

Senate Bill 320

By: Senator Mullis of the 53rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 25 of the Official Code of Georgia Annotated, relating to fire protection and
2 safety, so as to reconstitute the Georgia Firefighter Standards and Training Council as the
3 Georgia Fire College Council; to provide for the membership, appointments, terms, and
4 duties of the Georgia Fire College Council; to provide for meetings of the council; to
5 establish a quorum for such meetings; to establish the Georgia Fire College; to transfer the
6 functions, duties, programs, property, and personnel of the Georgia Fire Academy to the
7 Georgia Fire College; to transfer the functions, duties, programs, property, and personnel of
8 the Georgia Firefighter Standards and Training Council to the Georgia Fire College Council;
9 to provide for a continuation of certain rules and regulations; to provide for the purposes of
10 the Georgia Fire College; to provide for a superintendent and for his or her duties; to provide
11 for the availability of training programs; to conform references to the Georgia Firefighter
12 Standards and Training Council and the Georgia Fire Academy; to provide for related
13 matters; to repeal and reserve Chapter 7 of Title 25, relating to the Georgia Fire Academy;
14 to amend Code Section 45-9-102 of the Official Code of Georgia Annotated, relating to
15 definitions under temporary disability program, and Title 47 of the Official Code of Georgia
16 Annotated, relating to retirement, so as to conform references to the Georgia Firefighter
17 Standards and Training Council and the Georgia Fire Academy; to provide effective dates;
18 to repeal conflicting laws; and for other purposes.

19 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

20 **SECTION 1.**

21 Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety, is
22 amended by striking Code Section 25-3-21, relating to definitions, and inserting in lieu
23 thereof a new Code Section 25-3-21 to read as follows:

1 "25-3-21.

2 As used in this article, the term:

3 (1) 'Executive director' means the executive director of the Georgia ~~Firefighter Standards~~
4 ~~and Training~~ Fire College Council.

5 (2)(A) 'Fire department' means any fire department which is authorized to exercise the
6 general and emergency powers enumerated in Code Sections 25-3-1 and 25-3-2.

7 (B) 'Fire department' also means any department, agency, organization, or company
8 operating in this state with the intent and purpose of carrying out the duties, functions,
9 powers, and responsibilities normally associated with a fire department. These duties,
10 functions, powers, and responsibilities include but are not limited to the protection of
11 life and property against fire, explosions, or other hazards.

12 (3) 'Firefighter' means any able-bodied person at least 18 years of age who has been duly
13 appointed by a legally constituted fire department and who has the responsibility of
14 preventing and suppressing fires, protecting life and property, and performing other
15 duties enumerated in Code Sections 25-3-1 and 25-3-2."

16 **SECTION 2.**

17 Said title is further amended by striking Code Section 25-3-22, relating to notification that
18 a fire department meets minimum requirements, and inserting in lieu thereof a new Code
19 Section 25-3-22 to read as follows:

20 "25-3-22.

21 In order for a fire department to be legally organized to operate in the State of Georgia, the
22 chief administrative officer of the fire department shall notify the executive director that
23 the organization meets the minimum requirements specified in Code Section 25-3-23 and
24 the rules and regulations of the Georgia ~~Firefighter Standards and Training~~ Fire College
25 Council to function as a fire department. If the council is satisfied that the fire department
26 meets the minimum requirements contained in Code Section 25-3-23 and the rules and
27 regulations of the Georgia ~~Firefighter Standards and Training~~ Fire College Council, he or
28 she shall recommend to the Georgia ~~Firefighter Standards and Training~~ Fire College
29 Council that a certificate of compliance be issued by the council to the fire department. If
30 the council issues such certificate of compliance, the fire department shall be authorized
31 to exercise the general and emergency powers set forth in Code Sections 25-3-1 and
32 25-3-2."

1 route to, during, and returning from fire calls or other emergencies and disasters and
 2 scheduled training sessions.
 3 (c) ~~On and after July 1, 1998, the~~ The Georgia Firefighter Standards and Training Fire
 4 College Council shall be authorized, by rules and regulations, to establish and modify
 5 minimum requirements for all fire departments operating in this state, provided that such
 6 requirements are equal to or exceed the requirements provided in subsections (a) and (b)
 7 of this Code section."

8 **SECTION 4.**

9 Said title is further amended by striking Code Section 25-3-24, relating to the authority of
 10 the executive director to determine compliance, and inserting in lieu thereof a new Code
 11 Section 25-3-24 to read as follows:

12 "25-3-24.

13 The executive director may consult with and consider the recommendations of the director
 14 of the Georgia Forestry Commission, the director of the Georgia Fire ~~Academy~~ College,
 15 the state fire marshal, and the governing authority of any county or municipality in which
 16 the fire department is located to determine if individual fire departments are complying
 17 with the minimum provisions of this article and serving the best interests of the citizens of
 18 the area of its operations."

19 **SECTION 5.**

20 Said title is further amended by striking Code Section 25-3-25, relating to suspension or
 21 revocation of certificate of compliance, and inserting in lieu thereof a new Code Section
 22 25-3-25 to read as follows:

23 "25-3-25.

24 (a) The certificate of compliance issued by the council shall be subject to suspension or
 25 revocation by the council at any time it receives satisfactory evidence that the fire
 26 department is not maintaining sufficient personnel, equipment, or insurance required by
 27 Code Section 25-3-23 or the rules and regulations of the Georgia ~~Firefighter Standards and~~
 28 ~~Training Fire College~~ College Council pursuant to subsection (c) of Code Section 25-3-23.

29 (b) The chief administrative officer of any fire department aggrieved by a decision of the
 30 council under subsection (a) of this Code section may, within 30 days of the date of such
 31 decision, request a hearing on the matter before the council. Following a hearing before
 32 the council, the chief administrative officer of the fire department affected shall be served
 33 with a written decision of the council announcing whether the certificate of compliance
 34 shall remain revoked or suspended or whether it shall be reinstated.

1 (c) The council shall not suspend or revoke any certificate of compliance for failure to
 2 meet firefighter training requirements when such failure was due to unavailability of
 3 required training from or through the Georgia Fire ~~Academy~~ College.

4 (d) The council may refer suspensions or revocations to the Attorney General for
 5 enforcement. Upon referral from the council, the Attorney General may bring a civil action
 6 to enjoin any organization which is not in compliance with the applicable requirements of
 7 this chapter from performing any or all firefighting functions until such requirements are
 8 met by such organization."

9 **SECTION 6.**

10 Said title is further amended by striking Code Section 25-3-27, relating to construction of
 11 article, and inserting in lieu thereof a new Code Section 25-3-27 to read as follows:

12 "25-3-27.

13 This article shall not be construed to amend, modify, or repeal any of the provisions of
 14 Chapter 4 of this title, known as the 'Georgia Firefighter Standards and Training Fire
 15 College Act,' nor shall this article be construed to restrict the requirements of any other
 16 provisions relating to fire departments, equipment, or personnel."

17 **SECTION 7.**

18 Said title is further amended by striking Code Section 25-4-1, relating to short title, and
 19 inserting in lieu thereof a new Code Section 25-4-1 to read as follows:

20 "25-4-1.

21 This chapter shall be known and may be cited as the 'Georgia ~~Firefighter Standards and~~
 22 ~~Training~~ Fire College Act."

23 **SECTION 8.**

24 Said title is further amended by striking Code Section 25-4-2, relating to definitions, and
 25 inserting in lieu thereof a new Code Section 25-4-2 to read as follows:

26 "25-4-2.

27 As used in this chapter, the term:

28 (1) 'Airport' means any airport located in this state which has regularly scheduled
 29 commercial air carrier service or commuter airline service as required for certification
 30 under Section 139.49 of the Federal Aviation Administration regulations.

31 (2) 'Airport firefighter' means any person assigned to any airport located in this state who
 32 performs the duties of fire fighting, rescue, fire inspection, or any other duties normally
 33 associated with airport fire suppression or fire safety.

1 ~~(1)~~(3) 'Candidate' means a prospective firefighter who has not yet been certified by the
2 council as having met the requirements of this chapter.

3 ~~(2)~~(4) 'Certified firefighter' or 'state certified firefighter' means any firefighter who has
4 been certified by the council as having met the requirements of this chapter.

5 ~~(3)~~(5) 'Council' means the Georgia ~~Firefighter Standards and Training~~ Fire College
6 Council.

7 ~~(4)~~(6) 'Firefighter' means a trained individual who is a full-time employee, part-time
8 employee, or volunteer for a municipal, county, state, or private incorporated fire
9 department and as such has duties of responding to mitigate a variety of emergency and
10 nonemergency situations where life, property, or the environment is at risk, which may
11 include without limitation fire suppression; fire prevention activities; emergency medical
12 services; hazardous materials response and preparedness; technical rescue operations;
13 search and rescue; disaster management and preparedness; community service activities;
14 response to civil disturbances and terrorism incidents; nonemergency functions including
15 training, preplanning, communications, maintenance, and physical conditioning; and
16 other related emergency and nonemergency duties as may be assigned or required;
17 provided, however, that a firefighter's assignments may vary based on geographic,
18 climatic, and demographic conditions or other factors including training, experience, and
19 ability.

20 ~~(5)~~(7) 'Full-time' means employed for compensation on a basis of at least 40 hours per
21 week by any municipal, county, state, or private incorporated fire department.

22 ~~(6)~~(8) 'Part-time' means employed for compensation on less than a full-time basis by any
23 municipal, county, state, or private incorporated fire department.

24 ~~(7)~~(9) 'Volunteer' means not employed for compensation by but appointed and regularly
25 enrolled to serve as a firefighter for any municipal, county, state, or private incorporated
26 fire department."

27 SECTION 9.

28 Said title is further amended by striking Code Section 25-4-3, relating to the Georgia
29 Firefighter Standards and Training Council, and inserting in lieu thereof a new Code Section
30 25-4-3 to read as follows:

31 "25-4-3.

32 (a) The Georgia ~~Firefighter Standards and Training Council~~ Fire College is established and
33 shall be the successor to the Georgia Fire Academy. The Georgia Fire College shall be
34 governed by the Georgia Fire College Council which shall be the successor to the Georgia
35 Firefighter Standards and Training Council. The council shall be composed of ~~eleven~~ 21
36 members, one of whom shall be the Safety Fire Commissioner or the designated

1 representative of the Safety Fire Commissioner. ~~Two~~ Four members shall be appointed by
 2 the ~~Lieutenant Governor~~ Senate Committee on Assignments, of whom two shall be
 3 volunteer firefighters and two shall be firefighters or have a background in fire fighting or
 4 fire safety. ~~Two~~ Four members shall be appointed by the Speaker of the House of
 5 Representatives, of whom two shall be volunteer firefighters and two shall be firefighters
 6 or have a background in fire fighting or fire safety. The remaining ~~six~~ twelve members
 7 shall be appointed by the Governor subject to the following requirements:

8 (1) One member shall be a ~~member of the governing authority of a county~~ representative
 9 of the Association County Commissioners of Georgia;

10 (2) One member shall be a ~~member of the governing authority of a municipality~~
 11 representative of the Georgia Municipal Association;

12 (3) One member shall be a ~~city or county manager~~ representative of the Georgia City and
 13 County Management Association;

14 (4) One member shall be ~~the chief of a county or municipal fire department; and a~~
 15 representative of the Georgia Association of Fire Chiefs;

16 (5) ~~Two members shall be state certified firefighter training officers~~ One member shall
 17 be a representative of the Georgia State Firefighters Association;

18 (6) One member shall be a representative of the Georgia Fire Investigators Association;

19 (7) One member shall be a representative of the Georgia Fire Inspector Association;

20 (8) One member shall be the fire chief for the Georgia Department of Corrections;

21 (9) One member shall be a representative of the Georgia Public Safety Educators
 22 Association;

23 (10) One member shall be a representative of a fire department located at an airport in
 24 this state or shall have a background in airport rescue fire fighting; and

25 (11) Two members shall be firefighters or have a background in fire fighting or fire
 26 safety.

27 (b) The members of the council appointed by the Governor pursuant to subsection (a) of
 28 this Code section shall be appointed at the sole discretion of the Governor. ~~However, the~~
 29 ~~Governor may consider for appointment to the council persons suggested for membership~~
 30 ~~thereon as follows:~~

31 (1) ~~The Association County Commissioners of Georgia may suggest the names of three~~
 32 ~~persons for each appointment pursuant to paragraph (1) of subsection (a) of this Code~~
 33 ~~section;~~

34 (2) ~~The Georgia Municipal Association may suggest the names of three persons for each~~
 35 ~~appointment pursuant to paragraph (2) of subsection (a) of this Code section;~~

1 ~~(3) The Georgia City and County Management Association may suggest the names of~~
 2 ~~three persons for each appointment pursuant to paragraph (3) of subsection (a) of this~~
 3 ~~Code section;~~

4 ~~(4) The Georgia Association of Fire Chiefs may suggest the names of three persons for~~
 5 ~~each appointment pursuant to paragraph (4) of subsection (a) of this Code section; and~~

6 ~~(5) The Executive Board of the Georgia State Firemen's Association may suggest the~~
 7 ~~names of three persons for each appointment pursuant to paragraph (5) of subsection (a)~~
 8 ~~of this Code section.~~

9 (c)(1) The first members of the council appointed by the Governor pursuant to subsection
 10 (a) of this Code section shall be appointed to take office on January 1, ~~1986~~ 2006. The
 11 ~~two~~ members appointed pursuant to paragraphs (1), ~~and (2), (3), and (4)~~ of subsection (a)
 12 of this Code section shall be appointed for initial terms of one year, the ~~two~~ members
 13 appointed pursuant to paragraphs ~~(3) and (4)~~ (5), (6), (7), and (8) of subsection (a) of this
 14 Code section shall be appointed for initial terms of two years, and the ~~two~~ members
 15 appointed pursuant to ~~paragraph (5)~~ paragraphs (9), (10), and (11) of subsection (a) of
 16 this Code section shall be appointed for initial terms of three years. Thereafter,
 17 successors shall be appointed for terms of three years as the respective terms of office
 18 expire.

19 (2) The members appointed by the ~~Lieutenant Governor~~ Senate Committee on
 20 Assignments and the members appointed by the Speaker of the House of Representatives
 21 shall each serve for terms concurrent with terms of members of the General Assembly.

22 (3) All members shall serve until their successors are appointed and qualified. In the
 23 event of a vacancy in the membership of the council for any reason, including ceasing to
 24 hold an office or position required for membership on the council, the Governor shall fill
 25 such vacancy for the unexpired term; except that a vacancy in ~~either of~~ those members
 26 of the council appointed by the ~~Lieutenant Governor~~ Senate Committee on Assignments
 27 or the Speaker of the House of Representatives shall be filled for the remainder of the
 28 unexpired term in the same manner as the original appointment. ~~In order for the~~
 29 ~~Governor to consider the names of persons suggested for membership on the council~~
 30 ~~pursuant to subsection (b) of this Code section, such names must be submitted to the~~
 31 ~~Governor by the respective organizations at least 60 days but not more than 90 days prior~~
 32 ~~to the expiration of the respective terms of office or prior to the appointment of the initial~~
 33 ~~members of the council who take office on January 1, 1986. The Governor shall be~~
 34 ~~authorized, but not required, to request the appropriate organization designated in~~
 35 ~~subsection (b) of this Code section to suggest the names of three persons for the~~
 36 ~~Governor's consideration in making an appointment to fill a vacancy.~~

1 (d) At the first regular meeting of the council held in each even-numbered year, the council
 2 shall elect a chairperson and such other officers from its own membership as it deems
 3 necessary to serve until successors are elected by the council as provided in this subsection
 4 Code section.

5 (e) The council may, from time to time, designate an advisory committee of not more than
 6 three members to assist and advise the council in carrying out its duties under this chapter.
 7 The members of any such advisory committee shall serve at the pleasure of the council.

8 (f) Each member of the council and each member of an advisory committee of the council,
 9 in carrying out their official duties, shall be entitled to receive the same expense and
 10 mileage allowance authorized for members of professional licensing boards by subsection
 11 (f) of Code Section 43-1-2. The funds for such expenses and allowances shall be paid from
 12 funds appropriated or available to the Department of Public Safety."

13 SECTION 10.

14 Said title is further amended by striking Code Section 25-4-6, relating to meetings of the
 15 Georgia Firefighter Standards and Training Council, and inserting in lieu thereof a new Code
 16 Section 25-4-6 to read as follows:

17 "25-4-6.

18 The business of the council shall be conducted in the following manner:

19 (1) The council shall hold at least two regular meetings each year at the call of the
 20 ~~chairman~~ chairperson or upon the written request of four members of the council. ~~Four~~
 21 Ten members of the council shall constitute a quorum; and

22 (2) The council shall make an annual report of its activities to the Governor and to the
 23 General Assembly and shall include in the report its recommendations for appropriate
 24 legislation."

25 SECTION 11.

26 Said title is further amended by striking Code Section 25-4-7, relating to the functions and
 27 powers of the Georgia Firefighter Standards and Training Council, and inserting in lieu
 28 thereof a new Code Section 25-4-7 to read as follows:

29 "25-4-7.

30 (a) The council is vested with the following functions and powers:

- 31 (1) To promulgate rules and regulations for the administration of the council;
 32 (2) To provide rules of procedure for its internal management and control;
 33 (3) To enter into contracts or do such things as may be necessary and incidental to the
 34 administration of its authority pursuant to this chapter;

1 (4) To establish uniform minimum standards for the employment and training of
 2 full-time, part-time, or volunteer firefighters, airport firefighters, fire and life safety
 3 educators, fire inspectors, and fire investigators, including qualifications, certifications,
 4 recertifications, and requirements, which are consistent with this chapter;

5 (5) To establish minimum curriculum requirements for schools operated by or for any
 6 employing agency for the specific purpose of training firefighter recruits or full-time,
 7 part-time, or volunteer firefighters, airport firefighters, fire and life safety educators, fire
 8 inspectors, and fire investigators;

9 (6) To approve institutions and facilities for school operation by or for any employing
 10 agency for the specific purpose of training firefighters and firefighter recruits, including
 11 airport firefighters;

12 (7) To make or support studies on any aspect of fire-fighting education and training or
 13 recruitment;

14 (8) To make recommendations concerning any matter within its purview;

15 (9) To establish basic firefighter training requirements for full-time, part-time, and
 16 volunteer firefighters, including airport firefighters;

17 (10) To certify any person satisfactorily complying with the training program established
 18 in accordance with paragraph (9) ~~of this Code section~~ of this subsection and the
 19 qualifications for employment covered in this chapter; ~~and~~

20 (11) To issue a certificate to any person who has received training in another state or
 21 who has received training as a federal firefighter by the United States government, when
 22 the council has determined that the training was at least equivalent to that required by the
 23 council for approved firefighter education and training programs in this state and when
 24 the person has satisfactorily complied with all other requirements of this chapter;

25 (12) To accept gifts, grants, and donations, including real and personal property and
 26 services, for the purposes of carrying out this chapter;

27 (13) To operate and maintain the Georgia Fire College, including the establishment and
 28 conduct of training programs and the promulgation of rules and regulations relative
 29 thereto; and

30 (14) To select and fix the compensation of the superintendent of the Georgia Fire
 31 College.

32 (b)(1) The Georgia Fire College, which shall be the successor to the Georgia Fire
 33 Academy, shall have the following purposes, through training and research:

34 (A) To reduce the costs in suffering and property loss resulting from fire;

35 (B) To provide professional training to paid, volunteer, and other publicly or privately
 36 employed firefighters at a minimal cost to them and their employers;

1 (C) To assist the state and its counties, municipalities, and other political subdivisions
 2 and the officers thereof in the investigation and determination of the causes of fires;

3 (D) To develop new methods of fire prevention and fire fighting;

4 (E) To provide facilities for testing fire-fighting and fire prevention equipment; and

5 (F) To assist the state and its counties, municipalities, and other political subdivisions
 6 in the training and operations of fire department related emergency medical services
 7 and rescue services.

8 (2)(A) On January 1, 2006, the Georgia Firefighter Standards and Training Council
 9 shall cease to exist and the terms of all members of the council shall expire. On such
 10 date, all functions, duties, programs, and personnel as well as all funds, property, and
 11 other items and assets of the Georgia Firefighter Standards and Training Council shall
 12 be transferred to the Georgia Fire College Council.

13 (B) On January 1, 2006, the Georgia Fire Academy shall cease to exist and all
 14 functions, duties, programs, and personnel as well as all funds, property, and other
 15 items and assets of the Georgia Fire Academy shall be transferred to the Georgia Fire
 16 College.

17 (C) All rules and regulations of the Board of Public Safety applicable to the Georgia
 18 Fire Academy shall continue in force and effect as rules and regulations of the Georgia
 19 Fire College Council and shall apply to the Georgia Fire College as the successor to the
 20 Georgia Fire Academy until changed by the Georgia Fire College Council.

21 (D) All rules and regulations of the Georgia Firefighter Standards and Training Council
 22 shall continue in force and effect as rules and regulations of the Georgia Fire College
 23 Council until changed by the Georgia Fire College Council."

24 **SECTION 12.**

25 Said title is further amended by striking paragraph (2) of subsection (a) of Code Section
 26 25-4-8, relating to qualifications of firefighters generally, and inserting in lieu thereof a new
 27 paragraph (2) to read as follows:

28 "(2) Not have been convicted of a felony in any jurisdiction or of a crime which if
 29 committed in this state would constitute a felony under the laws of this state within ten
 30 years prior to employment, provided that a person who has been convicted of a felony
 31 more than five but less than ten years prior to employment may be certified and employed
 32 as a firefighter when the person has:

33 (A) Successfully completed a training program following the Georgia Fire Academy
 34 or Georgia Fire College curriculum and sponsored by the Department of Corrections;

35 (B) Earned and possesses a first class firefighter diploma;

1 (C) Been recommended to a fire department by the proper authorities at the institution
2 at which the training program was undertaken; and

3 (D) Met all other requirements as set forth in this chapter.

4 The council shall be the final authority with respect to authorizing employment and
5 certification of a person who has been convicted of a felony more than five but less than
6 ten years prior to seeking employment when the person is seeking employment as a
7 firefighter for any municipal, county, or state fire department which employs three or
8 more firefighters who work a minimum of 40 hours per week and has the responsibility
9 of preventing and suppressing fires, protecting life and property, and enforcing municipal,
10 county, and state codes, as well as enforcing any law pertaining to the prevention and
11 control of fires;".

12 SECTION 13.

13 Said title is further amended by striking Code Section 25-4-9, relating to basic firefighter
14 training courses, and inserting in lieu thereof a new Code Section 25-4-9 to read as follows:

15 "25-4-9.

16 (a) Full-time, part-time, and volunteer firefighters, including airport firefighters, shall
17 successfully complete a basic training course. The council shall determine the course
18 content, number of hours, and all other matters relative to basic firefighter training,
19 including airport rescue firefighter training. Upon satisfactory completion of such basic
20 training, a firefighter shall be issued a certificate of completion evidencing the same. Each
21 firefighter shall be required to successfully complete such basic training course within 12
22 months after being employed or appointed as a firefighter or, in the case of airport
23 firefighters, within such time period as the council may prescribe by rule or regulation.

24 (b) A firefighter certified by the council may, upon termination of employment from any
25 fire department and upon agreement with a subsequently employing fire department,
26 transfer such certification to the employing fire department.

27 (c) Notwithstanding the provisions of subsection (b) of this Code section, any local fire
28 department may refuse to accept the transfer of previously acquired certification and may
29 require any newly employed firefighter to complete the basic training course provided for
30 in subsection (a) of this Code section."

31 SECTION 14.

32 Said title is further amended in Article 1 of Chapter 4 by adding two new Code sections to
33 the end thereof to read as follows:

1 "25-4-13.

2 On January 1, 2006, the superintendent of the Georgia Fire Academy shall become the
3 superintendent of the Georgia Fire College. The superintendent of the Georgia Fire
4 College shall be responsible for the selection of a staff. He or she shall also be responsible
5 for the execution of all policies, programs, directives, and decisions promulgated by the
6 Georgia Fire College Council and for the direction of the staff and the daily operation of
7 the Georgia Fire College.

8 25-4-14.

9 (a) Subject to the rules and regulations prescribed by the Georgia Fire College Council,
10 the training program of the Georgia Fire College shall be made available to all firefighters
11 and may also be made available to other persons who evidence interest in entering the
12 fire-fighting profession. The council is authorized to prescribe fees to cover all or a part
13 of the cost of furnishing the training, under such rules and regulations as the council shall
14 prescribe. The state, municipalities, and counties are authorized to expend funds for the
15 purpose of paying such fees. The council is given full authority to decide who shall be
16 allowed to enroll in the training program of the Georgia Fire College.

17 (b) It is not the intention of this chapter that it be mandatory that any firefighter be
18 required to attend the Georgia Fire College. The training program established at the
19 Georgia Fire College shall not supersede any training program for firefighters now in
20 existence or hereafter established but shall be separate and apart from any other training
21 programs for firefighters."

22 **SECTION 15.**

23 Said title is further amended by repealing Article 2, relating to airport firefighters, in its
24 entirety.

25 **SECTION 16.**

26 Said title is further amended by striking subsection (b) of Code Section 25-6-4, relating to
27 the purpose of mutual aid resource pacts, and inserting in lieu thereof a new subsection (b)
28 to read as follows:

29 "(b) Any pact established under authority of this chapter is charged with the responsibility
30 of establishing an overall plan or plans for carrying out the intended purpose and other
31 provisions of this chapter. No pact may be established unless it complies with this chapter.
32 Within the limits of funds available to it, the pact may acquire and operate property and
33 equipment, including, but not limited to, a dispatch center and a communications center;
34 and it may extend the advantages of group purchasing and benefits to jurisdictions that are

1 members of the pact. Member jurisdictions shall adopt the training programs of the
 2 Georgia Fire ~~Academy~~ College in order to ensure a basic standardization of operations and
 3 philosophy; ~~this~~. This requirement shall not be construed as limiting the training practices
 4 or requirements of any jurisdiction, as it is intended that the programs of the Georgia Fire
 5 ~~Academy~~ College be used to supplement the training practices and requirements of
 6 member jurisdictions. The pact shall cooperate with other state and federal agencies and
 7 with civil defense authorities on all levels. The state fire marshal may render advice,
 8 recommendations, and assistance to a pact, upon request. Members of a pact shall
 9 cooperate with the state fire marshal on matters relating to fire investigations and the
 10 enforcement of the arson statutes of the state."

11 **SECTION 17.**

12 Said title is further amended by repealing and reserving Chapter 7, relating to the Georgia
 13 Fire Academy.

14 **SECTION 18.**

15 Code Section 45-9-102 of the Official Code of Georgia Annotated, relating to definitions
 16 under temporary disability program, is amended by striking paragraph (2) and inserting in
 17 lieu thereof a new paragraph (2) to read as follows:

18 "(2) 'Firefighter' or 'fireman' means:

19 (A) Any person who is employed as a professional firefighter on a full-time basis by
 20 any municipal, county, or state government fire department certified in writing by the
 21 Georgia ~~Firefighter Standards and Training~~ Fire College Council pursuant to Code
 22 Section 25-3-22 employing three or more firefighters and who has the responsibility of
 23 preventing and suppressing fires, protecting life and property, enforcing municipal,
 24 county, and state fire prevention codes, enforcing any law pertaining to the prevention
 25 and control of fires or who performs any acts or actions while on duty or when
 26 responding to a fire or emergency during any fire or other emergency or while
 27 performing duties intended to protect life and property; or

28 (B) Any individual serving as an officially recognized or designated member of a
 29 legally organized volunteer fire department certified in writing by the Georgia
 30 ~~Firefighter Standards and Training~~ Fire College Council pursuant to Code Section
 31 25-3-22 who performs any acts or actions while on duty and when responding to a fire
 32 or emergency during any fire or other emergency or while performing duties intended
 33 to protect life and property."

SECTION 19.

1
2 Title 47 of the Official Code of Georgia Annotated, relating to retirement, is amended by
3 striking paragraph (2) of Code Section 47-7-1, relating to definitions relative to the Georgia
4 Firefighters' Pension Fund, and inserting in lieu thereof a new paragraph (2) to read as
5 follows:

6 "(2) 'Fire department' means a full-time fire department or volunteer fire department
7 which satisfies the following criteria:

8 (A) The fire department is certified by the superintendent of the Georgia Fire ~~Academy~~
9 College as provided in Chapter 3 of Title 25;

10 (B) The public fire suppression facilities of the fire department are ratable not less
11 favorably than a class eight rating under standards set forth in the Fire Suppression
12 Rating Schedule, Section I, Public Fire Suppression, Edition 6-80, Copyright 1980,
13 published by the Insurance Services Office, a rating organization licensed by the
14 Commissioner of Insurance, which schedule is maintained on file with the
15 Commissioner of Insurance as required by general law and which has not been
16 disapproved by the Commissioner, or less than a rating which the board by regulation
17 determines is substantially equivalent under rating standards published by a rating
18 organization licensed by the Commissioner of Insurance performing similar rating
19 functions which standards are maintained on file with the Commissioner of Insurance
20 and which have not been disapproved by the Commissioner.

21 The board may require annual certification by the chief of a fire department of the
22 satisfaction of such requirements as a condition to the eligibility of firefighters and
23 volunteer firefighters to become members of the fund to obtain creditable service with
24 the fund."

SECTION 20.

25
26 Said title is further amended by striking paragraph (2) of Code Section 47-7A-1, relating to
27 definitions relative to the Georgia Class Nine Fire Department Pension Fund, and inserting
28 in lieu thereof a new paragraph (2) to read as follows:

29 "(2) 'Fire department' means a full-time fire department which satisfies the following
30 criteria:

31 (A) The fire department is certified by the superintendent of the Georgia Fire ~~Academy~~
32 College as provided in Chapter 3 of Title 25; and

33 (B) The public fire suppression facilities of the fire department are ratable as a class
34 nine rating under standards set forth in the Fire Suppression Rating Schedule, Section
35 I, Public Fire Suppression, Edition 6-80, Copyright 1980, published by the Insurance
36 Services Office, a rating organization licensed by the Commissioner of Insurance,

1 which schedule is maintained on file with the Commissioner of Insurance as required
2 by general law and which has not been disapproved by the Commissioner, or ratable
3 as a rating which the board by regulation determines is substantially equivalent under
4 rating standards published by a rating organization licensed by the Commissioner of
5 Insurance performing similar rating functions which standards are maintained on file
6 with the Commissioner of Insurance and which have not been disapproved by the
7 Commissioner."

8 **SECTION 21.**

9 For the sole purpose of appointing the members of the Georgia Fire College Council, this Act
10 shall become effective upon its approval by the Governor or upon its becoming law without
11 such approval. For all other purposes, this Act shall become effective on January 1, 2006.

12 **SECTION 22.**

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