

The House Committee on Public Safety offers the following substitute to SB 243:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to  
2 emergency management, so as to provide for certain state government safety plans; to  
3 provide for exemptions; to provide for a program of training and technical assistance; to  
4 exempt certain records from public inspection and disclosure; to provide that the Georgia  
5 Emergency Management Agency shall establish and maintain a standardized, verifiable,  
6 performance-based unified incident command system; to provide for the development of and  
7 instruction in such command system; to provide for the implementation of such command  
8 system; to provide penalties for local agencies that do not establish such command system  
9 by October 1, 2004; to provide for related matters; to repeal conflicting laws; and for other  
10 purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

13 Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to emergency  
14 management, is amended by inserting a new Code section to read as follows:

15 "38-3-22.1.

16 (a) Every state agency or authority, except those exempted in subsection (b) of this Code  
17 section, shall prepare an agency safety plan to address the threat of terrorism, to respond  
18 effectively to such incidents, and to provide a safe environment for state personnel and for  
19 those citizens conducting business with state agencies. In addition to acts of terrorism,  
20 such plan shall also address preparedness for natural disasters, hazardous materials or  
21 radiological accidents, and acts of violence. The safety plans of agencies and authorities  
22 shall be prepared with input from the appropriate supervisors and rank-and-file employees  
23 and local law enforcement, fire service, public safety, and emergency management  
24 agencies. Such plans shall be reviewed internally and, if necessary, updated annually.  
25 Such plans shall be submitted to the local emergency management agency.

1 (b) The Department of Public Safety, the Department of Corrections, and any other state  
 2 agency which operate secured facilities shall be exempt from the requirements of  
 3 subsection (a) of this Code section.

4 (c) Subject to the availability of funds for such purpose, the Georgia Emergency  
 5 Management Agency shall provide training and technical assistance to agencies and  
 6 authorities and may provide such training and technical assistance to local units of  
 7 government and to critical facilities operated by the private sector. Such training and  
 8 technical assistance shall include, but not be limited to, crisis response team development,  
 9 site surveys and safety audits, crisis management planning, exercise design, safe school  
 10 planning, emergency operations planning, search and seizure, bomb threat management,  
 11 and model safety plans.

12 (d) The following records shall not be subject to public inspection or disclosure under  
 13 Article 4 of Chapter 18 of Title 50:

14 (1) Site surveys, safety audits, and vulnerability assessments performed pursuant to  
 15 subsection (a) of this Code section; and

16 (2) Any other record produced pursuant to this Code section the disclosure of which  
 17 would, in the determination of the director of the Georgia Emergency Management  
 18 Agency, endanger the life or physical safety of any person or persons or the physical  
 19 safety of any public property."

## 20 SECTION 2.

21 Said chapter is further amended by adding a new Code Section 38-3-57 to read as follows:

22 "38-3-57.

23 (a) The Georgia Emergency Management Agency shall establish and maintain, in  
 24 collaboration with all appropriate state agencies and volunteer organizations with  
 25 emergency support function roles, and professional organizations that represent local public  
 26 safety agencies, including the Emergency Management Association of Georgia, the  
 27 Georgia Association of Police Chiefs, the Georgia Fire Chiefs' Association, and the  
 28 Georgia Sheriffs' Association, a standardized, verifiable, performance-based unified  
 29 incident command system.

30 (b) Such system shall be consistent with the Georgia Emergency Operations Plan and shall  
 31 be utilized in response to emergencies and disasters referenced in the Georgia Emergency  
 32 Operations Plan, including Presidentially declared disasters and states of emergency issued  
 33 by the Governor.

34 (c) The Georgia Emergency Management Agency, in cooperation with the Georgia Public  
 35 Safety Training Center and the Georgia Forestry Commission, shall develop or adopt a

1 course of instruction for use in training and certifying emergency response personnel in  
2 unified incident command.

3 (d) All local public safety and emergency response organizations, including emergency  
4 management agencies, law enforcement agencies, fire departments, and emergency medical  
5 services, shall implement the standardized unified incident command system provided for  
6 in subsection (a) of this Code section by October 1, 2004.

7 (e) Local agencies that have not established such system by October 1, 2004, shall not be  
8 eligible for state reimbursement for any response or recovery related expenses."

9 **SECTION 3.**

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