

The House Committee on Judiciary offers the following substitute to SB 33:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to
2 emergency management, so as to authorize the development and implementation of a
3 state-wide first responder building mapping information system; to provide legislative
4 findings and declarations; to provide for definitions; to provide for rules and regulations; to
5 amend Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to when
6 public disclosure is not required and disclosure of exempting legal authority, so as to the
7 exempt such building mapping information from public disclosure; to repeal conflicting
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to emergency
12 management, is amended by adding a new article to read as follows:

13 style="text-align:center">"ARTICLE 9

14 38-3-140.

15 The General Assembly recognizes the extreme dangers present when the safety of our
16 citizens requires first responders such as police and firefighters to evacuate or secure a
17 building. To better prepare for responding to disasters, criminal acts, and acts of terrorism,
18 the General Assembly intends to create a state-wide first responder building mapping
19 information system that will provide first responders with information they need to be
20 successful when disaster strikes. The first responder building mapping information system
21 shall be developed for this limited and specific purpose and does not impose standards or
22 system requirements on any other mapping systems used for any other purpose.

1 38-3-141.

2 As used in this article, the term:

3 (1) 'Agency' means the Georgia Emergency Management Agency established by Code
4 Section 38-3-20.

5 (2) 'Building mapping information system' means a state-wide informational system
6 containing maps of designated public buildings.

7 (3) 'Director' means the director of the agency.

8 38-3-142.

9 (a) Subject to availability of funds for such purposes, the agency shall be authorized to
10 create and operate a building mapping information system and may make grants to local
11 governments for purposes of this article. Once the building mapping information system
12 is operational, the agency shall make the building mapping information available
13 electronically to all state, local, and federal public safety agencies.

14 (b) Once the building mapping information system is operational, it shall be within the
15 discretion of state and local agencies to determine which government owned or leased
16 buildings, if any, should be mapped, with special consideration given to schools,
17 courthouses, and larger public structures utilized by large numbers of employees or private
18 citizens. Nothing in this article shall require any state or local agency to map any building.

19 (c) State and local agencies electing to participate in the building mapping information
20 system once such system is operational shall forward to the agency the building mapping
21 information as provided in subsection (d) of this Code section. Any private entity or
22 department or agency of the federal government that desires to participate in such system
23 may also voluntarily forward its building mapping information to the agency. The agency
24 may refuse any information that does not comply with the agency's specifications and
25 requirements.

26 (d) The agency shall be authorized to develop rules and regulations for the purpose of
27 implementing the provisions of this Code section. Such rules and regulations shall specify:

28 (1) The type of information to be included in the building mapping information system
29 which shall at a minimum include floor plans, fire protection information, evacuation
30 plans, utility information, known hazards, and text and digital images showing emergency
31 personnel contact information;

32 (2) The building mapping software standards that shall be utilized by all entities
33 participating in the building mapping information system; and

34 (3) Security procedures to ensure that the information shall only be made available to the
35 government entity that either owns or operates the building or is responding to an
36 emergency incident at the building.

1 (e) The agency shall be authorized to pursue federal funds or other sources of funding for
2 the creation and operation of the building mapping information system and shall be further
3 authorized to seek or assist state and local agencies in obtaining grants or donations for the
4 mapping of government owned or leased buildings.

5 (f) Information provided to the agency under this article shall be exempt from public
6 disclosure to the extent provided in subparagraph (21) of subsection (a) of Code Section
7 50-18-72.

8 (g) The agency may recommend training guidelines regarding use of the building mapping
9 information system for law enforcement officers, firefighters, and other authorized
10 emergency first responders.

11 (h) Nothing in this Code section supersedes the authority of state departments and agencies
12 and local governments to control and maintain access to information within their
13 independent systems.

14 38-3-143.

15 Local governments and agencies and their employees shall be immune from civil liability
16 for any damages arising out of the creation and use of the building mapping information
17 system unless it is shown that an employee acted with gross negligence or bad faith."

18 SECTION 2.

19 Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to when public
20 disclosure is not required and disclosure of exempting legal authority, is amended by striking
21 the word "or" at the end of paragraph (19) of subsection (a), by striking the period at the end
22 of paragraph (20) of such subsection and inserting in lieu thereof "; or", and by adding a new
23 paragraph to such subsection to read as follows:

24 "(21) Building mapping information produced and maintained pursuant to Article 9 of
25 Chapter 3 of Title 38."

26 SECTION 3.

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