

Senate Bill 103

By: Senators Adelman of the 42nd, Meyer von Bremen of the 12th, Harp of the 29th, Hamrick of the 30th, Hill of the 32nd and others

**AS PASSED**

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8 thereto which have been superseded by subsequent state laws; to provide for and to correct  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 in:

17 (1) Code Section 1-4-15.1, relating to the designation of "Ronald Reagan Day", by replacing  
18 the single quotation marks at the beginning and end of "peace through strength" with double  
19 quotation marks in paragraph (6) of subsection (a).

20 **SECTION 2.**

21 Reserved.

22 **SECTION 3.**

23 Reserved.

**SECTION 4.**

1  
2 Reserved.

**SECTION 5.**

3  
4 Reserved.

**SECTION 6.**

5  
6 Reserved.

**SECTION 7.**

7  
8 Reserved.

**SECTION 8.**

9  
10 Reserved.

**SECTION 9.**

11  
12 Title 9 of the Official Code of Georgia Annotated, relating to civil practice, is amended in:  
13 (1) Code Section 9-7-3, relating to the appointment of an auditor in matters of account on  
14 application and notice and on the court's own motion, by replacing "the superior, state or city  
15 courts" with "the superior, state, or city courts".  
16 (2) Code Section 9-10-2, relating to civil practice and actions against the state void absent  
17 notice or waiver, by striking "or" at the end of paragraph (1).

**SECTION 10.**

18  
19 Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, is  
20 amended in:  
21 (1) Code Section 10-14-3, relating to definitions in regard to cemetery and funeral services,  
22 by replacing "polypropolene," with "polypropylene," in paragraph (27).

**SECTION 11.**

23  
24 Reserved.

**SECTION 12.**

25  
26 Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural  
27 resources, is amended in:

1 (1) Code Section 12-8-33.1, relating to improper disposal of computer equipment, the  
2 creation of the Computer Equipment Disposal and Recycling Council, compensation, and  
3 powers and duties, by repealing said obsolete Code section in its entirety.

4 **SECTION 13.**

5 Reserved.

6 **SECTION 14.**

7 Reserved.

8 **SECTION 15.**

9 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended in:

10 (1) Code Section 15-6-3, relating to the terms of court for the superior courts for each of the  
11 judicial circuits, by replacing the period with a semicolon at the end of subparagraph (E) and  
12 by replacing "Provided, however, if" with "provided, however, that if" at the beginning of  
13 the undesignated text at the end of paragraph (1) and by replacing the period with a  
14 semicolon at the end of subparagraph (F) and by replacing "Provided, however, if" with  
15 "provided, however, that if" at the beginning of the undesignated text at the end of paragraph  
16 (41).

17 (2) Code Section 15-11-149, relating to the court's disposition of a mentally ill or mentally  
18 retarded child, by replacing "provided by Article 1." with "provided by Article 1 of this  
19 chapter." at the end of subsection (d).

20 (3) Code Section 15-11-206, relating to the emancipation of minors, petition to rescind an  
21 emancipation order, service upon parents or guardians, requirements for rescission, retention  
22 by court of rescission, effect on other parties, and appeals, by replacing "agrees" with "agree"  
23 in paragraph (2) of subsection (c).

24 (4) Code Section 15-12-1, relating to exemptions from jury duty, by replacing "this  
25 paragraph and paragraph (4)." with "this paragraph and paragraph (4) of this subsection." in  
26 paragraph (3) of subsection (a).

27 (5) Code Section 15-19-57, relating to the regulation of the practice of law and the  
28 investigation of unauthorized practice of law, by striking and reserving paragraph (2).

29 (6) Code Section 15-19-58, relating to the regulation of the practice of law and injunctive  
30 relief, venue, procedure, and other remedies, by striking and reserving paragraph (2) of  
31 subsection (a).

32 (7) Code Section 15-21-2, relating to payment into county treasury of fines and forfeitures,  
33 by replacing "the Department's motorcycle enforcement program." with "the department's  
34 motorcycle enforcement program." in paragraph (2) of subsection (a).

1 (8) Code Section 15-21-173, relating to the Georgia Driver's Education Commission  
2 members and terms, appointment, vacancies, chairperson and other officers, and employees,  
3 by replacing "driver's education" with "driver's education" in subsection (a).

4 **SECTION 15A.**

5 Section 3 of an Act amending Code Sections 15-21-2 and 40-13-26, approved April 18, 2006  
6 (Ga. L. 2006, p. 159), not codified by the General Assembly, is amended by replacing "shall  
7 expire June 30, 2011," with "shall stand repealed June 30, 2011,".

8 **SECTION 16.**

9 Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is  
10 amended in:

11 (1) Code Section 16-5-110, relating to notice of conviction and release from confinement  
12 of sex offenders and publication of notice, information required, assessment for cost, and  
13 immunity, by replacing "the date, time, place of arrest;" with "the date, time, and place of  
14 arrest;" in subsection (a).

15 (2) Code Section 16-6-25, relating to harboring, concealing, or withholding information  
16 concerning a sexual offender and penalties, by replacing "attempting harbor such sexual  
17 offender;" with "attempting to harbor such sexual offender;" in paragraph (1) of  
18 subsection (b).

19 (3) Code Section 16-9-152, relating to computer security and spyware, browsers, hijacks,  
20 and other software prohibited, by replacing "division (i) or (ii) of subparagraph (E) of  
21 paragraph (12) of Code Section 16-9-151" with "division (12)(E)(i) or (12)(E)(ii) of Code  
22 Section 16-9-151" in subparagraph (a)(2)(C).

23 (4) Code Section 16-11-64.1, relating to wiretapping, eavesdropping, surveillance, and  
24 related offenses and the application and issuance of an order authorizing the installation and  
25 use of a pen register or a trap and trace device, by replacing "District Attorney," with "district  
26 attorney,".

27 (5) Code Section 16-11-126, relating to carrying a concealed weapon, by replacing  
28 "licenseholder" with "license holder" in subsection (e).

29 (6) Code Section 16-11-127.2, relating to a firearm or weapon on the premises of a nuclear  
30 power facility, by replacing "a fine of not more than \$10,000," with "a fine of not more than  
31 \$10,000.00," in subsection (b).

32 (7) Code Section 16-11-128, relating to carrying a pistol without a license, by replacing  
33 "licenseholder" with "license holder".

34 (8) Code Section 16-12-22.1, relating to raffles operated by nonprofit, tax-exempt  
35 organizations, by replacing "subparagraphs (A) and (B) of paragraph (1) of this subsection"

- 1 with "subparagraphs (A) and (B) of paragraph (2) of this subsection" in paragraph (4) of  
2 subsection (d).
- 3 (9) Code Section 16-12-35, relating to gambling and certain applicability, by redesignating  
4 subsection (a) as new subsection (j), by redesignating subsection (a.1) as new subsection (a),  
5 and by replacing the single quotation marks at the beginning and end of "some skill" with  
6 double quotation marks in the last sentence of the undesignated text at the end of new  
7 subsection (a).
- 8 (10) Code Section 16-12-100.2, relating to computer pornography and child exploitation  
9 prevention, by replacing "on-line messaging service" with "on-line messaging service," in  
10 paragraph (1) of subsection (d).
- 11 (11) Code Section 16-12-109, which is a reserved designation, by repealing said designation.
- 12 (12) Code Section 16-13-28, relating to the regulation of controlled substances in Schedule  
13 IV, by striking "Zopiclone, and all salts, isomers, and salts of isomers thereof." and inserting  
14 in its place "Zopiclone." in paragraph (34) of subsection (a).
- 15 (13) Code Section 16-13-30.3, relating to regulation of controlled substances and the  
16 possession of substances containing ephedrine, pseudoephedrine, and phenylpropanolamine  
17 and restrictions on sales of products containing pseudoephedrine, by replacing "the State  
18 Board of Pharmacy," with "the Georgia State Board of Pharmacy," in paragraph (3) of  
19 subsection (c) and by replacing "or more than ten" with "nor more than ten" in subsection (d).
- 20 (14) Code Section 16-13-30.4, relating to the regulation of controlled substances and  
21 licenses for sale, transfer, or purchase for resale of products containing pseudoephedrine,  
22 reporting and record-keeping requirements, grounds for denial, suspension, or revocation of  
23 licenses, rules and regulations, exceptions, forfeiture, and violations, by replacing "Board of  
24 Pharmacy" with "board of pharmacy" in subsection (a), paragraph (1) of subsection (b), the  
25 introductory language of subsection (c), and subsection (d).
- 26 (15) Code Section 16-13-31.1, relating to the penalty for selling, possessing, distributing or  
27 other offenses associated with ecstasy, by replacing "10 years" with "ten years" in  
28 paragraph (3).
- 29 (16) Code Section 16-13-41, relating to prescriptions, by replacing "prescriptions" with  
30 "prescription" and by replacing "signatures" with "signature" in subsection (b) and by  
31 replacing "Such prescriptions shall be signed and dated or may be issued orally by the  
32 practitioner on the date when issued," with "Such prescription shall be signed and dated by  
33 the practitioner on the date when issued or may be issued orally," in paragraph (2) of  
34 subsection (d).
- 35 (17) Code Section 16-13-71, relating to the definition of a dangerous drug, by replacing  
36 "Iothalalmate;" with "Iothalamate;" in paragraph (489.2) and by replacing "Tiotropium" with  
37 "Tiotropium;" in paragraph (967.55) of subsection (b).

**SECTION 17.**

1  
2 Reserved.

**SECTION 18.**

3  
4 Reserved.

**SECTION 19.**

5  
6 Title 19 of the Official Code of Georgia Annotated, relating to domestic relations, is  
7 amended in Code Section 19-6-15, relating to child support in final verdict or decree,  
8 guidelines for determining the amount of the award, continuation of duty to provide support  
9 and duration of the support,

10 (1) By replacing the term:

11 (A) "Adjusted Child Support Obligation" with "adjusted child support obligation"  
12 wherever the former term appears;

13 (B) "Adjusted Income" with "adjusted income" wherever the former term appears;

14 (C) "Basic Child Support Obligation" with "basic child support obligation" wherever the  
15 former term appears;

16 (D) "Child" with "child" wherever the former term appears;

17 (E) "Child Support" with "child support" wherever the former term appears;

18 (F) "Child Support Obligation Table" with "child support obligation table" wherever the  
19 former term appears;

20 (G) "Child Support Worksheet" with "child support worksheet" wherever the former term  
21 appears;

22 (H) "Combined Adjusted Income" with "combined adjusted income" wherever the former  
23 term appears;

24 (I) "Court" or "Court's" with "court" or "court's", respectively, wherever the former terms  
25 appear;

26 (J) "Custodial" with "custodial" wherever the former term appears;

27 (K) "Deviation" or "Deviations" with "deviation" or "deviations", respectively, wherever  
28 the former terms appear;

29 (L) "Final Child Support Order" with "final child support order" wherever the former term  
30 appears;

31 (M) "Gross Income" with "gross income" wherever the former term appears;

32 (N) "Health Insurance" with "health insurance" wherever the former term appears;

33 (O) "Noncustodial" with "noncustodial" wherever the former term appears;

34 (P) "Nonparent Custodian" or "Nonparent Custodian's" with "nonparent custodian" or  
35 "nonparent custodian's", respectively, wherever the former terms appear;

- 1 (Q) "Parent", "Parents", or "Parent's" with "parent", "parents", or "parent's", respectively,  
 2 wherever the former terms appear;
- 3 (R) "Parenting Time Adjustment" with "parenting time adjustment" wherever the former  
 4 term appears;
- 5 (S) "Preexisting Order" or "Preexisting Orders" with "preexisting order" or "preexisting  
 6 order", respectively, wherever the former terms appear;
- 7 (T) "Presumptive Amount of Child Support" with "presumptive amount of child support"  
 8 wherever the former term appears;
- 9 (U) "Qualified Child" with "qualified child" wherever the former term appears;
- 10 (V) "Qualified Children" with "qualified children" wherever the former term appears;
- 11 (W) "Split Parenting" with "split parenting" wherever the former term appears;
- 12 (X) "Theoretical Child Support Order" or "Theoretical Child Support Orders" with  
 13 "theoretical child support order" or "theoretical child support orders", respectively,  
 14 wherever the former terms appear;
- 15 (Y) "Uninsured Health Care Expenses" with "uninsured health care expenses" wherever  
 16 the former term appears;
- 17 (Z) "Work Related Child Care Costs" with "work related child care costs" wherever the  
 18 former term appears; and
- 19 (AA) "Worksheet" with "worksheet" wherever the former term appears,  
 20 except within the title of an Act; and except, further, that the first word of any sentence,  
 21 paragraph, subparagraph, or division shall remain capitalized.
- 22 (2) Revising paragraph (5) of subsection (a) as follows:
- 23 "(5) Reserved.
- 24 (6.1) 'Child support services' 'Child Support Enforcement Agency' means the ~~Child~~  
 25 ~~Support Enforcement Agency~~ Office of Child Support Services within the Department of  
 26 Human Resources."
- 27 (3) Replacing "A 'Qualified Child'" with "'Qualified child'" in paragraph (20) of  
 28 subsection (a).
- 29 (4) Replacing "Child Support Enforcement Agency" with "child support services" in  
 30 paragraph (25) of subsection (a), and divisions (h)(3)(B)(ii) and (i)(2)(K)(iii) and by  
 31 replacing "Child Support Enforcement Agency's" with "child support services'" in  
 32 division (f)(5)(B)(iii).
- 33 (5) Replacing "Veterans' Administration" with "United States Department of Veterans  
 34 Affairs" in division (f)(1)(A)(vii).
- 35 (6) Replacing "temporary assistance for needy families," with "Temporary Assistance for  
 36 Needy Families Program," in division (f)(2)(B)(i).
- 37 (7) Replacing "Low income" with "Low-income" in division (f)(2)(B)(v).

- 1 (8) Replacing "the amount of current child support may remain the same" with "leave  
2 unchanged the amount of current child support" in subparagraph (f)(4)(C).
- 3 (9) Replacing "workforce" with "work force" in subdivision (f)(4)(D)(vi)(II).
- 4 (10) Replacing "pursuant to this paragraph" with "pursuant to this subparagraph" in  
5 subparagraph (f)(5)(C).
- 6 (11) Replacing "Child's Health Insurance premium" with "child's health insurance  
7 premiums" in the undesignated introductory paragraph of subsection (h).
- 8 (12) Replacing "Uninsured Health Care Expenses;" with "uninsured health care expenses;"  
9 in subparagraph (h)(3)(A).
- 10 (13) Replacing "low income" with "low-income" in subparagraph (i)(2)(B).
- 11 (14) Replacing "health-related" with "health related" in the catchline of  
12 subparagraph (i)(27)(C).

### 13 **SECTION 20.**

14 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in:

- 15 (1) Code Section 20-3-519.3, relating to HOPE scholarships and grants, eligibility  
16 requirements for a HOPE scholarship at a private postsecondary institution, and the  
17 scholarship amount, by replacing "at least 3.0 at end of" with "at least 3.0 at the end of" in  
18 subparagraph (e)(1)(A) and by replacing "as provided for in paragraph (2)," with "as  
19 provided for in paragraph (2) of this subsection," in paragraph (1) of subsection (g).
- 20 (2) Code Section 20-14-90, relating to the creation of the Agricultural Education Advisory  
21 Commission, membership, powers and duties, and repeal of provisions, by replacing "two  
22 year terms" with "two-year terms" in subparagraph (b)(3)(B) and by replacing "report  
23 annually to commission" with "report annually to the commission" in paragraph (1) of  
24 subsection (d).
- 25 (3) Code Section 20-14-91, relating to the creation of the Career and Technical Education  
26 Advisory Commission, membership, reporting and review requirements, meetings,  
27 reimbursement of members, and repeal of provisions, by replacing "two year terms" with  
28 "two-year terms" in subparagraph (b)(3)(B) and by replacing "report annually to  
29 commission" with "report annually to the commission" in paragraph (1) of subsection (d).
- 30 (4) Code Section 20-15-4, relating to the corporate purpose and the general nature of the  
31 business of the Georgia Medical Center Authority, by replacing "manufacturing facilities,  
32 and programs" with "manufacturing facilities and programs" in paragraph (1).
- 33 (5) Code Section 20-15-5.3, relating to the Georgia Medical Center Authority and provisions  
34 of bond agreements or instruments, use of proceeds, issuance of subsequent bonds, and  
35 renewal of validated bonds, by replacing "bonds of the authority shall have validated" with  
36 "bonds of the authority shall have been validated" in subsection (d).



1 (6) Code Section 20-16-3, relating to the creation of the Georgia Higher Education Facilities  
2 Authority, appointment of members, terms of office, and officers, by replacing "the Speaker  
3 of the House of Representative's appointee" with "the Speaker of the House of  
4 Representatives' appointee" in subsection (a).

5 (7) Code Section 20-16-4, relating to the powers of the Georgia Higher Education Facilities  
6 Authority, by replacing the period with a semicolon at the end of paragraph (13).

7 **SECTION 21.**

8 Reserved.

9 **SECTION 22.**

10 Reserved.

11 **SECTION 23.**

12 Reserved.

13 **SECTION 24.**

14 Reserved.

15 **SECTION 25.**

16 Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety, is  
17 amended in:

18 (1) Code Section 25-10-1, relating to definitions regarding the regulation of fireworks, by  
19 replacing "model rocket engines, designed, sold, and used" with "model rocket engines  
20 designed, sold, and used" in paragraph (1) of subsection (b).

21 **SECTION 26.**

22 Title 26 of the Official Code of Georgia Annotated, relating to food, drugs, and cosmetics,  
23 is amended in:

24 (1) Code Section 26-4-5, relating to definitions in regard to pharmacists and pharmacies, by  
25 adding a comma after "chapter" in the introductory language.

26 **SECTION 27.**

27 Title 27 of the Official Code of Georgia Annotated, relating to game and fish, is amended in:

28 (1) Code Section 27-2-3, relating to effective periods of hunting, fishing, and trapping  
29 licenses generally, by replacing "combination licenses pursuant to" with "combination  
30 licenses issued pursuant to".

1 (2) Code Section 27-3-9, relating to hunting and the unlawful enticement of game, by  
2 replacing "that is shall be lawful" with "that it shall be lawful" in subsection (a).

3 (3) Code Section 27-3-110, relating to shooting preserve license required, effective dates,  
4 contents of application, and conditions for issuance, by replacing "trespassing;" with  
5 "trespassing; and" at the end of paragraph (2) of subsection (c).

6 (4) Code Section 27-4-130.1, relating to open seasons, creel and possession limits, and  
7 minimum size limits for certain finfish species, by replacing "Maximum Daily Creel And  
8 Possession Limit" with "Maximum Daily Creel and Possession Limit" in the form headings  
9 of subsections (b) and (c).

#### 10 **SECTION 28.**

11 Reserved.

#### 12 **SECTION 29.**

13 Reserved.

#### 14 **SECTION 30.**

15 Reserved.

#### 16 **SECTION 31.**

17 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended in:

18 (1) Code Section 31-7-75.3, relating to home health agency services operated by hospitals,  
19 by repealing said obsolete Code section in its entirety.

#### 20 **SECTION 32.**

21 Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries,  
22 is amended in:

23 (1) Code Section 32-2-60, relating to the authority of the Department of Transportation to  
24 contract, form and content of construction contracts, federal-aid highway contracts, and  
25 bonds, by designating the introductory language as paragraph (1); by redesignating  
26 paragraphs (1) through (5) as subparagraphs (A) through (E); and by designating the last  
27 undesignated paragraph as paragraph (2) in subsection (e).

28 (2) Code Section 32-6-30, relating to stopping vehicles for purposes of weighing, measuring,  
29 or inspecting, reports of violations, and refusal to stop, by replacing "in violation of Code  
30 Sections 48-9-39 and 48-11-14" with "in violation of Code Section 48-9-39" in  
31 subsection (a).

**SECTION 33.**

Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended in:

(1) Code Section 33-59A-2, relating to membership on the Interstate Insurance Product Regulation Commission and the Commissioner of Insurance being the state's representative, by replacing "States" with "states" and by replacing "to the Commission" with "to the commission".

**SECTION 34.**

Reserved.

**SECTION 35.**

Reserved.

**SECTION 36.**

Reserved.

**SECTION 37.**

Reserved.

**SECTION 38.**

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

(1) Code Section 38-3-112, relating to emergency management and the development and implementation of a state-wide alert system for disabled adults, by replacing "department" with "Georgia Emergency Management Agency".

(2) Code Section 38-3-113, relating to state-wide alert systems and the director of emergency management to be the state-wide coordinator for the alert system, by replacing "director" with "director of emergency management" in subsections (a) through (c).

(3) Code Section 38-3-115, relating to the criteria for activating the state-wide alert system for missing disabled adults, by replacing "the director" with "the director of emergency management" in the introductory language of subsection (a) and in subsection (b).

(4) Code Section 38-3-116, relating to the verification that criteria have been met for the activation of the state-wide alert system for missing disabled adults, by replacing "the director." with "the director of emergency management.".

(5) Code Section 38-3-117, relating to the state-wide alert system for missing disabled adults and the obligations of agencies participating in the alert system and the participation of the Georgia Lottery Corporation in disseminating alert information through retail establishments,

1 by replacing "the department" with "the Georgia Emergency Management Agency" in  
2 paragraph (1) of subsection (a).

3 (6) Code Section 38-3-118, relating to the state-wide alert system for missing disabled adults  
4 and the termination of the alert system with respect to a particular disabled adult, by  
5 replacing "The director" with "The director of emergency management" in the introductory  
6 language and in paragraph (2).

7 (7) Code Section 38-3-120, relating to the state-wide alert system for unapprehended murder  
8 or rape suspects determined to be serious public threats, by replacing "director" with  
9 "director of emergency management" in subsections (b), (d), (e), and (g) and by  
10 redesignating said Code section as a new Code Section 38-3-130 under a new Article 8  
11 designation.

### 12 **SECTION 39.**

13 Reserved.

### 14 **SECTION 40.**

15 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is  
16 amended in:

17 (1) Code Section 40-1-7, relating to the blue light required for officers enforcing traffic and  
18 exception, by replacing "and, provided, further that" with "and provided, further, that".

19 (2) Code Section 40-2-86.21, relating to special license plates promoting certain beneficial  
20 projects and supporting certain worthy agencies, funds, or nonprofit corporations, by  
21 replacing "Ga. L. 1993, p. 1952." with "Article 5 of Chapter 7 of Title 50." in paragraph (4)  
22 of subsection (m).

23 (3) Code Section 40-5-23, relating to classes of drivers' licenses, by replacing "Instructional  
24 permit" with "Instruction permit" in subsection (c).

25 (4) Code Section 40-5-63, relating to periods of suspension and conditions to return of a  
26 driver's license, by replacing "restoration fee of \$210 or \$200" with "restoration fee of  
27 \$210.00 or \$200.00" in paragraphs (1) and (2) of subsection (a).

28 (5) Code Section 40-5-67.1, relating to chemical tests, implied consent notices, rights of  
29 motorists, test results, refusal to submit, suspension or denial of license, hearing and review,  
30 compensation of officers, and inspection and certification of breath-testing instruments, by  
31 redesignating subparagraphs (g)(2)(A) and (g)(2)(B) as divisions (i) and (ii) of subparagraph  
32 (g)(2)(A); by redesignating subparagraph (g)(2)(C) as subparagraph (g)(2)(B); by  
33 redesignating subparagraphs (g)(2)(D) and (g)(2)(E) as divisions (i) and (ii) of subparagraph  
34 (g)(2)(C); and by redesignating subparagraph (g)(2)(F) as subparagraph (g)(2)(D).

1 (6) Code Section 40-5-67.2, relating to terms and conditions for suspension of a driver's  
2 license under subsection (c) of Code Section 40-5-67.1, by replacing "restoration fee of \$210  
3 or \$200" with "restoration fee of \$210.00 or \$200.00" in paragraphs (1) and (2) of  
4 subsection (a).

5 (7) Code Section 40-5-75, relating to the suspension of a driver's license by operation of law  
6 for certain drug offenses, by replacing "restoration fee of \$210 or \$200" with "restoration fee  
7 of \$210.00 or \$200.00" in paragraphs (1) and (2) of subsection (a).

8 (8) Code Section 40-5-151, relating to commercial drivers' licenses and disqualification  
9 from driving and action required after suspending, revoking, or canceling a license or  
10 nonresident privileges, by replacing "Hazardous Material Transportation Act" with  
11 "Hazardous Materials Transportation Act, 49 U.S.C. app. 1804" in subsection (b).

12 (9) Code Section 40-6-225, relating to parking places for persons with disabilities for the  
13 nonambulatory, by replacing the hyphen with an em dash between "Disabilities" and  
14 "nonambulatory", by replacing "only be utilized for" with "be utilized only for", and by  
15 replacing "enter or get out of a vehicle" with "enter or exit a vehicle".

16 (10) Code Section 40-6-351, relating to driver's license or permit required for certain  
17 operators, by replacing "instructional permit," with "instruction permit," and by replacing  
18 "instructional permits," with "instruction permits,".

19 (11) Code Section 40-6-391, relating to driving under the influence of alcohol, drugs, or  
20 other intoxicating substances, penalties, publication of notice of conviction for persons  
21 convicted for second time, and endangering a child, by striking "and" at the end of  
22 subparagraphs (c)(2)(D) and (c)(3)(D).

23 **SECTION 41.**

24 Reserved.

25 **SECTION 42.**

26 Reserved.

27 **SECTION 43.**

28 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,  
29 is amended in:

30 (1) Code Section 43-34-26.3, relating to the delegation of certain medical acts to an  
31 advanced practice registered nurse, construction and limitations of such delegation,  
32 definitions, conditions of nurse protocol, and issuance of prescription drug orders, by  
33 replacing the period with a semicolon at the end of paragraph (3) of subsection (c).

1 (2) Code Section 43-34-64, relating to acupuncture licensure requirements, by replacing  
 2 "Except as otherwise provided in subsection (b) of this Code section, each" with "Each" at  
 3 the beginning of the introductory language of subsection (a).

4 **SECTION 44.**

5 Title 44 of the Official Code of Georgia Annotated, relating to property, is amended in:

6 (1) Code Section 44-2-30, relating to property and the filing and recording of a notice of  
 7 settlement, by replacing "hearby" with "hereby" in the form in subsection (d).

8 **SECTION 45.**

9 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,  
 10 is amended in:

11 (1) Code Section 45-7-21, relating to the expense allowance and travel cost reimbursement  
 12 for members of certain boards and commissions, by revising paragraphs (16.1) and (17) of  
 13 subsection (a) as follows:

14 "~~(16.1)~~(17) State Board of Technical and Adult Education; ~~and~~

15 ~~(17)~~(18) Civil War Commission; and

16 (19) The delegation from the State of Georgia to the Southern Dairy Compact  
 17 Commission."

18 **SECTION 46.**

19 Reserved.

20 **SECTION 47.**

21 Reserved.

22 **SECTION 48.**

23 Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is  
 24 amended in:

25 (1) Code Section 48-5-40, relating to tax exemptions definitions, by replacing "occupied by  
 26 himself" with "occupied by himself or herself" in division (1)(A)(iii) and by replacing "Who  
 27 is a resident" with "A resident" in subsection (B) of paragraph (1).

28 (2) Code Section 48-5-126.1, relating to training classes for county tax collectors and tax  
 29 commissioners, by reenacting subsection (h) as it existed immediately prior to July 1, 2005,  
 30 which subsection the publisher thereafter inadvertently omitted from supplements to Volume  
 31 36 of the Official Code of Georgia Annotated, to read as follows:

32 "(h) Any county tax collector or tax commissioner who, without good cause such as

1 sickness or other emergency, fails to comply with the training requirements of this Code  
2 section may be subject to removal from office by the Governor.".

3 (3) Code Section 48-7-29.11, relating to income tax credits for teleworking, definitions, and  
4 powers and duties, by replacing "\$2,000,000.00" with "Two million dollars" at the beginning  
5 of subparagraphs (e)(2)(A) and (e)(2)(B) and by replacing "Department" with "department",  
6 by replacing "the employer (applicant)" with "the employer", by replacing "their tax liability"  
7 with "its tax liability", and by replacing "expenses are incurred." with "expenses were  
8 incurred." in paragraph (3) of subsection (e).

9 (4) Code Section 48-8-3, relating to state sales and use tax and exemptions, by replacing  
10 "fund-raising" with "fundraising" in divisions (15)(B)(i) and (ii) and (41)(B)(i) and (ii) and  
11 subparagraphs (B) and (C) of paragraph (59) and by replacing the period with a semicolon  
12 at the end of subparagraph (C) of paragraph (58).

13 (5) Code Section 48-13-51, relating the excise tax on rooms, lodgings, and accommodations  
14 and county and municipal levies on public accommodations charges for promotion of  
15 tourism, conventions, and trade shows, by replacing "under paragraphs (2.1), (3), (2.2),  
16 (3.1)," with "under paragraphs (2.1), (2.2), (3), (3.1)," in the last sentence of paragraph (2)  
17 of subsection (a).

#### 18 **SECTION 49.**

19 Title 49 of the Official Code of Georgia Annotated, relating to social services, is amended  
20 in:

21 (1) Code Section 49-4-142.1, relating to legislative notification of request for waiver  
22 regarding medicare and Medicaid services, by replacing "On and after May 5, 2006," with  
23 "On and after May 3, 2006," in the first sentence.

24 (2) Code Section 49-4-146.1, relating to medical assistance and unlawful acts, violations and  
25 penalties, recovery of excess amounts, termination and reinstatement of providers, and the  
26 duty of the Department of Community Health to identify and investigate violations and to  
27 notify proper authorities, by replacing "he or she is entitled, or knowingly and willfully" with  
28 "he or she is entitled or knowingly and willfully" in paragraph (2) of subsection (b).

#### 29 **SECTION 50.**

30 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended  
31 in:

32 (1) Code Section 50-3-12, relating to state flags to honor the service of deceased qualifying  
33 elected state officials, by replacing "purposes set forth in the Code section." with "purposes  
34 set forth in this Code section." in subsection (c).

1 (2) Code Section 50-3-13, relating to state flags to honor the service of deceased qualifying  
 2 public safety officers, by replacing "purposes set forth in the Code section." with "purposes  
 3 set forth in this Code section." in subsection (d).

4 (3) Code Section 50-5-141, relating to the authorization and duty of the Department of  
 5 Administrative Services to dispose of surplus property and the authorization for transfer, sale,  
 6 trade, or destruction and prohibition of certain employee purchases, by replacing "proceeds  
 7 from the sell of the surplus property," with "proceeds from the sale of the surplus property,"  
 8 in paragraph (5) of subsection (a).

9 (4) Code Section 50-12-131, relating to the Georgia Commission on the Holocaust and  
 10 membership, terms, qualifications, officers, quorum, and powers and duties, by replacing  
 11 "ex-officio" with "ex officio" in subsection (f).

12 **SECTION 51.**

13 Title 51 of the Official Code of Georgia Annotated, relating to torts, is amended in:

14 (1) Code Section 51-1-29.1, relating to torts and liability of voluntary health care providers,  
 15 by revising said Code section as follows:

16 "51-1-29.1.

17 (a) Without waiving or affecting and cumulative of any existing immunity from any  
 18 source, unless it is established that injuries or death were caused by gross negligence or  
 19 willful or wanton misconduct:

20 (1) No health care provider licensed under Chapter 9, 11, 26, 30, 33, or 34 of Title 43  
 21 who voluntarily and without the expectation or receipt of compensation provides  
 22 professional services, within the scope of such health care provider's licensure, for and  
 23 at the request of a hospital, public school, nonprofit organization, or an agency of the  
 24 state or one of its political subdivisions or provides such professional services to a person  
 25 at the request of such an organization, which organization does not expect or receive  
 26 compensation with respect to such services from the recipient of such services. ~~Nothing~~  
 27 ~~in this Code section shall be construed to change the scope of practice of any health care~~  
 28 ~~provider granted immunity in this Code section; or~~

29 (2) No licensed hospital, public school, or nonprofit organization which requests,  
 30 sponsors, or participates in the providing of the services under the circumstances  
 31 provided in paragraph (1) of this subsection

32 shall be liable for damages or injuries alleged to have been sustained by the person nor for  
 33 damages for the injury or death of the person when the injuries or death are alleged to have  
 34 occurred by reason of an act or omission in the rendering of such services.

35 (b) Nothing in this Code section shall be construed to change the scope of practice of any  
 36 health care provider granted immunity in this Code section.



1 ~~(b)~~(c) This Code section shall apply only to causes of action arising on or after July 1,  
2 1987."

3 **SECTION 52.**

4 Reserved.

5 **SECTION 53.**

6 Reserved.

7 **SECTION 54.**

8 Except for Title 47, the text of Code sections and title, chapter, article, part, subpart, Code  
9 section, subsection, paragraph, subparagraph, division, and subdivision numbers and  
10 designations as contained in the Official Code of Georgia Annotated published under  
11 authority of the state by The Michie Company in 1982 and contained in Volumes 3 through  
12 40 of such publication or replacement volumes thereto, as amended by the text and  
13 numbering of Code sections as contained in the 2006 supplements to the Official Code of  
14 Georgia Annotated published under authority of the state in 2006 by LEXIS Publishing, are  
15 reenacted and shall have the effect of statutes enacted by the General Assembly of Georgia.  
16 Annotations; editorial notes; Code Revision Commission notes; research references; notes  
17 on law review articles; opinions of the Attorney General of Georgia; indexes; analyses; title,  
18 chapter, article, part, and subpart captions or headings, except as otherwise provided in the  
19 Code; catchlines of Code sections or portions thereof, except as otherwise provided in the  
20 Code; and rules and regulations of state agencies, departments, boards, commissions, or other  
21 entities which are contained in the Official Code of Georgia Annotated are not enacted as  
22 statutes by the provisions of this Act. Material which has been added in brackets or  
23 parentheses and editorial, delayed effective date, effect of amendment, or other similar notes  
24 within the text of a Code section by the editorial staff of the publisher in order to explain or  
25 to prevent a misapprehension concerning the contents of the Code section and which is  
26 explained in an editorial note is not enacted by the provisions of this section and shall not be  
27 considered a part of the Official Code of Georgia Annotated. The reenactment of the  
28 statutory portion of the Official Code of Georgia Annotated by this Act shall not affect,  
29 supersede, or repeal any Act of the General Assembly, or portion thereof, which is not  
30 contained in the Official Code of Georgia Annotated and which was not repealed by Code  
31 Section 1-1-10, specifically including those Acts which have not yet been included in the text  
32 of the Official Code of Georgia Annotated because of effective dates which extend beyond  
33 the effective date of the Code or the publication date of the Code or its supplements. The  
34 provisions contained in other sections of this Act and in the other Acts enacted at the 2007

1 regular session of the General Assembly of Georgia shall supersede the provisions of the  
2 Official Code of Georgia Annotated reenacted by this section.

3 **SECTION 55.**

4 This Act shall become effective upon its approval by the Governor or upon its becoming law  
5 without such approval; except that the amendment to Code Section 48-7-29.11 made by  
6 paragraph (3) of Section 48 of this Act shall become effective on July 1, 2007.

7 **SECTION 56.**

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