

House Bill 1482

By: Representatives Oliver of the 83rd and Porter of the 143rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to
2 administrative procedure, so as to provide that policies or rules of the Department of Human
3 Resources and the Georgia Trauma Care Network Commission regarding loans, grants, and
4 benefits shall not be excluded from the requirements regarding rule making; to provide for
5 related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to administrative
9 procedure, is amended by revising paragraph (6) of Code Section 50-13-2, relating to
10 definitions, as follows:

11 "(6) 'Rule' means each agency regulation, standard, or statement of general applicability
12 that implements, interprets, or prescribes law or policy or describes the organization,
13 procedure, or practice requirements of any agency. The term includes the amendment or
14 repeal of a prior rule but does not include the following:

15 (A) Statements concerning only the internal management of an agency and not
16 affecting private rights or procedures available to the public;

17 (B) Declaratory rulings issued pursuant to Code Section 50-13-11;

18 (C) Intra-agency memoranda;

19 (D) Statements of policy or interpretations that are made in the decision of a contested
20 case;

21 (E) Rules concerning the use or creation of public roads or facilities, which rules are
22 communicated to the public by use of signs or symbols;

23 (F) Rules which relate to the acquiring, sale, development, and management of the
24 property, both real and personal, of the state or of an agency;

25 (G) Rules which relate to contracts for the purchases and sales of goods and services
26 by the state or of an agency;

- 1 (H) Rules which relate to the employment, compensation, tenure, terms, retirement, or
2 regulation of the employees of the state or of an agency;
- 3 (I) Rules relating to loans, grants, and benefits by the state or of an agency, provided
4 that rules of the Department of Human Resources and the Georgia Trauma Care
5 Network Commission regarding loans, grants, and benefits shall not be excluded under
6 this subparagraph; or
- 7 (J) The approval or prescription for the future of rates or prices."

8 **SECTION 2.**

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