

House Bill 605

By: Representatives Bearden of the 68<sup>th</sup>, Meadows of the 5<sup>th</sup>, England of the 108<sup>th</sup>, Roberts of the 154<sup>th</sup>, and Cheokas of the 134<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 5 of Title 6 of the Official Code of Georgia Annotated, relating to the  
2 Georgia Aviation Authority, so as to repeal the chapter; to abolish the Georgia Aviation  
3 Authority; to amend Chapter 2 of Title 35 of the Official Code of Georgia Annotated,  
4 relating to the Department of Public Safety, so as to transfer certain personnel, assets, and  
5 liabilities of the authority to the Department of Public Safety; to provide the department with  
6 certain authority and duties with regard to aviation; to provide for related matters; to repeal  
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 On July 1, 2011, Chapter 5 of Title 6 of the Official Code of Georgia Annotated, relating to  
11 the Georgia Aviation Authority, is repealed in its entirety and the Georgia Aviation Authority  
12 is abolished.

13 **SECTION 2.**

14 Chapter 2 of Title 35 of the Official Code of Georgia Annotated, relating to the Department  
15 of Public Safety, is amended by adding a new article to read as follows:

16 "ARTICLE 7

17 35-2-140.

18 (a)(1) On and after July 1, 2011, the Department of Public Safety shall be authorized to  
19 acquire, operate, maintain, house, and dispose of all state aviation assets, to provide  
20 aviation services and oversight of state aircraft and aviation operations to ensure the  
21 safety of state air travelers and aviation property, to achieve policy objectives through  
22 aviation missions, and to provide for the efficient operation of state aircraft.

23 (2) All aircraft owned or operated as of July 1, 2011, by the Georgia Aviation Authority  
24 shall be transferred on that date to the custody and control of the Department of Public

25 Safety; provided, however, that this article shall have no application to aircraft owned or  
26 operated by the Department of Defense. On and after July 1, 2011, no other entity of  
27 state government shall acquire, lease, or charter any aircraft other than through the  
28 Department of Public Safety.

29 (3) Any person who is employed by an entity of state government other than the  
30 Department of Public Safety or the Georgia Aviation Authority as a pilot and who is  
31 required by the terms of his or her employment to comply with the requirements of  
32 Chapter 8 of this title, the 'Georgia Peace Officer Standards and Training Act,' and was  
33 transferred to the Georgia Aviation Authority for administrative purposes shall remain  
34 in the employment of the employing agency but shall be transferred for administrative  
35 purposes only to the Department of Public Safety on July 1, 2011. The Department of  
36 Public Safety shall determine which, if any, of the other employees of the Georgia  
37 Aviation Authority it desires to employ on and after July 1, 2011.

38 (4) All property, real and personal, funds, accounts receivable, contracts, liabilities, and  
39 obligations as well as all appropriated funds of the Georgia Aviation Authority as of July  
40 1, 2011, shall become the property, funds, accounts receivable, contracts, liabilities, and  
41 obligations and appropriated funds of the Department of Public Safety on such date.

42 (5) All state aircraft required for the proper conduct of the business of the several  
43 administrative departments, boards, bureaus, commissions, authorities, offices, or other  
44 agencies of Georgia and authorized agents of the General Assembly, or either branch  
45 thereof, and department owned airfields and their appurtenances shall be managed and  
46 maintained by the Department of Public Safety. The cost for the use of such state aircraft  
47 shall be charged by the department to the using state entity. The amount of such charge  
48 shall be determined by the department. The department shall be authorized to dispose of  
49 any state aircraft and apply the proceeds derived therefrom to the purchase of  
50 replacement aviation assets.

51 (b) The Department of Public Safety shall have the power to:

52 (1) Hire, organize, and train personnel to operate, maintain, house, purchase, and dispose  
53 of aviation assets;

54 (2) Purchase, maintain, develop, and modify facilities to support aviation assets and  
55 operations;

56 (3) Develop operating, maintenance, safety, security, training, education, and scheduling  
57 standards for state aviation operations and conduct inspections, audits, and other similar  
58 oversight to determine practices and compliance with such standards;

59 (4) Develop an accountability system for state aviation operations and activities;

60 (5) Identify the costs associated with training, education, and the purchase, operation,  
61 maintenance, and administration of state aircraft and aviation operations and related

62 facilities; develop an appropriate billing structure; and charge agencies and other state  
63 entities for the costs of state aircraft and aviation operations; provided, however, that any  
64 billing to an agency by the department shall be suspended whenever the Governor  
65 declares a state of emergency on any cost associated with aircraft used during and in  
66 response to the state of emergency;

67 (6) Retain appropriate external consulting and auditing expertise;

68 (7) Engage aviation industry representatives to ensure best practices for state aviation  
69 assets;

70 (8) Delegate certain powers pursuant to this article to other state entities; and

71 (9) Otherwise implement appropriate and efficient management practices for state  
72 aviation operations.

73 (c) The Department of Public Safety shall provide priority support for those state agencies  
74 and departments, including local and state public safety and law enforcement entities,  
75 whose operations require aviation operations. No state entity other than the Department  
76 of Public Safety shall be authorized without the approval of the Department of Public  
77 Safety to expend state funds to purchase, lease, rent, charter, maintain, or repair state  
78 aircraft to be used in connection with state business or to employ a person whose official  
79 duties consist of piloting state aircraft."

80

### SECTION 3.

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