

Senate Bill 414

By: Senators Mullis of the 53rd, Johnson of the 1st, Murphy of the 27th, Seay of the 34th,  
Chapman of the 3rd and others

**AS PASSED SENATE**

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 4 of Title 25 of the Official Code of Georgia Annotated, relating to  
2 firefighter standards and training, so as to provide a short title; to revise certain definitions;  
3 to provide for the calling of meetings and the quorum for meetings of the Georgia Firefighter  
4 Standards and Training Council; to authorize the Georgia Firefighter Standards and Training  
5 Council to adopt rules for the transaction of business and for the creation of committees; to  
6 authorize the Georgia Firefighter Standards and Training Council to probate, suspend, or  
7 otherwise sanction persons for violating its standards for employment and training related  
8 to fire safety and fire fighting; to delete an obsolete provision concerning qualifications of  
9 firefighters; to provide for related matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 This Act shall be known and may be cited as the "2008 Georgia Firefighter Standards and  
13 Training Council Act."

14 **SECTION 2.**

15 Chapter 4 of Title 25 of the Official Code of Georgia Annotated, relating to firefighter  
16 standards and training, is amended by revising Code Section 25-4-2, relating to definitions,  
17 by adding a new paragraph to read as follows:

18 "(5.1) 'Fire department' shall have the same meaning as provided in Code Section  
19 25-3-21."

20 **SECTION 3.**

21 Said chapter is further amended by revising Code Section 25-4-6, relating to meetings of the  
22 Georgia Firefighter Standards and Training Council, as follows:

23 "25-4-6.

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

1 (1) The council shall hold at least two regular meetings each year at the call of the  
 2 ~~chairman~~ chairperson or upon the written request of ~~four~~ six members of the council.  
 3 ~~Four~~ Six members of the council shall constitute a quorum. The council shall adopt such  
 4 rules for the transaction of its business as it shall desire and may appoint such committees  
 5 as it considers necessary to carry out its business and duties.

6 (2) The council shall make an annual report of its activities to the Governor and to the  
 7 General Assembly and shall include in the report its recommendations for appropriate  
 8 legislation. The council shall not be required to distribute copies of the annual report to  
 9 the members of the General Assembly but shall notify the members of the availability of  
 10 the report in the manner which it deems to be most effective and efficient."

#### 11 SECTION 4.

12 Said chapter is further amended by revising paragraph (4) of Code Section 25-4-7, relating  
 13 to the functions and powers of the Georgia Firefighter Standards and Training Council, as  
 14 follows:

15 "(4) To establish uniform minimum standards for the employment and training of  
 16 full-time, part-time, or volunteer firefighters, airport firefighters, fire and life safety  
 17 educators, fire inspectors, and fire investigators, including qualifications, certifications,  
 18 recertifications, decertifications, and probations for certified individuals and suspensions  
 19 for noncertified individuals, and requirements, which are consistent with this chapter;"

#### 20 SECTION 5.

21 Said chapter is further amended by revising paragraph (2) of subsection (a) of Code  
 22 Section 25-4-8, relating to qualifications of firefighters generally, as follows:

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

28 (A) Successfully completed a training program following the Georgia Fire Academy  
 29 curriculum and sponsored by the Department of Corrections;

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

31 ~~(C)~~ (B) Been recommended to a fire department by the proper authorities at the  
 32 institution at which the training program was undertaken; and

33 ~~(D)~~ (C) Met all other requirements as set forth in this chapter.

34 The council shall be the final authority with respect to authorizing employment and  
 35 certification of a person who has been convicted of a felony more than five but less than

1 ten years prior to seeking employment when the person is seeking employment as a  
2 firefighter for any municipal, county, or state fire department which employs three or  
3 more firefighters who work a minimum of 40 hours per week and has the responsibility  
4 of preventing and suppressing fires, protecting life and property, and enforcing municipal,  
5 county, and state codes, as well as enforcing any law pertaining to the prevention and  
6 control of fires;"

7 **SECTION 6.**

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