

House Bill 1653 (FLOOR SUBSTITUTE)

By: Representative Smith of the 76th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 30 of the Official Code of Georgia Annotated, relating to
2 general provisions relative to handicapped persons, so as to change certain provisions
3 relating to a definition of hearing impaired person and the Georgia Center for Hearing
4 Impaired Persons; to create the Georgia Commission on the Hard of Hearing and provide for
5 its members, powers, and duties; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 5 of Title 30 of the Official Code of Georgia Annotated, relating to general
9 provisions relative to handicapped persons, is amended by striking Code Section 30-1-5,
10 relating to a definition of hearing impaired person and the Georgia Center for Hearing
11 Impaired Persons, and inserting in lieu thereof the following:

12 "30-1-5.

13 (a)(1) For purposes of this ~~Code section~~ subsection, the term 'hearing impaired person'
14 means any person whose hearing is totally impaired, is so seriously impaired as to
15 prohibit the person from understanding oral communication spoken in a normal
16 conversational tone, or as a result of either such impairment is severely speech impaired.

17 ~~(b)~~(2) The Department of Human Resources shall establish a Georgia Service Center for
18 Hearing Impaired Persons. The center shall provide services to hearing impaired persons,
19 which services shall include, without being limited to:

20 ~~(1)~~(A) Telecommunications Devices for the Deaf (TDD) relay services using
21 nonhearing impaired third parties to connect hearing impaired persons with nonhearing
22 impaired persons;

23 ~~(2)~~(B) A full range of counseling services to hearing impaired persons and their
24 immediate families including, without being limited to, family, marital, and individual
25 counseling; drug and alcohol abuse support groups; and parenting skills groups; and

1 ~~(3)(C)~~ Community outreach services to inform the general public and state and local
2 government agencies regarding the services provided by the center.

3 (b)(1)(A) There is created the Georgia Commission on the Hard of Hearing, which
4 shall consist of seven members. Five members shall be appointed by the Governor, one
5 member shall be appointed by the Senate Committee on Assignments, and one member
6 shall be appointed by the Speaker of the House of Representatives. At least three of the
7 members shall be hard of hearing, and the remaining four members of the commission
8 shall be selected from among parents of children who are hard of hearing and
9 representatives of private providers of services to the hard of hearing. Each commission
10 member shall serve for a three-year term and until a successor is appointed and
11 qualified. No member shall serve more than two consecutive terms. Any vacancy on
12 the commission for any reason other than expiration of term shall be filled in the same
13 manner as the original appointment for the remainder of the unexpired term.

14 (B) The commission shall select one member as chairperson.

15 (C) The commission shall be attached to the Department of Human Resources for
16 administrative purposes only as provided by Code Section 50-4-3.

17 (2) Members of the commission shall serve as such without compensation but may be
18 reimbursed from funds appropriated to the Department of Human Resources for
19 reasonable and necessary expenses actually incurred in the performance of their duties.

20 (3) The commission shall serve as the principal agency of the state to advocate on behalf
21 of hard-of-hearing Georgians by working to ensure those persons have equal access to
22 the services, programs, and opportunities available to others.

23 (4) The commission shall:

24 (A) Assist hard-of-hearing persons and parents of hard-of-hearing students in
25 advocating for equal access to services, programs, and opportunities;

26 (B) Advise the Governor, General Assembly, commissioner of human resources, and
27 commissioner of community health on the development of policies, programs, and
28 services affecting hard-of-hearing persons and on the use of appropriate federal and
29 state moneys for such purposes;

30 (C) Create a public awareness of the special needs and potential of hard-of-hearing
31 persons;

32 (D) Provide the Governor, General Assembly, commissioner of human resources, and
33 commissioner of community health with a review of ongoing services, programs, and
34 proposed legislation affecting hard-of-hearing persons;

35 (E) Advise the Governor, General Assembly, commissioner of human resources, and
36 commissioner of community health on statutes, rules, and policies necessary to ensure

1 that hard-of-hearing persons have equal access to benefits and services provided to
 2 individuals in this state;

3 (F) Recommend to the Governor, General Assembly, commissioner of human
 4 resources, and commissioner of community health legislation designed to improve the
 5 economic and social conditions of hard-of-hearing persons in this state;

6 (G) Propose solutions to problems of hard-of-hearing persons in the areas of education,
 7 employment, human rights, human services, health, housing, and other related
 8 programs;

9 (H) Work with other state and federal agencies and organizations to promote economic
 10 development for hard-of-hearing Georgians; and

11 (I) Coordinate its efforts with the Georgia Service Center for Hearing Impaired Persons
 12 and other state and local agencies serving hard-of-hearing persons.

13 (5) The commission may appoint, subject to the availability of funds and approval of the
 14 Governor, an executive director who must be experienced in administrative activities and
 15 familiar with the problems and needs of hard-of-hearing persons. The commission may
 16 delegate to the executive director any powers and duties under this subsection that do not
 17 require commission approval. The executive director may be removed at any time by a
 18 majority vote of the commission. The executive director shall coordinate the provision
 19 of necessary support services to the commission with the Department of Human
 20 Resources. Subject to availability of funds, the executive director may employ and direct
 21 staff necessary to carry out commission mandates, policies, activities, and objectives.

22 (6) The commission may contract in its own name. Contracts must be approved by a
 23 majority of the members of the commission and executed by the chairperson and the
 24 executive director. The commission may apply for, receive, and expend in its own name
 25 grants and gifts of money consistent with the powers and duties specified in this
 26 subsection.

27 (7) The commission may prepare and distribute periodic reports to the Governor, General
 28 Assembly, commissioner of human resources, and commissioner of community health
 29 concerning the activities of the commission and the needs and concerns of
 30 hard-of-hearing Georgians."

31 **SECTION 2.**

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