

House Bill 1129

By: Representatives Mitchell of the 61st, Post 3, and Mangham of the 62nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 2 of Title 37 of the Official Code of Georgia Annotated,
2 relating to general provisions regarding administration of mental health, developmental
3 disabilities, addictive diseases, and other disability services, so as to provide for the
4 Community Service Board Overview Commission; to provide for such commission's
5 organization, vacancies, duties, powers, and expenditures; to provide for the appointment,
6 qualifications, terms, compensation, allowances, and expenses of members; to provide for
7 commission assistance, staffing, and services; to provide for community service board
8 cooperation; to provide for reports; to provide for legal enforcement; to repeal conflicting
9 laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Article 1 of Chapter 2 of Title 37 of the Official Code of Georgia Annotated, relating to
13 general provisions regarding administration of mental health, developmental disabilities,
14 addictive diseases, and other disability services, is amended by adding a new Code section
15 at the end thereof, to be designated Code Section 37-2-12, to read as follows:

16 "37-2-12.

17 (a) There is created as a joint committee of the General Assembly the Community Service
18 Board Overview Committee to be composed of four members of the House of
19 Representatives appointed by the Speaker of the House and four members of the Senate
20 appointed by the Senate Committee on Assignments. The members of the committee shall
21 serve two-year terms concurrent with their terms as members of the General Assembly. A
22 cochairperson of the committee shall be appointed by the Senate Committee on
23 Assignments from the membership of the committee, and a cochairperson of the committee
24 shall be appointed by the Speaker of the House from the membership of the committee.
25 The cochairpersons shall serve terms of two years concurrent with their terms as members
26 of the General Assembly. Vacancies in an appointed member's position or in the offices

1 of cochairperson of the committee shall be filled for the unexpired term in the same manner
 2 as the original appointment. The committee shall periodically inquire into and review the
 3 operations of the community service boards, as well as periodically review and evaluate
 4 the success with which the community service boards are accomplishing their statutory
 5 duties and functions as provided in this article.

6 (b) The state auditor, the Attorney General, and all other agencies of state government,
 7 upon request by the committee, shall assist the committee in the discharge of its duties set
 8 forth in this Code section. The committee may employ not more than two staff members
 9 and may secure the services of independent accountants, engineers, and consultants.

10 (c) All community service boards shall cooperate with the committee, its authorized
 11 personnel, the Attorney General, the state auditor, and other state agencies in order that the
 12 charges of the committee, set forth in this Code section, may be timely and efficiently
 13 discharged. All community service boards shall submit to the committee such reports and
 14 data as the committee shall reasonably require of the community service boards in order
 15 that the committee may adequately perform its functions. The Attorney General is
 16 authorized to bring appropriate legal actions to enforce any laws specifically or generally
 17 relating to the community service boards. The committee shall, on or before the first day
 18 of January of each year, and at such other times as it deems necessary, submit to the
 19 General Assembly a report of its findings and recommendations based upon the review of
 20 the community service boards, as set forth in this Code section.

21 (d) In the discharge of its duties, the committee shall evaluate the performance of
 22 community service boards consistent with the following criteria:

- 23 (1) Prudent, legal, and accountable expenditure of public funds;
- 24 (2) Efficient operation; and
- 25 (3) Performance of their statutory responsibilities.

26 (e) The committee is authorized to expend state funds available to the committee for the
 27 discharge of its duties. Said funds may be used for the purposes of compensating staff
 28 personnel, paying for services of independent accountants, engineers, and consultants, and
 29 paying all other necessary expenses incurred by the committee in performing its duties.

30 (f) The members of the committee shall receive the same compensation, per diem,
 31 expenses, and allowances for their service on the committee as is authorized by law for
 32 members of interim legislative study committees.

33 (g) The funds necessary for the purposes of the committee shall come from the funds
 34 appropriated to and available to the legislative branch of government."

35 SECTION 2.

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