

House Bill 698

By: Representative Smith of the 113th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 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 Service Center for
4 Hearing Impaired Persons; to create the Georgia Commission on Hearing Impaired Persons
5 and provide for its members, powers, and duties; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

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

13 "30-1-5.

14 (a) For purposes of this Code section, the term 'hearing impaired person' means any
15 person:

16 (1) Whose ~~whose~~ hearing is totally impaired;

17 (2) Whose hearing is so seriously impaired as to prohibit the person from understanding
18 oral communication spoken in a normal conversational tone; or

19 (3) Who as a result of either such impairment is severely speech impaired.

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

23 ~~(1) Telecommunications Devices for the Deaf (TDD) relay services using nonhearing~~
24 ~~impaired third parties to connect hearing impaired persons with nonhearing impaired~~
25 ~~persons;~~

1 ~~(2)~~(1) A full range of counseling services to hearing impaired persons and their
 2 immediate families including, without being limited to, family, marital, and individual
 3 counseling; drug and alcohol abuse support groups; and parenting skills groups; and
 4 ~~(3)~~(2) Community outreach services to inform the general public and state and local
 5 government agencies regarding the services provided by the center.

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

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

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

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

24 (3) The commission shall serve as the principal agency of the state to advocate on behalf
 25 of hearing impaired persons by working to ensure those persons have equal access to the
 26 services, programs, and opportunities available to others.

27 (4) The commission shall:

28 (A) Assist hearing impaired persons and parents of hearing impaired persons who are
 29 students in advocating for equal access to services, programs, and opportunities;

30 (B) Advise the Governor, General Assembly, commissioner of human resources, and
 31 commissioner of community health on the development of policies, programs, and
 32 services affecting hearing impaired persons and on the use of appropriate federal and
 33 state moneys for such purposes;

34 (C) Create a public awareness of the special needs and potential of hearing impaired
 35 persons;

1 (D) Provide the Governor, General Assembly, commissioner of human resources, and
2 commissioner of community health with a review of ongoing services, programs, and
3 proposed legislation affecting hearing impaired persons;

4 (E) Advise the Governor, General Assembly, commissioner of human resources, and
5 commissioner of community health on statutes, rules, and policies necessary to ensure
6 that hearing impaired persons have equal access to benefits and services provided to
7 individuals in this state;

8 (F) Recommend to the Governor, General Assembly, commissioner of human
9 resources, and commissioner of community health legislation designed to improve the
10 economic and social conditions of hearing impaired persons in this state;

11 (G) Propose solutions to problems of hearing impaired persons in the areas of
12 education, employment, human rights, human services, health, housing, and other
13 related programs;

14 (H) Work with other state and federal agencies and organizations to promote economic
15 development for hearing impaired persons; and

16 (I) Coordinate its efforts with the Georgia Service Center for Hearing Impaired Persons
17 and other state and local agencies serving hearing impaired persons.

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

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

32 (7) The commission may prepare and distribute periodic reports to the Governor, General
33 Assembly, commissioner of human resources, and commissioner of community health
34 concerning the activities of the commission and the needs and concerns of hearing
35 impaired persons."

1 **SECTION 2.**

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