

House Bill 655

By: Representatives Smith of the 113<sup>th</sup>, Holt of the 112<sup>th</sup>, and Amerson of the 9<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

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

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

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

13 "30-1-5.

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

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

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

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

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

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

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

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

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

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

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

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

28 (4) The commission shall:

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

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

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

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

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

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

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

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

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

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

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

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

1 **SECTION 2.**

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