

Senate Bill 465

By: Senators Adelman of the 42nd, Smith of the 52nd and Meyer von Bremen of the 12th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend the Official Code of Georgia Annotated, so as to correct typographical, stylistic,
2 capitalization, punctuation, and other errors and omissions in the Official Code of Georgia
3 Annotated and in Acts of the General Assembly amending the Official Code of Georgia
4 Annotated; to reenact the statutory portion of the Official Code of Georgia Annotated, as
5 amended; to provide for necessary or appropriate revisions and modernizations of matters
6 contained in the Official Code of Georgia Annotated; to repeal portions of the Code and Acts
7 related thereto which have become obsolete; to delete portions of the Code and Acts related
8 thereto which have been superseded by subsequent state laws; to provide for and to correct
9 citations in the Official Code of Georgia Annotated and other codes and laws of the state; to
10 rearrange, renumber, and redesignate provisions of the Official Code of Georgia Annotated;
11 to provide for other matters relating to the Official Code of Georgia Annotated; to provide
12 effective dates; to repeal conflicting laws; and for other purposes.

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

14 **SECTION 1.**

15 Title 1 of the Official Code of Georgia Annotated, relating to general provisions, is amended
16 as follows:

17 (1) By striking "Bill Elliott Day" and inserting in its place "Bill Elliott Day" in
18 subsection (b) of Code Section 1-4-15, relating to Bill Elliott Day in regard to state holidays
19 and observances.

20 **SECTION 2.**

21 Title 2 of the Official Code of Georgia Annotated, relating to agriculture, is amended as
22 follows:

23 (1) By striking "February 20, 1985, (7 C.F.R. 51.3195-51.3209)," and inserting in its place
24 "February 20, 1985 (7 C.F.R. 51.3195-51.3209)," in Code Section 2-14-137, relating to
25 standards for grades of Vidalia onions.

SECTION 3.

1
2 Reserved.

SECTION 4.

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4 Reserved.

SECTION 5.

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6 Reserved.

SECTION 6.

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8 Reserved.

SECTION 7.

9
10 Title 7 of the Official Code of Georgia Annotated, relating to banking and finance, is
11 amended as follows:

12 (1) By rearranging the paragraphs to put them in alphabetical order by redesignating
13 paragraph (32) as paragraph (34.1) and by redesignating paragraph (31.1) as paragraph (32),
14 respectively, in Code Section 7-1-4, relating to definitions in regard to provisions applicable
15 to the Department of Banking and Finance and financial institutions generally.

16 (2) By striking the periods and inserting in their place semicolons at the end of
17 paragraphs (1) and (2) and by striking the period and inserting in its place "; and" at the end
18 of paragraph (3) of Code Section 7-1-6, relating to notices and waivers of notice.

19 (3) By striking "state agency for administrative hearings" and inserting in its place "Office
20 of State Administrative Hearings" in subsection (e) of Code Section 7-1-71, relating to the
21 removal of officers, directors, or employees from financial institutions by the Department of
22 Banking and Finance.

23 (4) By striking "rules and regulations shall be deemed" and inserting in its place "rules and
24 regulations, shall be deemed" in Code Section 7-1-660, relating to dividends and interest in
25 relation to credit unions' operation and regulation.

SECTION 8.

26
27 Reserved.

SECTION 9.

28
29 Title 9 of the Official Code of Georgia Annotated, relating to civil practice, is amended as
30 follows:

1 (1) By rearranging paragraphs to put them in alphabetical order by designating current
 2 paragraph (2) as paragraph (3) and designating current paragraph (3) as paragraph (2); by
 3 designating current paragraph (10) as paragraph (11) and designating current paragraph (11)
 4 as paragraph (10); and by designating current paragraph (19) as paragraph (20), designating
 5 current paragraph (20) as paragraph (21), and designating current paragraph (21) as
 6 paragraph (19) in subsection (d) of Code Section 9-11-9.1, relating to affidavit to accompany
 7 charge of professional malpractice.

8 (2) By striking "C.D., E.F. and X.Y.," and inserting in its place "C.D., E.F., and X.Y.," in
 9 the form in Code Section 9-11-118, relating to the form of complaint for interpleader and
 10 declaratory relief in regard to civil practice.

11 (3) By reserving the designation of repealed Code Section 9-15-5, relating to deposit by
 12 nonresident plaintiff, additional deposit, and refund of excess in regard to court and litigation
 13 costs.

14

SECTION 10.

15 Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, is
 16 amended as follows:

17 (1) By striking "with the receivership;" and inserting in its place "with the manufacturer or
 18 distributor, or is in receivership;" in subparagraph (a)(4)(B) and by striking "Boats that have"
 19 and inserting in its place "Any boat that has" in paragraph (10) of subsection (d) of Code
 20 Section 10-1-677, relating to marine manufacturers and termination of a contractual
 21 relationship between dealer and manufacturer.

22 (2) By striking "recreation vehicle dealer" and inserting in its place "recreational vehicle
 23 dealer" in subsection (a) and by striking "recreational dealer" and inserting in its place
 24 "recreational vehicle dealer" in paragraph (4) of subsection (b) of Code Section 10-1-679.5,
 25 relating to the notice required for the termination of or substantial change to dealership
 26 agreements with regard to recreational vehicle dealers.

27 (3) By striking "this section" and inserting in its place "this Code section" in Code Section
 28 10-1-679.14, relating to the required franchise agreement for the sale or distribution of
 29 recreational vehicles and exceptions in regard to recreational vehicle dealers.

30 (4) By striking the reserved designation from Code Section 10-4-114.1, formerly relating
 31 to the grading of leaf tobacco by the Agriculture Marketing Service.

32 (5) By striking "the preceding subsections of this Code section" and inserting in its place
 33 "subsections (a) through (h) of this Code section" in the introductory language of
 34 subsection (i) of Code Section 10-12-4, relating to legal effect, contest based on fraud,
 35 authentication or identification, limitations, notary, and application in regard to electronic
 36 records and signatures.

SECTION 11.

1
2 Reserved.

SECTION 12.

3
4 Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural
5 resources, is amended as follows:

6 (1) By striking "days, times, places and methods," and inserting in its place "days, times,
7 places, and methods," in paragraph (2) of subsection (e) of Code Section 12-3-82.1, relating
8 to permits for investigation, survey, or recovery of deadhead logs.

9 (2) By striking the single quotes and inserting in their place double quotes at the beginning
10 and end of "rain sensor shut-off switch" in subsection (a) and by striking "golf courses, or"
11 and inserting in its place "golf courses or" and by striking "non-public water source." and
12 inserting in its place "nonpublic water source." in paragraph (2) of subsection (b) of Code
13 Section 12-5-6, relating to the installation and definition of "rain sensor shut-off switch" and
14 penalty for violations in regard to water resources and conservation and natural resources.

15 (3) By striking "commissioner of the Department of Natural Resources, the commissioner
16 of the Department of Administrative Services," and inserting in its place "commissioner of
17 natural resources, the commissioner of administrative services," in subsection (d) of Code
18 Section 12-5-23.3, relating to notice, privatization, oversight committee, and penalties in
19 regard to the control of water pollution and surface-water use.

20 (4) By striking "Senate Natural Resources Committee," and inserting in its place "Senate
21 Natural Resources and the Environment Committee," in subsection (i) of Code Section
22 12-5-287, relating to the leasing of state owned marshland or water bottoms.

23 (5) By striking "\$500,000" and inserting in its place "\$500,000.00" in paragraph (1) of
24 subsection (b) of Code Section 12-5-577, relating to an operating budget, sources of funding,
25 power to enter into contracts and to expend funds, and depositing in regard to the
26 Metropolitan North Georgia Water Planning District.

27 (6) By striking "farmland" and inserting in its place "farm land" in subsection (a) of Code
28 Section 12-6-5.1, relating to legislative findings, reforestation incentives program authorized,
29 and powers of the State Forestry Commission.

30 (7) By striking "forestlands" and inserting in its place "forest lands" in subsections (a) and
31 (b) of Code Section 12-6-241, relating to legislative findings in regard to the "Forest Heritage
32 Trust Act of 2004."

33 (8) By striking "Director" and inserting in its place "director" in Code Section 12-6-243,
34 relating to the role of the State Forestry Commission under the "Forest Heritage Trust Act
35 of 2004."

1 (9) By striking "land disturbing" and inserting in its place "land-disturbing" in divisions
 2 (b)(15)(C)(i) and (iii) and by striking "; and" and inserting in its place a period at the end of
 3 division (b)(15)(C)(iii) of Code Section 12-7-6, relating to best management practices and
 4 minimum requirements for rules, regulations, ordinances, or resolutions in regard to control
 5 of soil erosion and sedimentation.

6 (10) By striking "'Groundwater'" and inserting in its place "'Ground water'" in paragraph (3),
 7 by striking the single quotes and inserting in their place double quotes at the beginning and
 8 end of "preexisting release" in the second sentence of paragraph (5), and by striking
 9 "groundwater," and inserting in its place "ground water," in paragraph (10) of Code Section
 10 12-8-202, relating to definitions in regard to the "Georgia Hazardous Site Reuse and
 11 Redevelopment Act."

12 (11) By striking "groundwater" and inserting in its place "ground water" twice in subsection
 13 (a) of Code Section 12-8-207, relating to the limitation of expenses following approval of a
 14 corrective action plan in regard to the "Georgia Hazardous Site Reuse and Redevelopment
 15 Act."

16 (12) By inserting "As used in this chapter, the term:" before paragraph (1) in Code Section
 17 12-12-3, relating to definitions in regard to the "Georgia Asbestos Safety Act."

18 **SECTION 13.**

19 Reserved.

20 **SECTION 14.**

21 Reserved.

22 **SECTION 15.**

23 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended as follows:

24 (1) By striking the period and inserting in its place a semicolon at the end of subparagraphs
 25 (d)(2)(A) through (d)(2)(C) and at the end of division (d)(2)(D)(ii), by striking the period and
 26 inserting in its place "; and" at the end subparagraph (d)(2)(E), and by striking "pro-rata
 27 contribution" and inserting in its place "pro rata contribution" in subsection (i) of Code
 28 Section 15-11-18, which is in effect from January 1, 2006, until January 1, 2007, relating to
 29 the creation of juvenile courts, terms and compensation of judges, state grants for judicial
 30 salaries, qualifications, presiding judge, practice of law, actions by judges, administration,
 31 and expenditures.

32 (2) By striking the period and inserting in its place a semicolon at the end of subparagraphs
 33 (d)(2)(A) through (d)(2)(D), by striking the period and inserting in its place "; and" at the end
 34 division (d)(2)(E)(ii), and by striking "pro-rata contribution" and inserting in its place "pro

1 rata contribution" in subsection (i) of Code Section 15-11-18, which is effective January 1,
 2 2007, relating to creation of juvenile courts, terms and compensation of judges, state grants
 3 for judicial salaries, qualifications, presiding judge, practice of law, actions by judges,
 4 administration, and expenditures.

5 (3) By striking "under this subsection" and inserting in its place "under this paragraph" in
 6 Code Section 15-11-66, relating to the disposition of a delinquent child.

7 (4) By striking "Department of Motor Vehicle Safety" and inserting in its place "Department
 8 of Driver Services" in Code Section 15-21-172, relating to the establishment of the Georgia
 9 Driver's Education Commission.

10 (5) By striking "Department of Motor Vehicle Safety" and inserting in its place "Department
 11 of Driver Services" in subsection (a) of Code Section 15-21-173, relating to members, terms,
 12 appointment, vacancies, chairperson and other officers, and employees in regard to the
 13 Georgia Driver's Education Commission.

14 (6) By striking "Department of Motor Vehicle Safety" and inserting in its place "Department
 15 of Driver Services" in Code Section 15-21-178, relating to disbursement of funds for driver
 16 education and training by the Georgia Driver's Education Commission.

17 **SECTION 16.**

18 Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is
 19 amended as follows:

20 (1) By striking "which person resides" and inserting in its place "which such person resides"
 21 and by striking "shall contain the photograph taken by the arresting law enforcement agency
 22 at the time of arrest or a subsequent photograph, the name and address of the convicted
 23 person, and the date, time, place of arrest, and disposition of the case" and inserting in its
 24 place "shall contain the photograph taken by the arresting law enforcement agency at the time
 25 of arrest; the name and address of the convicted person; the date, time, and place of arrest;
 26 and the disposition of the case" in subsection (a) of Code Section 16-5-110, relating to the
 27 publication of notice, information required, assessment for cost, and immunity in regard to
 28 the notice of the conviction and the release from confinement of sex offenders.

29 (2) By striking "subsection (a) of this Code section" and inserting in its place "subsection
 30 (b) of this Code section" in subsection (c) of Code Section 16-7-29, relating to interference
 31 with electronic monitoring devices, the definition of "electronic monitoring device," and
 32 penalty.

33 (3) By striking "pursuant to Code Sections 16-8-2, relating to theft by taking, 16-8-3,
 34 relating to theft by deception, 16-8-4, relating to theft by conversion, or 16-8-5, relating to
 35 theft of services," and inserting in its place "pursuant to Code Section 16-8-2, relating to theft
 36 by taking; 16-8-3, relating to theft by deception; 16-8-4, relating to theft by conversion; or

1 16-8-5, relating to theft of services;" in the introductory language and by striking "convicted
2 under Code Sections 16-8-2, relating to theft by taking, 16-8-3, relating to theft by deception,
3 16-8-4, relating to theft by conversion, or 16-8-5, relating to theft of services," and inserting
4 in its place "convicted under Code Section 16-8-2, relating to theft by taking; 16-8-3, relating
5 to theft by deception; 16-8-4, relating to theft by conversion; or 16-8-5, relating to theft of
6 services;" in the undesignated text at the end of Code Section 16-8-5.1, relating to
7 circumstances permitting inference of intent to avoid payment and exceptions in regard to
8 offenses involving theft.

9 (4) By inserting "As used in this article, the term:" before paragraph (1) and by striking
10 "appraisal reports:" and inserting in its place "appraisal reports;" in paragraph (1) of Code
11 Section 16-8-101, relating to definitions in regard to residential mortgage fraud.

12 (5) By striking "pursuant to (b) of this Code section" and inserting in its place "pursuant to
13 subsection (b) of this Code section" in subsection (c) of Code Section 16-9-109, relating to
14 disclosures by service providers pursuant to investigations in regard to computer systems
15 protection.

16 (6) By striking "As used in this chapter," and inserting in its place "As used in this article,"
17 in the introduction of Code Section 16-9-151, relating to definitions in regard to computer
18 security.

19 (7) By striking "subparagraph (A), (B), or (C) of paragraph (1) of subsection (a)" and
20 inserting in its place "subparagraph (a)(1)(A), (a)(1)(B), or (a)(1)(C)" in subsection (a), by
21 striking "subparagraph (B) of paragraph (1) of subsection (a)" and inserting in its place
22 "subparagraph (a)(1)(B)" in the introductory language of subsection (c), by striking
23 "origination, transport or termination" and inserting in its place "origination, transport, or
24 termination," in paragraph (1) of subsection (c), and by striking the subparagraph (A)
25 designation of paragraph (1) of subsection (d) of Code Section 16-9-155, relating to penalties
26 in regard to computer security and forgery and fraudulent practices.

27 (8) By striking "and 'phenylpropanolamine' mean" and inserting in its place "or
28 'phenylpropanolamine' means" in paragraph (1) of subsection (a), by striking "sale by
29 self-service," and inserting in its place "sale by self-service" in paragraph (1) and by striking
30 "Georgia Board of Pharmacy." and inserting in its place "Georgia State Board of Pharmacy."
31 in paragraph (3), by striking "Georgia Board of Pharmacy," and inserting in its place
32 "Georgia State Board of Pharmacy," in subparagraph (B) of paragraph (4), by striking
33 "Effective January 1, 2006 the" and inserting in its place "Effective January 1, 2006, this"
34 in paragraph (5), by striking "a fine of not more than \$500.00, and," and inserting in its place
35 "a fine of not more than \$500.00 and," in subparagraph (B) of of paragraph (6), and by
36 striking "the State Board of Pharmacy" and inserting in its place "the Georgia State Board
37 of Pharmacy" in paragraph (7) of subsection (b.1) of Code Section 16-13-30.3, relating to

1 possession of substances containing ephedrine, pseudoephedrine, and phenylpropanolamine
2 and restrictions on sales of products containing pseudoephedrine.
3 (9) By striking "control of the substances" and inserting in its place "control of the
4 substance" in paragraphs (1) and (2) of subsection (b) and by striking "fifteen" and inserting
5 in its place "15" in subsection (d) of Code Section 16-13-30.5, relating to the possession of
6 substances with intent to use or convey such substances for the manufacture of Schedule I
7 or Schedule II controlled substances.

8 **SECTION 17.**

9 Title 17 of the Official Code of Georgia Annotated, relating to criminal procedure, is
10 amended as follows:

11 (1) By striking "multicounty public defender office or its successor," and inserting in its
12 place "Office of the Georgia Capital Defender," in subsection (a) and by striking
13 "multicounty public defender office" and inserting in its place "Office of the Georgia Capital
14 Defender" in subsection (b) of Code Section 17-12-26, relating to the budget of the Georgia
15 Public Defender Standards Council.

16 (2) By striking "or to any individuals," and inserting in its place "or any individuals," in
17 subsection (d) of Code Section 17-14-6, relating to setoff of prior total or partial restitution
18 made to a victim, reduction of the award from the Crime Victims Compensation Board by
19 the amount of restitution, and payment of restitution to governmental entities that have
20 compensated the victim.

21 (3) By striking "pursuant to this chapter" and inserting in its place "pursuant to this article"
22 in subsection (e) of Code Section 17-14-7, relating to the right of the offender to offer a
23 restitution plan to the ordering authority, consideration and adoption of a plan, a hearing to
24 determine restitution, burden of proof, liability among multiple offenders, payment for
25 multiple victims, and waiver of victim's rights.

26 **SECTION 18.**

27 Reserved.

28 **SECTION 19.**

29 Title 19 of the Official Code of Georgia Annotated, relating to domestic relations, is
30 amended as follows:

31 (1) By striking "are being determined." and inserting in its place "is being determined." in
32 paragraph (1) of subsection (i), by striking "How, in its determination," and inserting in its
33 place "How, in its determination:" in subparagraph (i)(2)(C), by striking "child caring" and
34 inserting in its place "child-caring" in subparagraph (i)(4)(B), by striking "child rearing" and

1 inserting in its place "child-rearing" and by striking "case by case" and inserting in its place
 2 "case-by-case" in division (i)(4)(D)(i), by striking "cost reducing" and inserting in its place
 3 "cost-reducing" in subdivision (i)(4)(D)(ii)(II), and by striking "attorneys' fees," and
 4 inserting in its place "attorney's fees," in paragraph (2) of subsection (l) of Code Section
 5 19-6-15, relating to child support in the final verdict or decree, guidelines for determining
 6 the amount of the award, continuation of duty to provide support, and duration of support.

7 **SECTION 20.**

8 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended as
 9 follows:

10 (1) By striking "pursuant to paragrph (c) of this subsection." and inserting in its place
 11 "pursuant to paragraph (1) of this subsection." in paragraph (5) of subsection (b) of Code
 12 Section 20-2-212.2, relating to salary increase for persons receiving certification from the
 13 National Board for Professional Teaching Standards, leave for preparation, state payment of
 14 program participation fee, repayment, and reimbursement.

15 **SECTION 21.**

16 Reserved.

17 **SECTION 22.**

18 Reserved.

19 **SECTION 23.**

20 Reserved.

21 **SECTION 24.**

22 Title 24 of the Official Code of Georgia Annotated, relating to evidence, is amended as
 23 follows:

24 (1) By striking "activities or conduct" and inserting in its place "activities, or conduct" in
 25 subsection (c) of Code Section 24-3-37.1, relating to offers of assistance or expressions of
 26 benevolence, regret, mistake, error, sympathy, or apologies by a health care provider or the
 27 provider's employee or agent.

28 (2) By striking "and" at the end of paragraph (1) of subsection (a) and by striking "as
 29 calculated herein," and inserting in its place "as calculated in this subsection," in subsection
 30 (b) of Code Section 24-9-84.1, relating to how a witness is impeached and use of prior
 31 convictions in regard to credibility and evidence.

SECTION 25.

1
2 Reserved.

SECTION 26.

3
4 Reserved.

SECTION 27.

5
6 Title 27 of the Official Code of Georgia Annotated, relating to game and fish, is amended as
7 follows:

8 (1) By striking "subsections (a) and (b) of this Code section, in the possession of a person"
9 and inserting in its place "subsections (a) and (b) of this Code section that are in the
10 possession of a person" in subsection (c) of Code Section 27-4-37, relating to the taking of
11 fish by grabbling, noodling, or hand grabbing.

SECTION 28.

12
13 Reserved.

SECTION 29.

14
15 Reserved.

SECTION 30.

16
17 Reserved.

SECTION 31.

18
19 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended as follows:
20 (1) By striking "'Third-party payer'" and inserting in its place "'Third-party payor'" and by
21 striking "payer." and inserting in its place "payor." in paragraph (3) of subsection (a) and by
22 striking "Caesarean" and inserting in its place "Cesarean" in subparagraph (c)(13)(C) of Code
23 Section 31-7-280, relating to health care provider annual reports.

24 (2) By striking "payers;" and inserting in its place "payors;" in paragraph (5) of Code Section
25 31-7-282, relating to collection and submission of health care data in regard to regulation and
26 construction of hospitals and other health care facilities.

27 (3) By striking "Article." and inserting in its place "article." in paragraph (1) of Code Section
28 31-8-192, relating to "'Health Share' Volunteers in Medicine Act" definitions.

29 (4) By striking "licensed under Title 31" and inserting in its place "licensed under this title"
30 in paragraph (8) of subsection (a) of Code Section 31-12A-6, relating to smokefree air
31 exemptions.

1 (5) By striking "the Centers for Disease Control" and inserting in its place "the Centers for
 2 Disease Control and Prevention" in subsection (g) of Code Section 31-22-9.2, relating to HIV
 3 tests and the report of positive results, counseling, violations, exception for insurance
 4 coverage, and exposure of health care provider.

5 **SECTION 32.**

6 Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries,
 7 is amended as follows:

8 (1) By striking "the Georgia Open Records Act." and inserting in its place "Article 4 of
 9 Chapter 18 of Title 50." and by striking "the Open Records Act;" and inserting in its place
 10 "Article 4 of Chapter 18 of Title 50;" in subsection (m) of Code Section 32-2-79, relating to
 11 the requirements for a solicited or unsolicited proposal for a public-private initiative, the
 12 public notice of proposed project, a competing proposal, factors for consideration in
 13 comparing proposals, letter of intent to negotiate, confidential nature, and limited
 14 reimbursement authorized in regard to the exercise of power to contract generally by the
 15 Department of Transportation.

16 (2) By inserting the (a) designation at the beginning of paragraph (1) of Code Section
 17 32-5-30, relating to the allocation of state and federal funds, budgeting periods, and
 18 authorization of reduction of funds allocated in regard to public roads.

19 (3) By striking "is not a interstate highway," and inserting in its place "is not an interstate
 20 highway," in paragraph (1) of subsection (g) of Code Section 32-6-26, relating to the weight
 21 of a vehicle and its load.

22 (4) In Code Section 32-6-27, relating to enforcement of vehicle load limitations, by striking
 23 "5¢ per pound" and inserting in its place "Five cents per pound" at the beginning and by
 24 inserting "or" after the semicolon at the end of paragraph (1) and by striking "the following
 25 schedule: 125 percent times, in each category of excess weights, the rate imposed" and
 26 inserting in its place "the following schedule: 125 percent times the rate imposed" in
 27 paragraph (2) of subsection (a) and by striking subsection (b) and inserting in its place the
 28 following:

29 "(b) The schedules listed in paragraphs (1) and (2) of subsection (a) of this Code section
 30 shall apply separately to:

31 (1) The ~~the~~ excess weight of the gross load; and

32 (2) The ~~the~~ sum of the excess weight or weights of any axle or axles;

33 provided, however, that where both gross load and axle weight limits are exceeded, the
 34 owner or operator shall be required to recompense the state only for the largest of the
 35 money damages imposed under ~~items~~ paragraphs (1) and (2) of this subsection."

1 **SECTION 32A.**

2 By repealing Section 2 of an Act amending Code Section 32-4-22 of the Official Code of
3 Georgia Annotated, approved April 28, 2001 (Ga. L. 2001, p. 1215), which section has been
4 codified as and superceded by Code Section 32-4-3, relating to naming state roads, bridges,
5 or interchanges, and which Code section shall remain effective.

6 **SECTION 33.**

7 Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended as
8 follows:

9 (1) By striking "sales presentations and seminars provided that" and inserting in its place
10 "sales presentations and seminars, provided that" in division (b)(8)(C)(viii) of Code Section
11 33-6-4, relating to the enumeration of unfair methods of competition and unfair or deceptive
12 acts or practices and penalty in regard to unfair trade practices in insurance.

13 (2) By striking "defined in paragraph (1) or (2) of this subsection (b) or the introductory
14 language of paragraph (3) of this subsection (b) and such contract," and inserting in its place
15 "defined in paragraph (1) or (2) of this subsection or the introductory language of this
16 paragraph and such contract," in subparagraph (b)(3)(E) of Code Section 33-7-6, relating to
17 property insurance, contract requirements, rules and regulations, and exemption in regard to
18 kinds of insurance, limits of risks, and reinsurance.

19 (3) By striking "subparagraph (A) of this paragraph of this Code section." and inserting in
20 its place "subparagraph (A) of this paragraph." in subparagraph (a)(1)(B) of Code Section
21 33-7-11, relating to uninsured motorist coverage under motor vehicle liability policies.

22 (4) By striking "presentations and seminars provided that" and inserting in its place
23 "presentations and seminars, provided that" in subsection (e) of Code Section 33-9-36,
24 relating to unauthorized premiums and unlawful inducements in regard to insurance
25 regulation of rates, underwriting rules, and related organizations.

26 (5) By striking "drug-free workplace; provided, however, an insurer" and inserting in its
27 place "drug-free workplace; provided, however, that an insurer" in subsection (b) of Code
28 Section 33-9-40.2, relating to workers' compensation insurance premium discount for
29 insured with drug-free workplace program.

30 (6) By striking "As used in this article:" and inserting in its place "As used in this article, the
31 term:" in the introductory language of Code Section 33-20A-31, relating to definitions
32 regarding a patient's right to an independent review in managed health care plans.

33 **SECTION 34.**

34 Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations,
35 is amended as follows:

1 (1) By striking "December 31, 2011" and inserting in its place "December 31, 2011," in
 2 subsection (c) of Code Section 34-8-151, relating to the rate of employer contributions for
 3 unemployment insurance.

4 (2) By striking "subsection (g)" and inserting in its place "subsection (g) of this Code
 5 section" in paragraph (1) of subsection (h) of Code Section 34-8-153, relating to liability of
 6 succeeding employer, computation of rate of contributions, transfers between employers with
 7 substantially common ownership, management, or control, transfers made for the purpose
 8 of obtaining a lower rate of contribution, and penalties for violations in regard to
 9 employment security contributions and payments in lieu of contributions.

10 **SECTION 35.**

11 Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and
 12 agencies, is amended as follows:

13 (1) By striking "create their own such policies" and inserting in its place "create its own such
 14 policies" and by striking "requirements of this provision" and inserting in its place
 15 "requirements of this Code section" in Code Section 35-1-14, relating to written policies for
 16 emergency pursuits in regard to law enforcement officers and agencies.

17 (2) By striking the reserved designation from Code Section 35-3-9.2, formerly relating to
 18 the mobile cocaine education van.

19 (3) By striking "the federal Brady Handgun Violence Prevention Act." and inserting in its
 20 place "the federal Brady Handgun Violence Prevention Act, 18 U.S.C. Section 921, et seq."
 21 in paragraph (1) and by striking "by the Council of Superior Court Clerks" and inserting in
 22 its place "by The Council of Superior Court Clerks" in paragraph (2) of subsection (e) of
 23 Code Section 35-3-34, relating to disclosure and dissemination of criminal records to private
 24 persons and businesses, resulting responsibility and liability of issuing center, and provision
 25 of certain information to the FBI in conjunction with the National Instant Criminal
 26 Background Check System in regard to the Georgia Crime Information Center of the Georgia
 27 Bureau of Investigation.

28 (4) By striking the colon at end of the introduction, by striking "(1) The" and inserting in its
 29 place "the", by striking "July 1, 2004; and either" and inserting in its place "July 1, 2004, and
 30 either:" in present paragraph (1), and by redesignating paragraphs (2) through (4) as
 31 paragraphs (1) through (3), respectively, in Code Section 35-3-34.1, relating to circumstances
 32 when an exonerated first offender's criminal record may be disclosed.

33 (5) By striking "chairman" and inserting in its place "chairperson" and by striking
 34 "vice-chairman" and inserting in its place "vice chairperson" both times each appears in
 35 paragraph (1) of Code Section 35-6A-4, relating to the election of officers, meetings, minutes
 36 and records, and rules of the Criminal Justice Coordinating Council.

SECTION 36.

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Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended as follows:

(1) By striking "forestry lands and" and inserting in its place "forestry lands, and" in Code Section 36-22-1, relating to intent and general provisions in regard to land conservation.

(2) By striking "archaeological" and inserting in its place "archeological" in subparagraph (G) and by striking "and similar outdoor activities;" and inserting in its place "or similar outdoor activities;" in subparagraph (I) of paragraph (5) of Code Section 36-22-2, relating to definitions in regard to land conservation.

(3) By striking "the commissioner of the Department of Community Affairs," and inserting in its place "the commissioner of community affairs," in subsection (a) of Code Section 36-22-3, relating to the creation, members, members' expenses, and administrative affiliation of the Georgia Land Conservation Council.

(4) By striking "land conservation project, having complied with state laws, regulations, contracts, and agreements," and inserting in its place "land conservation project; having complied with state laws, regulations, contracts, and agreements;" in subsection (b) of Code Section 36-22-4, relating to land conservation programs, trust and loan funds established, segregation of funds, matching funds, opportunity for taxpayers to contribute, acceptance and administration of property by the department, and partnerships with tax-exempt organizations.

(5) By striking "The University System of Georgia Cooperative Extension Service" and inserting in its place "the Cooperative Extension Service of the University of Georgia" in subsection (c) of Code Section 36-22-13, relating to the establishment of the Land Conservation Geographic Information System, availability of data and maps to cities and counties, cooperation with other agencies, institutions, and organizations, and assistance to cities and counties.

(6) By striking "The purpose of a special services district is to provide special services to a given geographic area" and inserting in its place "The purpose of a special district is to provide services to a given geographic area" in paragraph (1), by striking "a county which has a special services district for the unincorporated area of the county may result in the special services district" and inserting in its place "a county which has a special district for the unincorporated area of the county may result in the special district" in paragraph (2), and by striking "The purpose of a special services district" and inserting in its place "The purpose of a special district" in paragraph (3) of subsection (a) of Code Section 36-31-12, relating to legislative findings, special districts divided into noncontiguous areas, information required in audits, and informational summary in regard to incorporation of municipal corporations.

- 1 (7) By striking "subsection." and inserting in its place "subsection; and" at the end of
2 subparagraph (d)(1)(D) of Code Section 36-70-25.1, relating to dispute resolution procedures
3 in regard to the coordinated and comprehensive planning and service delivery by counties
4 and municipalities.
- 5 (8) By striking "As used in the Code section," and inserting in its place "As used in this
6 Code section," in subsection (a) of Code Section 36-70-28, relating to the definition of an
7 affected municipality and the review and revision of strategy in regard to coordinated and
8 comprehensive planning and service delivery by counties and municipalities.
- 9 (9) By striking "provide service" and inserting in its place "provides service" in
10 paragraph (17) of Code Section 36-71-2, relating to definitions in regard to development
11 impact fees.
- 12 (10) By striking "exempt development's proportionate share" and inserting in its place
13 "exempt development project's proportionate share" in paragraph (3) of subsection (k) of
14 Code Section 36-71-4, relating to the calculation of development impact fees.
- 15 (11) By striking "industries." and inserting in its place "industry." in subsection (b) of Code
16 Section 36-71-5, relating to the Development Impact Fee Advisory Committee.
- 17 (12) By striking "an authority, to be known" and inserting in its place "an authority to be
18 known" in subsection (b) of Code Section 36-75-4, relating to public safety and judicial
19 facilities authorities created for each county and municipality, joint authority, and filing with
20 the Secretary of State.
- 21 (13) By striking "constructed; provided" and inserting in its place "constructed, provided"
22 and by striking "or of local government" and inserting in its place "or of any local
23 government" in paragraph (5) and by striking "however, the agent" and inserting in its place
24 "however, that the agent" in paragraph (6) of Code Section 36-75-7, relating to the power of
25 a local authority in regard to local assistance for the war on terrorism.
- 26 (14) By striking "subsections (b) or (c)" and inserting in its place "subsection (b) or (c)" in
27 paragraphs (1) and (2) of Code Section 36-81-8.1, relating to the definition of subrecipient,
28 grant certification forms, filing with the state auditor, forfeiture of funds for noncompliance,
29 and no exemption from liability in regard to local government budgets and audits.
- 30 (15) By striking "the United States, its departments" and inserting in its place "the United
31 States and its departments" in subparagraph (A) and by striking "the State of Georgia, its
32 departments," and inserting in its place "the State of Georgia and its departments," in
33 subparagraph (B) of paragraph (2) of subsection (a) of Code Section 36-87-2, relating to the
34 authority of counties and municipal corporations to participate in programs and powers in
35 regard to participation in federal programs.

1 (16) By striking "received by the commissioner" and inserting in its place "received by the
2 state revenue commissioner" in paragraphs (2) and (5) of Code Section 36-89-1, relating to
3 definitions in regard to homeowner tax relief grants.

4 **SECTION 37.**

5 Reserved.

6 **SECTION 38.**

7 Title 38 of the Official Code of Georgia Annotated, relating to military, emergency
8 management, and veterans affairs, is amended as follows:

9 (1) By striking "operator of the home subject to the approval" and inserting in its place
10 "operator of the home, subject to the approval" in paragraph (2) of subsection (b) of Code
11 Section 38-4-2, relating to powers and appointment of executive directors of veterans'
12 homes.

13 **SECTION 39.**

14 Reserved.

15 **SECTION 40.**

16 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is
17 amended as follows:

18 (1) By striking "on a form promulgated by the department," and inserting in its place "on a
19 form promulgated by the department, the following:" in subparagraph (b)(4)(B) of Code
20 Section 40-2-39, relating to registration and licensing of new motor vehicle dealers and
21 temporary site permits.

22 (2) By inserting a (b)(1) designation at the beginning of the undesignated text after
23 subsection (a) and by redesignating the (b)(2) designation as paragraph (2) of subsection (b)
24 of Code Section 40-2-60.1, relating to the administrative process for additional special
25 license plates, legislative findings, rules and regulations, and fees.

26 (3) By striking "laws relating to the use and operation of private passenger cars and trucks
27 and boat trailers" and inserting in its place "laws relating to the use and operation of private
28 passenger cars and trucks" in subsection (b) of Code Section 40-2-86.10, relating to special
29 license plates for police officers wounded in the line of duty.

30 (4) By striking "the Elks major state project," and inserting in its place "the Elks' major state
31 project," in subsection (a) of Code Section 40-2-86.11, relating to the special license plates
32 commemorating the Benevolent and Protective Order of Elks.

1 (5) By striking "Interjurisdiction movement" and inserting in its place "Interjurisdictional
2 movement" in paragraph (13) and by striking "Intrajurisdiction movement" and inserting
3 in its place "Intrajurisdictional movement" in paragraph (14) of Code Section 40-2-87,
4 relating to definitions in regard to reciprocal agreements for registration of commercial
5 vehicles.

6 (6) By striking "drivers'" and inserting in its place "driver's" in subsection (b) of Code
7 Section 40-5-21.1, relating to temporary licenses, permits, or special identification cards and
8 foreign licenses or identification cards as evidence of legal presence in the United States.

9 (7) By striking "general education development (GED)" and inserting in its place "general
10 educational development (GED)" in paragraphs (2) and (4) of subsection (a.1) and by striking
11 "rendering him incapable" and inserting in its place "rendering him or her incapable" in
12 paragraph (3) of subsection (c) of Code Section 40-5-22, relating to persons not to be
13 licensed, minimum ages for licensees, school attendance requirements, and driving training
14 requirements in regard to issuance, expiration, and renewal of drivers' licenses.

15 (8) By striking "driver's" and inserting in its place "drivers'" in paragraph (2.1) of subsection
16 (a) of Code Section 40-5-25, relating to applications and fees in regard to the issuance,
17 expiration, and renewal of drivers' licenses.

18 (9) By striking "the time the 2005 amendment of this Code section becomes law" and
19 inserting in its place "May 2, 2005," in paragraph (2) of subsection (b) of Code Section
20 40-16-3, relating to the Board of Driver Services and the commissioner.

21 (10) By striking "commissioner of the Department of Motor Vehicle Safety" and inserting
22 in its place "commissioner of driver services" in paragraph (1), by striking "Commissioner
23 of the Department of Public Safety" and inserting in its place "commissioner of public
24 safety" in paragraph (2), by striking "commissioner of the Department of Transportation" and
25 inserting in its place "commissioner of transportation" in paragraph (3), and by striking
26 "commissioner of the Department of Revenue" and inserting in its place "state revenue
27 commissioner" in paragraph (4) of subsection (b) of Code Section 40-16-8, relating to the
28 Governor's Commercial Transportation Advisory Committee.

29 **SECTION 41.**

30 Reserved.

31 **SECTION 42.**

32 Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, is amended
33 as follows:

34 (1) By striking "appropriate state official" and inserting in its place "appropriate official"
35 each time it appears in subparagraphs (b)(2)(A) and (b)(3)(A) and both times it appears in

1 each of subparagraph (b)(3)(B) and paragraph (1) of subsection (c), by striking "appropriate
2 state officials" and inserting in its place "appropriate officials" in subparagraph (b)(3)(C), by
3 striking "The Office of School Readiness" and inserting in its place "The Department of
4 Early Care and Learning", and by striking "pursuant to Code Section 20-1A-5" and inserting
5 in its place "pursuant to Code Section 20-1A-8" in paragraph (2) of subsection (c.1) of Code
6 Section 42-1-12, relating to the State Sexual Offender Registry.

7 **SECTION 43.**

8 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,
9 is amended as follows:

10 (1) By inserting "Reserved" in subsection (b) of Code Section 43-34-64, relating to
11 acupuncture licensure requirements.

12 **SECTION 44.**

13 Title 44 of the Official Code of Georgia Annotated, relating to property, is amended as
14 follows:

15 (1) By striking "prior to entering active" and inserting in its place "prior to entering active
16 duty" in paragraph (2) of subsection (b) and by striking "as provided for in this subpart" and
17 inserting in its place "as provided for in this Code section" in subsection (e) of Code Section
18 44-7-22, relating to the termination of a residential rental agreement by a service member in
19 regard to landlords and tenants.

20 **SECTION 45.**

21 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,
22 is amended as follows:

23 (1) By striking "paragraph (3) of Code Section 45-1-4," and inserting in its place
24 "paragraph (3) of subsection (a) of Code Section 45-1-4," in subsection (a) of Code Section
25 45-10-80, relating to public officers prohibited from advancing, employing, or advocating
26 the employment of family members.

27 **SECTION 46.**

28 Title 46 of the Official Code of Georgia Annotated, relating to public utilities and public
29 transportation, is amended as follows:

30 (1) By striking "'Electric membership corporation' means a corporation organized under
31 Article 2 of this chapter." and inserting in its place "'Electric membership corporation' has
32 the meaning provided by paragraph (3) of Code Section 46-3-171." in paragraph (2) of Code

1 Section 46-3-3, relating to definitions in regard to the allocation of territorial rights to electric
2 suppliers.

3 (2) By striking "database" and inserting in its place "data base" in paragraph (4) of
4 subsection (a), the introductory language and paragraphs (3) and (4) of subsection (b), and
5 in subsection (d); by striking "a 911 call" and inserting in its place "a 9-1-1 call" in
6 paragraph (1) and by striking "the effective date of this Code section." and inserting in its
7 place "July 1, 2005." in paragraph (6) of subsection (e); and by striking "the effective date
8 of this Code section," and inserting in its place "July 1, 2005," in subsection (f) of Code
9 Section 46-5-28, relating to the consent required for inclusion of subscribers' names or
10 dialing numbers in a wireless telephone data base or a traditional telephone directory,
11 exceptions, the prohibited disclosure of wireless numbers to telemarketers, violations, and
12 immunity of service suppliers for authorized disclosures in regard to general provisions of
13 telephone service.

14 (3) By striking "basic telecommunication services" and inserting in its place "basic
15 telecommunications services" in subsection (a); by striking "\$0.05" and inserting in its place
16 "5¢", by striking "\$0.01" and inserting in its place "1¢", by striking "\$0.15" and inserting in
17 its place "15¢", and by striking "\$0.20" and inserting in its place "20¢" in subsection (c); by
18 striking "advanced telecommunication system," and inserting in its place "advanced
19 telecommunications system," in subsection (f); by striking "use of telecommunication
20 devices," and inserting in its place "use of telecommunications devices," in subsection (g);
21 and by striking "\$0.01" and inserting in its place "1¢" in subsection (i) of Code Section
22 46-5-30, relating to establishment, administration, and operation of state-wide dual party
23 relay service and audible universal information access service in regard to telephone systems
24 for the physically impaired.

25 (4) By striking "service provider" and inserting in its place "service supplier" the one time
26 the term appears in subsection (a) and the three times the term appears in subsection (c) of
27 Code Section 46-5-124.1, relating to the provision that service suppliers must register certain
28 information with the director of emergency management, updating information, and notices
29 of delinquency in regard to telephone service and the emergency telephone number 9-1-1
30 system.

31 (5) By striking "911" and inserting in its place "9-1-1" in Code Section 46-5-125, relating
32 to the formation of multijurisdictional and regional 9-1-1 systems.

33 (6) By striking "service providers" and inserting in its place "service suppliers" in
34 paragraph (2) of subsection (m) of Code Section 46-5-134, relating to billing subscribers, the
35 liability of a subscriber for a service charge, taxes on the service, establishment of an
36 Emergency Telephone System Fund, records, and use of federal, state, municipal, or private
37 funds in regard to the emergency telephone number 9-1-1 system.

SECTION 47.

1
2 Reserved.

SECTION 48.

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4 Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is
5 amended as follows:

6 (1) By striking "filling the applicable income tax return," and inserting in its place "filing
7 the applicable income tax return," in division (c)(1)(A)(ii) of Code Section 48-2-35, relating
8 to refunds in regard to state administrative organization, administration, and enforcement of
9 revenue and taxation.

10 (2) By striking "taxes become delinquent, if and when, that person" and inserting in its place
11 "taxes become delinquent if that person" in subsection (c) of Code Section 48-3-3, relating
12 to executions by tax collectors and commissioners.

13 (3) By striking "shall not be returned for ad valorem taxation, shall not be taxed, and no
14 taxes shall be" and inserting in its place "shall not be returned for ad valorem taxation and
15 shall not be taxed; and no taxes shall be" in subsection (b) of Code Section 48-5-504.20,
16 relating to an exemption for aircraft owned by a dealer and held in inventory for sale or
17 resale in regard to ad valorem taxation.

18 (4) By striking "the effective date of this Code section," and inserting in its place "April 12,
19 2005," in subsection (b) of Code Section 48-8-14, relating to restrictions on state contracts
20 with nongovernmental vendors filing or refusing to collect sales or use taxes.

SECTION 49.

21
22 Title 49 of the Official Code of Georgia Annotated, relating to social services, is amended
23 as follows:

24 (1) By striking "names of such adult persons, alone, and inserting in its place "names alone
25 of such adult persons" in subsection (g) and by striking "Further, the department shall be
26 authorized to conduct a name/descriptor based check" and inserting in its place "The
27 department shall be authorized to conduct a name or descriptor based check" in subsection
28 (h) of Code Section 49-2-14, relating to a record search for conviction data on prospective
29 employees in regard to the Department, Commissioner, and Board of Human Resources.

30 (2) By striking "Long-Term" and inserting in its place "Long-term" in Code Section
31 49-4-160, relating to a short title in regard to the "Georgia Long-term Care Partnership
32 Program Act."

33 (3) By striking "Long-Term" and inserting in its place "Long-term" once in subparagraph
34 (A) of paragraph (1) and twice in paragraph (3) of Code Section 49-4-161, relating to
35 definitions in regard to the Long-term Care Partnership Program.

1 (4) By striking "Long-Term" and inserting in its place "Long-term" once in subsections (a)
 2 and (b) and twice in subsection (c) of Code Section 49-4-162, relating to the Georgia
 3 Long-term Care Partnership Program established, purposes, and assets to be disregarded with
 4 respect to Medicaid eligibility or payment or recovery by the state of payments for medical
 5 services.

6 (5) By striking "Long-Term" and inserting in its place "Long-term" once in subsection (a)
 7 and twice in subsection (b) of Code Section 49-4-163, relating to the eligibility for asset
 8 disregard and reciprocal agreements with other states to extend asset disregard mutually in
 9 regard to the Georgia Long-term Care Partnership Program.

10 (6) By striking "Department of Education, Division of School Readiness." and inserting in
 11 its place "Department of Education." in paragraph (11) of subsection (c) of Code Section
 12 49-5-41, relating to persons and agencies permitted access to child abuse and deprivation
 13 records.

14 (7) By striking "as an employee, unless there is" and inserting in its place "as an employee
 15 unless there is" in subsection (d) of Code Section 49-5-69, relating to employment
 16 requirements and suspension or revocation of license or criminal penalty for violations in
 17 regard to employees' records checks for day-care centers.

18 **SECTION 50.**

19 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
 20 as follows:

21 (1) By striking the period and inserting in its place a semicolon at the end of paragraph (7)
 22 of Code Section 50-5-51, relating to the power, authority, and duty of the Department of
 23 Administrative Services.

24 (2) By striking "high grade office paper" and inserting in its place "high-grade office paper"
 25 in paragraph (2) of subsection (a) of Code Section 50-5-60.2, relating to the use of recycled
 26 content paper products in regard to general authority, duties, and procedure in state
 27 purchasing.

28 (3) By striking "commission, institution, authority or other entity of the state" and inserting
 29 in its place "commission, institution, authority, or other entity of the state" in subsection (b)
 30 of Code Section 50-5-80, relating to the unlawful act of making purchases or selling through
 31 the Department of Administrative Services for individual ownership, all department
 32 purchases remain state property, penalty, and applicability.

33 (4) By striking "state organizations" and inserting in its place "state government
 34 organizations" in paragraph (2) and by striking "state organizations;" and inserting in its
 35 place "state government organizations;" in paragraph (3) in Code Section 50-5B-3, relating

- 1 to duties of the state accounting officer, recommendations for improving cash management
2 practices, and implementing policies.
- 3 (5) By striking "press relations, branding, and use of a 'look;'" and inserting in its place
4 "press relations, branding, and use of a 'look';" in paragraph (5) of subsection (b) and by
5 striking "information using themes, 'look,' and other marketing elements" and inserting in its
6 place "information using themes, a 'look,' and other marketing elements" in paragraph (6) of
7 subsection (d) of Code Section 50-7-17, relating to the State-wide Tourism Marketing
8 Program and Georgia Tourism Foundation of the Department of Economic Development.
- 9 (6) By striking "Ex-officio" and inserting in its place "Ex officio" in paragraph (1) of
10 subsection (b) of Code Section 50-12-131, relating to membership, terms, qualifications,
11 officers, quorum, and powers and duties in regard to the Georgia Commission on the
12 Holocaust.
- 13 (7) By striking "chairman" and inserting in its place "chairperson" both times it appears and
14 by inserting "or her" after "in his" both times it appears in division (12)(B)(iv) of Code
15 Section 50-16-34, relating to the powers and duties of the State Properties Commission
16 generally.
- 17 (8) By striking "chairman" and inserting in its place "chairperson" the three times it appears
18 and by inserting "or her" after "in his" the four times it appears in subsection (g) of Code
19 Section 50-16-39, relating to public competitive bidding procedure for sales and leases,
20 acceptance or rejection of bids by commission, General Assembly, or Governor, and
21 execution of leases and deeds in regard to the State Properties Code.
- 22 (9) By striking "chairman" and inserting in its place "chairperson" both times it appears in
23 the form in paragraph (5) of subsection (j) of Code Section 50-16-43, relating to the leasing
24 of state owned lands for exploration and extraction of mineral resources.
- 25 (10) By striking "institutions, authorities, or other entity of the state" and inserting in its
26 place "institutions, authorities, or other entities of the state" in Code Section 50-16-163,
27 relating to the Department of Administrative Services central inventory of personal property
28 and its power to examine books, records, papers, or personal property of state entities to
29 ensure compliance.
- 30 (11) By alphabetizing paragraphs (7), (8), and (9) by redesignating paragraph (7) as
31 paragraph (9), by redesignating paragraph (8) as paragraph (7), and by redesignating
32 paragraph (9) as paragraph (8), respectively, in Code Section 50-17-100, relating to
33 definitions in regard to interest rate management in relation to state debt, investment, and
34 depositories.
- 35 (12) By striking "Budget Act," and inserting in its place "Part 1 of Article 4 of Chapter 12
36 of Title 45, the 'Budget Act,'" in paragraphs (1) and (2) of subsection (e) and by striking
37 "advisor" and inserting in its place "adviser" both times it appears in paragraph (2) of

1 subsection (g) of Code Section 50-17-101, relating to guidelines, rules, and regulations for
 2 interest rate management plans and programs, state parties authorized to enter into, modify,
 3 or terminate interest rate management plans, disposition of payments under agreements,
 4 obligations, terms, and conditions, and the agency for state and oversight of the Georgia State
 5 Financing and Investment Commission.

6 (13) By striking "financial records shall include, but not be limited to" and inserting in its
 7 place "financial records shall include but not be limited to" in paragraph (18) of subsection
 8 (a) of Code Section 50-18-72, relating to when public disclosure is not required and
 9 disclosure of exempting legal authority in regard to the inspection of public records.

10 (14) By striking the period and inserting in its place a semicolon at the end of subparagraph
 11 (b)(11)(H) of Code Section 50-23-5, relating to the purpose, powers, and duties of the
 12 Georgia Environmental Facilities Authority.

13 (15) By striking "reside within or without" and inserting in its place "reside inside or
 14 outside" in paragraph (3) of subsection (b) of Code Section 50-32-10, relating to the purpose
 15 of the Georgia Regional Transportation Authority.

16 (16) By striking "irrigation return flows; and for the purposes of this subparagraph," and
 17 inserting in its place "irrigation return flows; for the purposes of this subparagraph," in
 18 subparagraph (D) of paragraph (9) of Code Section 50-34-2, relating to definitions relative
 19 to the OneGeorgia Authority.

20 **SECTION 51.**

21 Title 51 of the Official Code of Georgia Annotated, relating to torts, is amended as follows:

22 (1) By striking "CFR" and inserting in its place "C.F.R." in paragraph (1) and division
 23 (15)(B)(iv) and by deleting the comma after "doctor" in paragraph (17) of Code Section
 24 51-14-2, relating to definitions in regard to asbestos claims and silica claims.

25 **SECTION 52.**

26 Reserved.

27 **SECTION 53.**

28 Reserved.

29 **SECTION 54.**

30 Except for Title 47, the text of Code sections and title, chapter, article, part, subpart, Code
 31 section, subsection, paragraph, subparagraph, division, and subdivision numbers and
 32 designations as contained in the Official Code of Georgia Annotated published under
 33 authority of the state by The Michie Company in 1982 and contained in Volumes 3 through

1 40 of such publication or replacement volumes thereto, as amended by the text and
2 numbering of Code sections as contained in the 2005 supplements to the Official Code of
3 Georgia Annotated published under authority of the state in 2005 by LEXIS Publishing, are
4 reenacted and shall have the effect of statutes enacted by the General Assembly of Georgia.
5 Annotations; editorial notes; Code Revision Commission notes; research references; notes
6 on law review articles; opinions of the Attorney General of Georgia; indexes; analyses; title,
7 chapter, article, part, and subpart captions or headings, except as otherwise provided in the
8 Code; catchlines of Code sections or portions thereof, except as otherwise provided in the
9 Code; and rules and regulations of state agencies, departments, boards, commissions, or other
10 entities which are contained in the Official Code of Georgia Annotated are not enacted as
11 statutes by the provisions of this Act. Material which has been added in brackets or
12 parentheses and editorial, delayed effective date, effect of amendment, or other similar notes
13 within the text of a Code section by the editorial staff of the publisher in order to explain or
14 to prevent a misapprehension concerning the contents of the Code section and which is
15 explained in an editorial note is not enacted by the provisions of this section and shall not be
16 considered a part of the Official Code of Georgia Annotated. The reenactment of the
17 statutory portion of the Official Code of Georgia Annotated by this Act shall not affect,
18 supersede, or repeal any Act of the General Assembly, or portion thereof, which is not
19 contained in the Official Code of Georgia Annotated and which was not repealed by Code
20 Section 1-1-10, specifically including those Acts which have not yet been included in the text
21 of the Official Code of Georgia Annotated because of effective dates which extend beyond
22 the effective date of the Code or the publication date of the Code or its supplements. The
23 provisions contained in other sections of this Act and in the other Acts enacted at the 2006
24 regular session of the General Assembly of Georgia shall supersede the provisions of the
25 Official Code of Georgia Annotated reenacted by this section.

26

SECTION 55.

27 (a) This Act shall become effective upon its approval by the Governor or upon its becoming
28 law without such approval, except as otherwise provided in subsection (b) of this section.

29 (b)(1) Paragraph (2) of Section 15 of this Act shall become effective on January 1, 2007.

30 (2) Paragraph (1) of Section 19 of this Act shall become effective on July 1, 2006.

31 (3) Paragraph (6) of Section 40 of this Act shall become effective on July 1, 2006.

32

SECTION 56.

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