 (f) It is further found that such a public collaborative should cooperate with and assist public
- 28 and private agencies in implementing and carrying out such comprehensive plan; should
- 29 provide oversight, evaluation, and coordination of the various programs and activities of such
- 30 comprehensive plan; and should exercise additional powers and duties as provided in this Act
- 31 in connection with the development, implementation, and carrying out of such plan.
- 32 (g) It is further found, declared, and determined that the creation of the public collaborative
- 33 provided for in this Act and the carrying out of its corporate purposes are in all respects valid
- 34 charitable and public purposes within the provisions of the Constitution of Georgia and that
- 35 developing more effective methods, programs, and services to deal with the problems of
- 36 children and families of the Colquitt County community is of vital importance not only to

1 that community but also to the purposes of Article 12 of Chapter 5 of Title 49 of the
2 O.C.G.A., the "Georgia Policy Council for Children and Families Act."

3 **SECTION 3.**

4 Definitions.

5 As used in this Act, the term:

6 (1) "Collaboration" means an arrangement under which all of the agencies, institutions,
7 and organizations in a community, whose actions or inactions can affect the well-being
8 of children and families, agree and commit themselves to:

9 (A) A vision for successful outcomes for children and families;

10 (B) Successful goals for children and families;

11 (C) Objectives to achieve these goals;

12 (D) Strategies to achieve these objectives;

13 (E) Help carry out the components of the strategies assigned to them by a
14 comprehensive plan for serving the well-being of children and families;

15 (F) Allocate or redirect funds to cover the cost of implementing the strategy
16 components assigned to them by the comprehensive plan for serving children and
17 families;

18 (G) Be individually and collectively responsible for the success or failure of these
19 strategies;

20 (H) Coordinate and integrate their work and share information with each other;

21 (I) Identify and eliminate among themselves duplication of programs and services;

22 (J) Eliminate competition for funding and recognition;

23 (K) Report their successes and failures in achieving the results expected from their
24 programs objectively and completely; and

25 (L) Adopt and carry out comprehensive and integrated annual work programs and
26 budgets to serve children and families.

27 (2) "Collaborative" means the Colquitt County Family Connection Collaborative on
28 Children and Families.

29 (3) "Community partnership" means an organization that meets the specifications for
30 community partnerships contained in Article 12 of Chapter 5 of Title 49 of the O.C.G.A.,
31 the "Georgia Policy Council for Children and Families Act."

32 (4) "Comprehensive plan" means a plan that establishes a vision and goals for children
33 and families, measures the extent to which children and families fall short in meeting the
34 goals, identifies the conditions that must be changed to help them meet these goals,
35 specifies a coordinated and integrated system of strategies for changing these conditions

1 and a budget to carry it out, and specifies the means of implementing the system of
 2 strategies, the means of managing and evaluating their performance, and the means of
 3 measuring their effectiveness in achieving the goals and objectives which have been
 4 established.

5 (5) "Georgia Policy Council" means the Georgia Policy Council for Children and
 6 Families created by Article 12 of Chapter 5 of Title 49 of the O.C.G.A., the "Georgia
 7 Policy Council for Children and Families Act."

8 (6) "Public agency" means the Colquitt County Board of Commissioners, the governing
 9 body of the City of Moultrie, the Colquitt County Board of Education, and any agency,
 10 board, commission, or department of the State of Georgia.

11 **SECTION 4.**

12 Creation of collaborative on children and families.

13 (a) There is created a body corporate and politic to be known as the Colquitt County Family
 14 Connection Collaborative on Children and Families which shall be deemed to be an
 15 instrumentality of the state, a public corporation, and a public authority, and by that name,
 16 style, and title may contract and be contracted with, sue in all courts, and be sued in the
 17 Superior Court of Colquitt County as provided in Section 13 of this Act. The collaborative
 18 shall have all the rights afforded to the state by virtue of the Constitution of the United States
 19 and nothing in this Act shall constitute a waiver of any such rights. The collaborative shall
 20 have perpetual existence.

21 (b) The collaborative shall not be deemed to be the State of Georgia or a political
 22 subdivision of the state or an agency of the state or a political subdivision of the state.

23 **SECTION 5.**

24 Membership.

25 (a) The commission shall be composed of 39 members. Fifteen members shall serve by
 26 virtue of their offices. Three members shall be elected officials, one each from the Colquitt
 27 County Board of Commissioners, the City of Moultrie City Council, and the Colquitt County
 28 Board of Education. Twenty-one members shall be appointed from the community.

29 (b)(1) The following members shall serve by virtue of their offices:

30 (A) The Colquitt County administrator;

31 (B) The City of Moultrie city manager;

32 (C) The superintendent of Colquitt County schools;

33 (D) The director of the Colquitt County Public Health Department;

- 1 (E) The director of the Colquitt County Department of Family and Children Services;
 2 (F) The chief administrative official of the state's Department of Juvenile Justice;
 3 (G) The director of Colquitt County Mental Health Services;
 4 (H) The director of the Colquitt County Department of Labor;
 5 (I) The director of the Southwest Georgia Community Action Council;
 6 (J) The chairperson of communities in schools of Colquitt County;
 7 (K) The president of the Moultrie-Colquitt County Chamber of Commerce or his or her
 8 designee;
 9 (L) The director of the Colquitt County United Way;
 10 (M) The director of the Moultrie Housing Authority;
 11 (N) The president of Moultrie Technical College; and
 12 (O) The regional community resource development coordinator.

13 (2) Members serving by virtue of their offices shall serve on the collaborative for the
 14 terms of the positions they hold and shall be replaced on the collaborative by their
 15 successors in these positions.

16 (c)(1)(A) One member shall be a member of the Colquitt County Board of
 17 Commissioners appointed by the board;

18 (B) One member shall be a member of the City of Moultrie City Council appointed by
 19 the council; and

20 (C) One member shall be a member of the Colquitt County Board of Education
 21 appointed by the board.

22 (2) Elected officials shall serve on the collaborative for terms of two years and may be
 23 reappointed for additional terms by their respective boards. If an elected official's term
 24 of office as an elected official expires during his or her appointed term on the
 25 collaborative and the elected official is not reelected, then the appointing authority shall
 26 appoint another elected official to fill the unexpired term on the collaborative.

27 (d)(1) Community members shall include one or more members appointed from
 28 executives in the business community in the county, one or more members appointed
 29 from the boards of civic organizations in the county, one or more members appointed
 30 from the boards of private social service providers in the county, one or more members
 31 appointed from the vulnerable neighborhoods in the county or consumers of social
 32 services, one or more members appointed from advocates for children and families in the
 33 county, and one or more members appointed from the faith community in the county.

34 (2) The Colquitt County Board of Commissioners, the mayor and council of the City of
 35 Moultrie, and the Colquitt County Board of Education will each appoint seven
 36 community members as follows:

- 1 (A) One family representative from a vulnerable neighborhood or who is a consumer
 2 of social services;
- 3 (B) One executive from the Colquitt County business community;
- 4 (C) One member from a local civic organization;
- 5 (D) Two citizens who are advocates for children and families in Colquitt County;
- 6 (E) One representative from a private or other social service provider not otherwise
 7 included in the collaborative by virtue of his or her office; and
- 8 (F) One representative from the youths of Colquitt County.
- 9 (3) Of the community members first appointed, one-half shall be appointed for initial
 10 terms of one year and one-half shall be appointed for initial terms of two years.
 11 Successors to all such members and future successors shall be appointed for terms of two
 12 years.
- 13 (e) Members of the collaborative shall receive no compensation for serving on the
 14 collaborative but may be reimbursed for actual and necessary expenses incurred by them in
 15 carrying out their official duties.

16 **SECTION 6.**

17 Organization; meetings.

- 18 (a) The organizational meeting of the collaborative shall be called by the chairperson of the
 19 Colquitt County Board of Commissioners after all appointments to the collaborative have
 20 been made. At the organizational meeting, the collaborative shall adopt bylaws and elect
 21 from the collaborative membership a chairperson, vice chairperson, and secretary-treasurer.
 22 Except as otherwise provided in this Act, the terms of office of such officers and all other
 23 matters relating to the organization and rules of procedure of the collaborative shall be as
 24 specified in the bylaws of the collaborative.
- 25 (b) A majority of the members of the collaborative shall constitute a quorum for the
 26 transaction of business. The powers and duties of the collaborative shall be transacted,
 27 exercised, and performed only pursuant to the affirmative vote of at least a majority of a
 28 quorum. Every member shall vote except in the case of a conflict of interest.
- 29 (c) The collaborative shall not meet less frequently than once every two calendar months and
 30 at other times on the call of the chairperson of the collaborative. In the absence of the
 31 chairperson, the vice chairperson may call a meeting of the collaborative and preside at such
 32 meeting. In the absence of the chairperson and vice chairperson, the secretary-treasurer may
 33 call a meeting of the collaborative and preside at such meeting . The chairperson or other
 34 officer of the collaborative authorized to call a meeting of the collaborative shall call other
 35 meetings upon written request of one or more members of the collaborative.

SECTION 7.

Purposes.

The purposes of this collaborative shall be to:

(1) Develop with the community a vision of success for children and families in the community;

(2) Develop and adopt goals for children and families that address the serious and discouraging problems children and families are facing or experiencing including, but not limited to:

(A) Dropping out of school before graduation;

(B) Failing in school or failing to progress in school at a satisfactory rate;

(C) Teen pregnancy and parenthood;

(D) Child abuse and neglect;

(E) Drug and alcohol abuse and juvenile delinquency;

(F) Problems associated with idleness and unemployment for out-of-school youths ages 16 through 19; and

(G) Severe economic hardship in their families;

(3) Develop, adopt, and recommend, and from time to time amend, a comprehensive plan for the Colquitt County community to deal effectively with the problems experienced by children and families in the community in order to achieve the goals for children and families that have been adopted by the collaborative;

(4) Develop and facilitate collaboration, coordination, and service and data integration among the public and private agencies, institutions, and organizations in implementing the plan and monitoring the well-being of children and families in relation to the goals set for them;

(5) Monitor and report to the Colquitt County Board of Commissioners, the mayor and council of the City of Moultrie, the Colquitt County Board of Education, and the community on the implementation of the comprehensive plan developed by the collaborative under paragraph (3) of this section;

(6) Provide administrative services and assistance in implementing and carrying out the comprehensive plan, when necessary;

(7) Contract with or recommend and promote contracts with public and private agencies and institutions to provide programs and services to carry out the provisions of the comprehensive plan developed under paragraph (3) of this section and for the purposes of paragraph (4) of this section;

1 (8) Facilitate by contract and collaboration the integration and coordination of programs
 2 and services by public and private agencies and institutions to carry out the provisions of
 3 the comprehensive plan;

4 (9) Make the goals and comprehensive plan developed by the collaborative for the
 5 Colquitt County community consistent with the purposes of Article 12 of Chapter 5 of
 6 Title 49 of the O.C.G.A., the "Georgia Policy Council for Children and Families Act";

7 (10) Be an advocate for the well-being of children and families in the community; and

8 (11) Serve as a review and recommending body to local governments on policies
 9 proposed by public and private agencies and institutions that relate to children and
 10 families and their well-being.

11 **SECTION 8.**

12 Power to provide services.

13 To the extent that services and programs for children and families needed to carry out the
 14 provisions of the comprehensive plan developed by the collaborative under paragraph (3) of
 15 Section 3 of this Act are not available or cannot be obtained by contract from public and
 16 private agencies and institutions, the collaborative shall have the power to provide such
 17 services and programs when necessary and desirable to achieve goals and objectives of the
 18 comprehensive plan. In all such instances, the collaborative shall seek to facilitate and
 19 expedite the transfer of responsibility for providing such services or programs to public or
 20 private agencies and institutions.

21 **SECTION 9.**

22 Powers and duties.

23 (a) In addition to any other powers and duties provided for by this Act and in order for the
 24 collaborative to carry out its purposes as described in this Act, the collaborative shall have
 25 the following powers and duties:

26 (1) To have a seal and alter the same as its pleasure;

27 (2) To acquire, hold, and dispose of in its own name by purchase, gift, lease, or
 28 exchange, on such terms and conditions and in such manner and by such instrument as
 29 it may deem proper, real and personal property of every kind, character, and description,
 30 but the collaborative shall not have the power to acquire any real or personal property by
 31 condemnation or eminent domain;

32 (3) To procure insurance against loss in connection with its property and other assets of
 33 the collaborative;

1 (4) To exercise the power provided by Code Section 45-9-1 of the O.C.G.A. to procure
2 policies of liability insurance or contracts of indemnity or to formulate sound programs
3 for self-insurance to insure or indemnify members of the collaborative and its officers and
4 employees against personal liability or damages arising out of the performance of their
5 duties or in any way connected therewith to the extent that such members, officers, or
6 employees are not immune from such liability;

7 (5) To make contracts and execute all instruments necessary or convenient in connection
8 therewith;

9 (6) To adopt, alter, or repeal its own bylaws, rules, or regulations governing the manner
10 in which its business may be transacted and in which the power granted to it may be
11 enjoyed, as the collaborative may deem necessary or expedient in facilitating its business;

12 (7) To receive, accept, and utilize gifts, grants, donations, or contributions of money,
13 property, facilities, or services with or without consideration from any person, firm,
14 corporation, foundation, or other entity or from the State of Georgia or any agency,
15 instrumentality, or political subdivision thereof, or from the United States or any agency
16 or instrumentality thereof;

17 (8) To the extent that a contract between the collaborative and a public or private agency
18 or institution provides therefor, to act as an agent of such public or private agency or
19 institution in any matter coming within the purposes or powers of the collaborative;

20 (9) To select, appoint, and employ professional, administrative, clerical, or other
21 personnel and to contract for professional or other services and to allow suitable
22 compensation for such personnel and services;

23 (10) To do all things necessary and convenient to carry out the powers and purposes of
24 the collaborative which are expressly provided for in this Act; and

25 (11) To keep suitable and proper books and records of all receipts, income, and
26 expenditures of every kind and obtain an annual independent audit of income and
27 expenditures.

28 (b) The collaborative shall prepare and submit to the appointing bodies listed in
29 subsection (c) of Section 5 of this Act a written semiannual report outlining the work of the
30 collaborative and the results achieved thereby and a written annual report on the state of
31 children and families in the community.

32 (c) The collaborative shall not be authorized to create in any manner any debt, liability, or
33 obligation against the State of Georgia, the City of Moultrie, the Colquitt County Board
34 of Commissioners, or the Colquitt County Board of Education.

SECTION 10.

Members as trustees.

The members of the collaborative are trustees and shall be accountable in all respects to manage the funds and expenditures and direct the policies of the collaborative.

SECTION 11.

Actions.

Any action brought against the collaborative shall be brought in the Superior Court of Colquitt County, and such court shall have exclusive original jurisdiction of such action.

SECTION 12.

Liberal construction.

Being for the welfare of the state and its inhabitants, this Act shall be liberally construed to effect the purposes expressed herein.

SECTION 13.

Repealer.

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