

House Bill 607 (AS PASSED HOUSE AND SENATE)

By: Representatives Talton of the 145th, O'Neal of the 146th, Manning of the 32nd, Mills of the 25th, Maxwell of the 17th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 2 of Title 35 of the Official Code of Georgia Annotated,
2 relating to general provisions pertaining to the Department of Public Safety, so as to change
3 certain provisions relating to the Board of Public Safety; to provide for a member of the
4 Georgia Association of Fire Chiefs to serve as a member of the board; to provide for related
5 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 2 of Title 35 of the Official Code of Georgia Annotated, relating to
9 general provisions pertaining to the Department of Public Safety, is amended by revising
10 Code Section 35-2-1, relating to the creation of the Board of Public Safety, composition,
11 appointment, and terms of office of members, as follows:

12 "35-2-1.

13 (a) There is created a Board of Public Safety which shall establish the general policy to be
14 followed by the Department of Public Safety.

15 (b) The board shall consist of 15 members:

16 (1) The following three members serve as follows:

17 (A) The Governor, ex officio, who shall be chairperson of the board;

18 (B) An appointee of the Governor who shall not be the Attorney General; and

19 (C) The official in charge of the Department of Corrections, ex officio.

20 (2) ~~Four~~ Five members shall be selected as follows:

21 (A) A representative appointed by the Governor by and with the advice and consent
22 of the Senate from the membership of the Georgia Sheriffs Association; the first
23 representative shall serve an initial term ending on January 20, 1975, each subsequent
24 term being three years;

25 (B) A representative appointed by the Governor by and with the advice and consent of
26 the Senate from the membership of the Georgia Association of Chiefs of Police; the

27 first representative shall serve an initial term ending on January 20, 1974, each
 28 subsequent term being three years;

29 (C) A representative appointed by the Governor by and with the advice and consent of
 30 the Senate from the membership of the District Attorneys Association of Georgia; the
 31 first representative shall serve an initial term ending on January 20, 1973, each
 32 subsequent term being three years; ~~and~~

33 (D) A representative appointed by the Governor by and with the advice and consent
 34 of the Senate from the membership of the Georgia State Firemen's Association; the first
 35 representative shall serve an initial term ending on January 20, 1984. Each subsequent
 36 term shall be for three years; and

37 (E) A representative appointed by the Governor by and with the advice and consent of
 38 the Senate from the membership of the Georgia Association of Fire Chiefs; the first
 39 representative shall serve an initial term beginning on January 21, 2011. Each term shall
 40 be for three years.

41 (3) ~~Five~~ Four members shall be selected as follows:

42 (A) ~~Three~~ Two members appointed by the Governor. The first appointees shall serve
 43 an initial term ending on January 20, 2002. Each subsequent term shall be for three
 44 years;

45 (B) One member appointed by the Lieutenant Governor. The first appointee shall serve
 46 an initial term ending on January 20, 2002. Each subsequent term shall be for three
 47 years; and

48 (C) One member appointed by the Speaker of the House of Representatives. The first
 49 appointee shall serve an initial term ending on January 20, 2002. Each subsequent term
 50 shall be for three years.

51 (4) By majority vote the board shall appoint three members from the state at large; no
 52 person so appointed shall be an officer or employee of any state or local governmental
 53 entity at the time of his or her appointment to or during his or her membership on the
 54 board. All terms of the three at-large members shall be four years. Any vacancy in the
 55 at-large membership shall be filled by the board for the unexpired term.

56 (c) Appointments made pursuant to paragraph (2) of subsection (b) of this Code section
 57 at times when the Senate is not in session shall be effective ad interim."

58 **SECTION 2.**

59 This Act shall become effective on January 20, 2011, and shall apply to appointments made
 60 on or after such date.

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SECTION 3.

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