

House Bill 79 (AS PASSED HOUSE AND SENATE)

By: Representative Willard of the 51<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend the Official Code of Georgia Annotated, so as to revise, modernize, and correct  
2 errors or omissions in said Code in furtherance of the work of the Code Revision  
3 Commission; to repeal portions of said Code, or Acts in amendment thereof, which have  
4 become obsolete, have been declared to be unconstitutional, or have been preempted or  
5 superseded by subsequent laws; to reenact the statutory portions of said Code, as amended;  
6 to provide for other matters relating to revision, reenactment, and publication of said Code;  
7 to provide for effect in event of conflicts; to provide for effective dates; to repeal conflicting  
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Reserved.

12 **SECTION 2.**

13 Reserved.

14 **SECTION 3.**

15 Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, is  
16 amended in:

17 (1) Code Section 3-8-5, which is repealed, by designating said Code section as reserved.

18 **SECTION 4.**

19 Title 4 of the Official Code of Georgia Annotated, relating to animals, is amended in:

20 (1) Code Section 4-4-83, relating to quarantines, rules and regulations for disease control,  
21 and confiscation, destruction, or disposal of diseased poultry, eggs, chicks, or stock, by  
22 replacing "Secretary of Agriculture of the United States." with "secretary of agriculture of  
23 the United States." in subsection (b).

24 (2) Code Section 4-4-149, relating to cooperation among state and federal agencies  
25 regarding swine mycobacteriosis indemnification, by replacing "The State Department of  
26 Agriculture" with "The department".

27 (3) Code Section 4-11-2, relating to definitions regarding general provisions under the  
28 "Georgia Animal Protection Act," by replacing "'Secretary of Agriculture'" with "'Secretary  
29 of agriculture'" in paragraph (8).

30 (4) Code Section 4-11-12, relating to cooperation with federal government regarding general  
31 provisions of animal protection, by replacing "United States Secretary of Agriculture" and  
32 "Secretary of Agriculture" with "secretary of agriculture" each time those terms appear.

33 (5) Code Section 4-12-2, relating to definitions regarding injuries from equine or llama  
34 activities, by replacing "including, but not limited to, llama clubs, 4-H clubs, hunt clubs,  
35 riding clubs, school and college-sponsored classes, programs, and activities, therapeutic  
36 riding programs," with "including but not limited to llama clubs; 4-H clubs; hunt clubs;  
37 riding clubs; school and college sponsored classes, programs, and activities; therapeutic  
38 riding programs;" in paragraph (10).

39

#### **SECTION 5.**

40 Title 5 of the Official Code of Georgia Annotated, relating to appeal and error, is amended  
41 in:

42 (1) Code Section 5-5-25, relating to a new trial on other grounds, by replacing "on other  
43 grounds, not provided for" with "on other grounds not provided for".

44 (2) Code Section 5-7-1, relating to orders, decisions, or judgments appealable, and a  
45 defendant's right to cross appeal regarding appeal or certiorari by the state in criminal cases,  
46 by replacing "the Court of Appeals of Georgia and the Supreme Court of Georgia" with "the  
47 Court of Appeals and the Supreme Court" in the introductory language of subsection (a).

48

#### **SECTION 6.**

49 Reserved.

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#### **SECTION 7.**

51 Title 7 of the Official Code of Georgia Annotated, relating to banking and finance, is  
52 amended in:

53 (1) Code Section 7-1-1018, relating to ceasing and desist orders, enforcement procedure,  
54 civil penalties, and fines regarding licensing of mortgage lenders and mortgage brokers, by  
55 replacing "an unlicensed person that orders them to cease" with "an unlicensed person that  
56 orders such person to cease" in subsection (a).

**SECTION 8.**

57

58 Reserved.

**SECTION 9.**

59

60 Title 9 of the Official Code of Georgia Annotated, relating to civil practice, is amended in:

61 (1) Code Section 9-9-2, relating to the Georgia Arbitration Code applicability and exclusive  
62 method, by inserting "or" at the end of paragraph (9) of subsection (c).

63 (2) Code Section 9-11-133, relating to forms meeting requirements for civil case filing and  
64 disposition, by replacing in the form "IF TORT IS CASE TYPE:" with "IF TORT, IS CASE  
65 TYPE:" in subsection (b) and by replacing in the form "Have the parties reached a custodial  
66 agreement" with "Have the parties reached a custodial agreement?" in subsection (c).

**SECTION 10.**

67

68 Reserved.

**SECTION 11.**

69

70 Title 11 of the Official Code of Georgia Annotated, relating to the commercial code, is  
71 amended in:

72 (1) Code Section 11-2A-103, relating to definitions and index of definitions regarding the  
73 "Uniform Commercial Code - Leases" by replacing "pre-existing" with "preexisting" in  
74 paragraphs (a) and (o) of subsection (1).

**SECTION 12.**

75

76 Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural  
77 resources, is amended in:

78 (1) Code Section 12-3-234, relating to accountability of the Jekyll Island - State Park  
79 Authority members as trustees and creation of an oversight committee for such authority, by  
80 replacing "House Committee on State Institutions and Property" with "House Committee on  
81 State Properties" in subsection (b).

82 (2) Part 5 of Article 7 of Chapter 3, which is repealed, by designating said part as reserved.

83 (3) Part 3 of Article 4 of Chapter 5, which is repealed, by designating said part as reserved.

84 (4) Code Section 12-5-287, relating to leasing of state owned marshland or water bottoms,  
85 by replacing "House Committee on State Institutions and Property" with "House Committee  
86 on State Properties" in subsection (i).

87 (5) Code Section 12-8-106, relating to criteria for participants in voluntary remediation  
88 programs regarding hazardous waste under the "Georgia Voluntary Remediation Program  
89 Act," by replacing "judgement" with "judgment" in paragraph (2).

90 (6) Code Section 12-13-3, relating to definitions regarding underground storage tanks, by  
91 replacing "the Comprehensive Environmental Response, Compensation and Liability Act of  
92 1980," with "the Comprehensive Environmental Response, Compensation, and Liability Act  
93 of 1980," in paragraph (14).

94 (7) Code Section 12-13-9, relating to establishing financial responsibility, claims against a  
95 guarantor, and the Underground Storage Tank Trust Fund, by replacing "the Comprehensive  
96 Environmental Response, Compensation and Liability Act of 1980," with "the  
97 Comprehensive Environmental Response, Compensation, and Liability Act of 1980," in  
98 subsection (e).

99 **SECTION 13.**

100 Reserved.

101 **SECTION 14.**

102 Reserved.

103 **SECTION 15.**

104 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended in:

105 (1) Code Section 15-6-95, relating to priorities of distribution of fines, forfeitures,  
106 surcharges, additional fees, and costs in cases of partial payments into the court, by replacing  
107 "Code Section 15-11-149;" with "Code Section 15-21-149;" in paragraph (12).

108 (2) Code Section 15-11-172, relating to the creation, duties, and authority of the Office of  
109 the Child Advocate for the Protection of Children, by replacing "and child welfare, as  
110 needed" with "and child welfare as needed" in subsection (e) and by deleting subsection (g).

111 (3) Code Section 15-12-11, relating to appointment of jury clerk and other personnel, juror  
112 questionnaires, and construction with other laws, by replacing "post-conviction" with  
113 "postconviction" in subsection (c).

114 (4) Code Section 15-16-26, relating to investigation of charges against sheriff, suspension,  
115 additional investigations, assumption of sheriff's duties, and indictment for felony, by  
116 deleting "and Code Section 15-16-26" from subsection (c).

117 (5) Code Section 15-18-70.1, relating to an acting solicitor-general in the event of death or  
118 resignation regarding state courts, by replacing "provided for acting solicitor-generals" with  
119 "provided for acting solicitors-general" in subsection (a).

120 (6) Code Section 15-18-92, relating to criteria for appointment and consent regarding the  
121 prosecuting attorney of a municipal court, by replacing "subsection (b) of 15-18-72," with  
122 "subsection (b) of Code Section 15-18-72," in subsection (b).

123 **SECTION 16.**

124 Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is  
125 amended in:

126 (1) Code Section 16-12-31, which is repealed, by designating said Code section as reserved.

127 (2) Code Section 16-12-84, which is repealed, by designating said Code section as reserved.

128 (3) Code Section 16-13-25, relating to Schedule I controlled substances, by inserting a  
129 beginning bracket between the subparagraph (K) designation and the "2" in subparagraph (K)  
130 of paragraph (12).

131 (4) Code Section 16-13-30, relating to the purchase, possession, manufacture, distribution,  
132 or sale of controlled substances or marijuana and penalties, as effective July 1, 2013, through  
133 June 30, 2014, by replacing "at least two milliliters" with "at least two milliliters" in  
134 paragraph (2) of subsection (e) and by replacing "variant" with "variant" in subsection (m).

135 (5) Code Section 16-13-30, relating to the purchase, possession, manufacture, distribution,  
136 or sale of controlled substances or marijuana and penalties, as effective July 1, 2014, by  
137 replacing "at least two milliliters" with "at least two milliliters" in paragraph (2) of  
138 subsection (e) and subparagraph (1)(1)(B) and by replacing "variant" with "variant" in  
139 subsection (m).

140 **SECTION 17.**

141 Title 17 of the Official Code of Georgia Annotated, relating to criminal procedure, is  
142 amended in:

143 (1) Code Section 17-7-131, relating to proceedings upon a plea of insanity or mental  
144 incompetency at the time of the crime, by replacing "Code Section 16-3-2 or Code Section  
145 16-3-3." with "Code Section 16-3-2 or 16-3-3." in paragraph (1) of subsection (a).

146 (2) Code Section 17-10-1, relating to the fixing of a sentence, suspension or probation of a  
147 sentence, change in a sentence, eligibility for parole, prohibited modifications, and  
148 exceptions, by replacing "under the 'Georgia Street Gang Terrorism and Prevention Act,'"   
149 with "under Chapter 15 of Title 16, the 'Georgia Street Gang Terrorism and Prevention Act,'"   
150 in paragraph (2) of subsection (a).

151 (3) Code Section 17-12-20, relating to public defender selection panel for each circuit,  
152 appointment of public defender, removal, and vacancies, by replacing "resolution seeking  
153 review of their findings" with "resolution seeking review of its findings" in subsection (d).

154 **SECTION 18.**

155 Reserved.

156 **SECTION 19.**

157 Title 19 of the Official Code of Georgia Annotated, relating to domestic relations, is  
158 amended in:

159 (1) Code Section 19-7-5, relating to reporting of child abuse, when mandated or authorized,  
160 content of report, to whom made, immunity from liability, report based upon privileged  
161 communication, and penalty for failure to report, by replacing "Chapter 24" with "Chapter  
162 26" in subparagraph (c)(1)(F).

163 **SECTION 20.**

164 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in:

165 (1) Code Section 20-2-103, relating to the oath of the local school superintendent, by  
166 replacing in the oath "Typed name of member of \_\_\_\_\_local school  
167 superintendent" with "Typed name of local school superintendent" near the end.

168 (2) Code Section 20-2-255, which is repealed, by designating said Code section as reserved.

169 (3) Code Section 20-2-307, relating to youth camps and food-processing and young farmers  
170 programs, by replacing "described in this subsection" with "described in this Code section".

171 (4) Code Section 20-2-311, which is repealed, by designating said Code section as reserved.

172 (5) Code Section 20-2-319.3, relating to the online clearinghouse of interactive distance  
173 learning courses, by replacing "'Online Clearinghouse Act.'" with "'Online Clearing-house  
174 Act.'" in subsection (a), by replacing "'Clearinghouse'" with "'Clearing-house'" in paragraph  
175 (2) of subsection (b), by replacing "clearinghouse" with "clearing-house" each time the term  
176 appears throughout said Code section, and by replacing "computer-based" with "computer  
177 based" in paragraph (1) of subsection (c) and subsection (i).

178 (6) Code Section 20-2-411, relating to public school fund kept separate, use of funds,  
179 separation of school taxes, and investments, by replacing "Comptroller General" with  
180 "comptroller general".

181 (7) Code Section 20-2-690, relating to "educational entities" listed and requirements for  
182 private schools and home study programs, by replacing "Department of Public Safety" with  
183 "Department of Driver Services" each time the term appears in subsections (b) and (c).

184 (8) Chapter 7, which is repealed, by designating said chapter as reserved.

185 **SECTION 21.**

186 Reserved.

187 **SECTION 22.**

188 Title 22 of the Official Code of Georgia Annotated, relating to eminent domain, is amended  
189 in:

190 (1) Code Section 22-1-9, relating to policies and practices guiding exercise of eminent  
 191 domain, by replacing "real property the condemning authority" with "real property, the  
 192 condemning authority" and "he or she established" with "it established" in paragraph (3).

193 **SECTION 23.**

194 Title 23 of the Official Code of Georgia Annotated, relating to equity, is amended in:

195 (1) Code Section 23-3-120, relating to definitions regarding taxpayer protection against false  
 196 claims, by replacing "MARTA." with "the Metropolitan Atlanta Rapid Transit Authority."  
 197 at the end of paragraph (3).

198 (2) Code Section 23-3-122, relating to investigations by the Attorney General, civil actions  
 199 authorized, intervention by government, limitation on participating in litigation, stay of  
 200 discovery, alternative remedies; division of recovery, and limitations regarding taxpayer  
 201 protection against false claims, by replacing "public; provided" with "public, provided" in  
 202 subparagraph (j)(3)(B).

203 **SECTION 24.**

204 Title 24 of the Official Code of Georgia Annotated, relating to evidence, is amended in:

205 (1) Code Section 24-4-411, relating to liability insurance, by replacing "Code Section  
 206 46-7-12" with "Code Section 40-1-112".

207 (2) Code Section 24-4-416, relating to statements of sympathy in medical malpractice cases,  
 208 by replacing "comprised of" with "composed of" in subsection (a).

209 (3) Code Section 24-12-1, relating to when medical information may be released by a  
 210 physician, hospital, health care facility, or pharmacist, immunity from liability, waiver of  
 211 privilege, and psychiatrists and hospitals excepted, by replacing "Department of Community  
 212 Health," with "Department of Public Health," in subsection (a).

213 **SECTION 25.**

214 Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety, is  
 215 amended in:

216 (1) Code Section 25-2-11, which is repealed, by designating said Code section as reserved.

217 (2) Code Section 25-2-21, which is repealed, by designating said Code section as reserved.

218 (3) Code Section 25-14-5, relating to the required marking of cigarettes, by replacing  
 219 "universal product code" with "Universal Product Code" each time the term appears in  
 220 paragraph (1) of subsection (a) and paragraph (2) of subsection (d).

221 (4) Code Section 25-15-1, relating to the Office of Safety Fire Commissioner to be successor  
 222 to the Department of Labor relating to transferred functions, transfer of employees, and  
 223 Safety Fire Commissioner to report on effects and results of this Code section, by replacing

224 "and thereby under the State Personnel Administration and who are transferred to the office  
 225 shall retain all existing rights under the State Personnel Administration." with "and who are  
 226 transferred to the office shall retain all existing rights under such rules." in subsection (d).  
 227 (5) Code Section 25-15-28, relating to appeals regarding regulation of boilers and pressure  
 228 vessels, by replacing "the office of State Administrative Hearings," with "the Office of State  
 229 Administrative Hearings," in subsection (a).

230 **SECTION 26.**

231 Title 26 of the Official Code of Georgia Annotated, relating to food, drugs, and cosmetics,  
 232 is amended in:

233 (1) Code Section 26-4-28, relating to the powers, duties, and authority of the State Board of  
 234 Pharmacy, by replacing "the Georgia Department of Medical Assistance," with "the  
 235 Department of Community Health," in paragraph (19) of subsection (a).

236 (2) Code Section 26-4-29, relating to the Georgia Drugs and Narcotics Agency, continuance,  
 237 appointment, requirements, and duties of director, power to make arrests, report of violations  
 238 of drug laws, and dangerous drug list, by replacing "in said office" with "in such office" in  
 239 the introductory language of subsection (b), by replacing "of the said establishments" with  
 240 "of such establishments" in paragraph (4) of subsection (b), and by replacing "the board can  
 241 instruct" with "the board may instruct" in subsection (d).

242 (3) Code Section 26-4-80, relating to dispensing, electronically transmitted drug orders,  
 243 refills, and Schedule II controlled substance prescriptions, by replacing "the said  
 244 transmission," with "such transmission," in paragraph (5) of subsection (c), by replacing  
 245 "pharmacist that transmits," with "pharmacist who transmits," in paragraph (6) of  
 246 subsection (c), and by replacing "care givers" with "caregivers" in subparagraph (c)(7)(C).

247 (4) Code Section 26-4-201, relating to definitions regarding the "Prescription Medication  
 248 Integrity Act," by replacing "third party logistics provider." with "third-party logistics  
 249 provider." in paragraph (4), by deleting "('FDA') and "FDA" in paragraph (11), and by  
 250 replacing "the federal Food, Drug and Cosmetic Act ('FFDCA')." with "the Federal Food,  
 251 Drug, and Cosmetic Act." in paragraph (17).

252 **SECTION 27.**

253 Title 27 of the Official Code of Georgia Annotated, relating to game and fish, is amended in:

254 (1) Code Section 27-1-15, which is repealed, by designating said Code section as reserved.

255 (2) Code Section 27-1-26, which is repealed, by designating said Code section as reserved.

256 (3) Code Section 27-2-30, relating to establishment of the Wildlife Endowment Fund and  
 257 limitations on expenditures from the fund, by replacing "lifetime sportsman license" with  
 258 "lifetime sportsman's license" in subsection (a) and by replacing "lifetime sportsman license"



259 with "lifetime sportsman's license" and "lifetime sportsman licenses" with "lifetime  
260 sportsman's licenses" in subsection (b).

261 (4) Code Section 27-3-5, which is repealed, by designating said Code section as reserved.

262 (5) Code Section 27-3-11, which is repealed, by designating said Code section as reserved.

263 **SECTION 28.**

264 Title 28 of the Official Code of Georgia Annotated, relating to the General Assembly, is  
265 amended in:

266 (1) Code Section 28-4-6, relating to employment, powers, and duties of the legislative fiscal  
267 officer employed by the Legislative Services Committee, by replacing "Comptroller  
268 General." with "comptroller general." in subsection (a).

269 **SECTION 29.**

270 Title 29 of the Official Code of Georgia Annotated, relating to guardian and ward, is  
271 amended in:

272 (1) Code Section 29-3-32, relating to the investment of estate funds regarding property  
273 obligations of conservators of minors, by repealing and reserving paragraph (9), which refers  
274 to repealed statutory provisions, and by replacing the period with a semicolon at the end of  
275 paragraph (12).

276 (2) Code Section 29-5-32, relating to investment of estate funds by conservator, by repealing  
277 and reserving paragraph (9), which refers to repealed statutory provisions.

278 **SECTION 30.**

279 Reserved.

280 **SECTION 31.**

281 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended in:

282 (1) Code Section 31-11-51, relating to certification and recertification of emergency medical  
283 technicians, rules and regulations, and use of conviction data in licensing decisions, by  
284 replacing "requirements of this paragraph" with "requirements of this subsection" in  
285 subsection (d).

286 **SECTION 32.**

287 Reserved.

288 **SECTION 33.**

289 Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended in:

- 290 (1) Code Section 33-15-123, relating to exempt societies, orders, or associations regarding  
291 miscellaneous provisions of fraternal benefit societies, by replacing "descendents" with  
292 "descendants" in paragraph (3) of subsection (a).
- 293 (2) Code Section 33-20A-3, relating to definitions regarding patient protection relative to  
294 managed health care plans, by replacing "pursuant to paragraph (1) or (2) of subsection (a)  
295 of Code Section 43-5-8," with "pursuant to Code Section 43-5-8," in paragraph (6).
- 296 (3) Code Section 33-23-12, relating to limited licenses regarding insurance agents, agencies,  
297 subagents, counselors, and adjusters, by replacing "60 days notice" with "60 days' notice" in  
298 subparagraph (d)(15)(A) and by replacing "15 days notice" with "15 days' notice" in  
299 subparagraph (d)(15)(C).
- 300 (4) Code Section 33-23-102, relating to bond and surety of applicant, liability insurance, and  
301 remained licenses regarding the insurance licencing of administrators, by replacing "liability  
302 on the bond shall be established" with "liability on the bond, shall be established" in  
303 subsection (a) and by replacing "or the license has been terminated." with "or otherwise  
304 terminated its license." in subsection (e).
- 305 (5) Code Section 33-24-27.2, relating to provisions for reimbursement for services within  
306 the lawful scope of practice of athletic trainers, by replacing "pursuant to paragraph (1) or (2)  
307 of subsection (a) of Code Section 43-5-8" with "pursuant to Code Section 43-5-8" twice in  
308 subsection (a).
- 309 (6) Code Section 33-27-2, relating to extensions of policy coverage to dependents of  
310 employees or members regarding group life insurance, by replacing "family members  
311 evidence of insurability" with "family members' evidence of insurability" in paragraph (1)  
312 of subsection (a).
- 313 (7) Code Section 33-29A-20, relating to definitions regarding the Commission on the  
314 Georgia Health Insurance Risk Pool, by replacing "federal Health Coverage Tax Credits."  
315 with "federal health coverage tax credits." in paragraph (8) of subsection (a).
- 316 (8) Code Section 33-29A-21, relating to creation, membership, duties, and functions of the  
317 Commission on the Georgia Health Insurance Risk Pool, by replacing "federal Health  
318 Coverage Tax Credits." with "federal health coverage tax credits." in subsection (a).
- 319 (9) Code Section 33-29A-22, relating to recommendations and reports and powers regarding  
320 the Commission on the Georgia Health Insurance Risk Pool, by replacing "individual market  
321 and premiums paid" with "individual market, and premiums paid" in paragraph (1) of  
322 subsection (a), by replacing "cost effective" with "cost-effective" in paragraph (3) of  
323 subsection (b), and by replacing "start up funds" with "start-up funds" and "federal Health  
324 Coverage Tax Credits." with "federal health coverage tax credits." in subsection (c).

325 (10) Code Section 33-31-9, relating to premiums and refunds and credits regarding credit  
 326 life insurance and credit accident and sickness insurance, by replacing "May 2, 2005 shall  
 327 provide" with "May 2, 2005, shall provide" in subsection (c.1).

328 (11) Code Section 33-34A-2, relating to definitions regarding vehicle protection product  
 329 warranties, by replacing "the Department of Insurance." with "the Insurance Department."  
 330 in paragraph (2).

331 (12) Code Section 33-36-3, relating to definitions regarding the Georgia Insurers Insolvency  
 332 Pool, by replacing "first party claim" with "first-party claim", "third party claim" with  
 333 "third-party claim", and "third party claims" with "third-party claims" in subparagraph (G)  
 334 of paragraph (4); by replacing "first party claims" with "first-party claims" in  
 335 subparagraph (H) of paragraph (4); and by replacing "any vendor, lessor, or any other party"  
 336 with "any vendor, any lessor, or any other party" in paragraph (7).

337 (13) Code Section 33-36-7.1, relating to a surcharge on premiums to recoup assessments,  
 338 disclosure to insureds, and excess surcharges, exception where the expense of collection  
 339 would exceed the amount of the surcharge regarding the Georgia Insurers Insolvency Pool,  
 340 by replacing "collectible" with "collectable" in subsection (c).

341 (14) Code Section 33-36-9, relating to coverage afforded by insolvent insurers to become  
 342 obligation pool and investigation and settlement of claims by pool, by replacing "first party  
 343 claim" with "first-party claim" and "third party claim" with "third-party claim".

344 (15) Code Section 33-36-11, relating to limitation for filing claims, claims filed after final  
 345 date set by the court, and default judgments, by replacing "(i)" with "(1)" and "(ii)" with "(2)"  
 346 in subsection (a).

347 (16) Code Section 33-51-2, relating to legislative intent regarding the Georgia Affordable  
 348 HSA Eligible High Deductible Health Plan, by replacing "preventative" with "preventive"  
 349 in paragraph (3).

350 (17) Code Section 33-60-3, relating to definitions regarding the "Small Business Employee  
 351 Choice of Benefits Health Insurance Plan Act," by replacing "pap smears," with "Pap  
 352 smears," in subparagraph (C) of paragraph (1).

### 353 **SECTION 34.**

354 Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations,  
 355 is amended in:

356 (1) Code Section 34-8-166, relating to interest on delinquent contribution payments relative  
 357 to employment security, by replacing "House Industrial Relations Committee" with "House  
 358 Committee on Industry and Labor" in subsection (c).

359 (2) Code Section 34-8-173, relating to release or subordination of property subject to lien  
 360 by the Commissioner of Labor and authority of the Commissioner to settle and compromise

361 payment of contributions, by replacing "House Industrial Relations Committee" with "House  
362 Committee on Industry and Labor" in subsection (c).

363 **SECTION 35.**

364 Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and  
365 agencies, is amended in:

366 (1) Code Section 35-3-163, relating to the dissemination of information in a data bank to law  
367 enforcement officials, comparison of profile, request for search, separate statistical data base  
368 authorized, and fee for search and comparative analysis, by replacing "comprised of DNA"  
369 with "composed of DNA" in subsection (e).

370 (2) Code Section 35-8-14, which is repealed, by designating said Code section as reserved.

371 **SECTION 36.**

372 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended  
373 in:

374 (1) Code Section 36-5-24, relating to definitions and compensation of members of county  
375 governing authorities, by replacing "for the county" with "of the county" in paragraph (2) of  
376 subsection (b).

377 (2) Code Section 36-44-3, relating to definitions relative to the "Redevelopment Powers  
378 Law," by replacing "U.S. Bureau of the Census" with "United States Bureau of the Census"  
379 in the introductory language of paragraph (7) and by replacing "duly-adopted amendment"  
380 with "duly adopted amendment" in paragraph (10).

381 **SECTION 37.**

382 Reserved.

383 **SECTION 38.**

384 Reserved.

385 **SECTION 39.**

386 Reserved.

387 **SECTION 40.**

388 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is  
389 amended in:

- 390 (1) Code Section 40-1-1, relating to definitions regarding general provisions relative to  
391 identification and regulation of motor vehicles and traffic, by replacing "Code Section  
392 46-7-85.1." with "Code Section 40-1-151." in paragraph (24.2).
- 393 (2) Code Section 40-1-57, relating to rules of the Public Service Commission, by replacing  
394 "under this Article" with "under this article".
- 395 (3) Code Section 40-1-100, relating to definitions regarding certification of motor carriers,  
396 by replacing "the Commissioner of the Department of Public Safety." with "the  
397 commissioner of public safety." in paragraph (3).
- 398 (4) Code Section 40-1-101, relating to regulatory compliance inspections, regulation of  
399 business, and requirements of motor carriers, by replacing "Title 34 of the Official Code of  
400 Georgia Annotated; and" with "Title 34; and" at the end of paragraph (3).
- 401 (5) Code Section 40-1-102, relating to certificate prerequisite to operation and minimum  
402 insurance requirement regarding motor carriers, by replacing "Commissioner of Revenue,"  
403 with "state revenue commissioner," in subsection (b).
- 404 (6) Code Section 40-1-104, relating to revocation, alteration, or amendment of certificate,  
405 suspension of certificate, and out-of-service orders, by replacing "the 'Georgia  
406 Administrative Procedures Act.'" with "the 'Georgia Administrative Procedure Act.'" in  
407 subsection (b).
- 408 (7) Code Section 40-1-129, relating to fines for violating certificate requirement and  
409 advertising services without a certificate regarding motor carriers, by replacing "Code section  
410 40-1-56." with "Code Section 40-1-56." in subsection (a).
- 411 (8) Code Section 40-1-151, relating to definitions regarding limousine carriers, by replacing  
412 "paragraph (5) below." with "paragraph (5) of this Code section." at the end of paragraph (2).
- 413 (9) Code Section 40-1-157, relating to the validity of limousine certificates, by replacing  
414 "cancelled" with "canceled".
- 415 (10) Code Section 40-2-8, relating to the operation of unregistered vehicle or vehicle without  
416 current license plate, revalidation decal, or county decal, storage of unlicensed vehicle,  
417 jurisdiction, display of temporary plate, revision and extension of temporary plate, and  
418 disposition of fines, by replacing "issued without charge or fee therefore." with "issued  
419 without charge or fee." in division (b)(2)(B)(i).
- 420 (11) Code Section 40-2-29, relating to registration and license plate requirement, license fee  
421 to accompany application, temporary operating permit, and penalties, by replacing "provided  
422 for in paragraph (1)" with "provided for in paragraph (.1)" in subsection (c).
- 423 (12) Code Section 40-2-60.1, relating to standardized administrative process for special  
424 license plates, legislative findings, rules and regulations, definitions, utilization of funds,  
425 designs, fees, application for special license plates, continued issuance of plates, and the  
426 transfer of plates, by replacing "benefitted" with "benefited" in subsection (d).

427 (13) Code Section 40-2-85.1, relating to special and distinctive license plates for veterans,  
428 by replacing "subsection (b) of this Code section" with "this subsection" in subparagraph  
429 (b)(2)(B) and by replacing "United States, or recipients" with "United States, recipients" in  
430 subsection (d).

431 (14) Code Section 40-2-86.1, relating to special license plates promoting certain beneficial  
432 projects and supporting certain worthy agencies, funds, or nonprofit corporations including  
433 plates to identify persons with diabetes, honor veterans of the armed services, and honor the  
434 Georgia Association of Realtors, by replacing "the Federal Communication Commission."  
435 with "the Federal Communications Commission." twice in paragraph (6) of subsection (1).

436 (15) Code Section 40-3-36, relating to cancellation of certificates of titles for scrap,  
437 dismantled, or demolished vehicles or trailers, salvage certificate of title, administrative  
438 enforcement, and removal of license plates, by replacing "worth \$850.00 or less, if the  
439 vehicle" with "worth \$850.00 or less if the vehicle" in paragraph (2) of subsection (a).

440 (16) Code Section 40-6-22, relating to pedestrian-control signals, by deleting the dashes in  
441 the internal catchlines of paragraphs (1) and (2).

442 (17) Code Section 40-6-248.1, relating to securing loads on vehicles, by replacing "Georgia  
443 Department of Public Safety, or Georgia Board of Public Safety" with "Department of Public  
444 Safety, or Board of Public Safety" in subsection (c).

445 **SECTION 41.**

446 Reserved.

447 **SECTION 42.**

448 Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, is amended  
449 in:

450 (1) Code Section 42-2-11, relating to the powers and duties of the Board of Corrections and  
451 adoption of rules and regulations, by replacing "House Committee on State Institutions and  
452 Property" with "House Committee on State Properties" in subparagraph (c)(2)(B).

453 (2) Code Section 42-5-50, relating to the transmittal of information on convicted persons,  
454 place of detention, payment for inmates not transferred to the custody of the department, and  
455 notice in the event of convicted person free on bond pending appeal, by replacing "this Code  
456 Section." with "this Code section." in paragraph (5) of subsection (a).

457 (3) Code Section 42-5-53, relating to establishment of county correctional institutions,  
458 supervision by department, quota of inmates, funding, and confinement and withdrawal of  
459 inmates, by replacing "State Institutions and Property Committee of the House of  
460 Representatives" with "House Committee on State Properties" in the introductory language  
461 of paragraph (3) of subsection (e).

462 **SECTION 43.**

463 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,  
464 is amended in:

465 (1) Code Section 43-1A-4, relating to the Occupational Regulation Review Council, by  
466 replacing "Comptroller General" with "comptroller general" in paragraph (1) of  
467 subsection (b).

468 (2) Code Section 43-10A-13, relating to requirements for licensure in marriage and family  
469 therapy, by replacing "Commission on Accreditation for Marriage and Family Therapy  
470 education," with "Commission on Accreditation for Marriage and Family Therapy  
471 Education," in subparagraph (a)(2)(C).

472 (3) Code Section 43-11-21.1, relating to general anesthesia regarding dentists, dental  
473 hygienists, and dental assistants, by deleting the comma after "successor agency" in  
474 subparagraph (b)(1)(A).

475 **SECTION 44.**

476 Title 44 of the Official Code of Georgia Annotated, relating to property, is amended in:

477 (1) Code Section 44-6-181, relating to application and determination of heirs property, by  
478 replacing "subpart 1 or 2 of this part, the court" with "Subpart 1 or 2 of this part, the court"  
479 in subsection (b).

480 (2) Code Section 44-13-100, relating to exemptions for purposes of bankruptcy and intestate  
481 insolvent estates, by replacing "laws of the United States similar benefits" with "laws of the  
482 United States, similar benefits" in subparagraph (a)(2.1)(C).

483 (3) Code Section 44-14-361.5, relating to liens of persons without privity of contract  
484 regarding mechanics and materialmen, by replacing "Notice of Commencement" with "notice  
485 of commencement" each time the term appears.

486 **SECTION 45.**

487 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,  
488 is amended in:

489 (1) Code Section 45-4-13, relating to approval, filing, and recording of official bonds of  
490 court clerks, magistrates, sheriffs, coroners, surveyors, treasurers, and tax collectors, by  
491 replacing "Comptroller General's" with "comptroller general's".

492 (2) Code Section 45-4-14, relating to time for filing official bonds, by replacing  
493 "Comptroller General," with "comptroller general,".

494 (3) Code Section 45-7-28.1, which is reserved, by repealing said Code section.

- 495 (4) Code Section 45-8-19, relating to jurisdiction to cite defaulting officers, depositories,  
496 sureties, for accounting and to issue execution, by replacing "Comptroller General." with  
497 "comptroller general." in paragraph (4).
- 498 (5) Code Section 45-9-80, which is repealed, by designating said Code section as reserved.
- 499 (6) Code Section 45-9-81, relating to definitions regarding the Georgia State Indemnification  
500 Fund for law enforcement officers, firemen, prison guards, and publicly employed  
501 emergency medical technicians, by replacing "Georgia Forestry Commission" with "State  
502 Forestry Commission" in subparagraph (B) of paragraph (5) and by replacing "commissioner  
503 of juvenile justice of the Department of Juvenile Justice" with "commissioner of juvenile  
504 justice" in paragraph (7).
- 505 (7) Code Section 45-9-101, relating to definitions regarding temporary disability  
506 compensation program, by replacing "the Georgia Forestry Commission" with "the State  
507 Forestry Commission" in subparagraph (C) of paragraph (3) and by replacing "the  
508 commissioner of juvenile justice of the Department of Juvenile Justice" with "the  
509 commissioner of juvenile justice" in paragraph (7).
- 510 (8) Code Section 45-12-21, relating to issuance of warrants for payments from the treasury,  
511 by replacing "Comptroller General." with "comptroller general."
- 512 (9) Code Section 45-12-72, relating to establishment of the Office of Planning and Budget  
513 and general provisions, by replacing "Comptroller General," with "comptroller general," in  
514 subsection (d).
- 515 (10) Code Section 45-12-75.1, relating to zero-base budgeting, intent, and departmental  
516 priority lists regarding management of budgetary and financial affairs under the Office of  
517 Planning and Budget, by replacing "The Governor's Office of Planning and Budget" with  
518 "the Office of Planning and Budget" three times and by replacing "entity" with "entities" in  
519 subsection (b).
- 520 (11) Code Section 45-13-20, relating to duties of the Secretary of State generally, by  
521 replacing "Comptroller General" with "comptroller general" in paragraph (14).
- 522 (12) Code Section 45-15-7, relating to discretion of Comptroller General as to requirement  
523 of services of Attorney General or of district attorneys, by replacing "Comptroller General"  
524 with "comptroller general".
- 525 (13) Code Section 45-18-51, relating to the creation of the Employee Benefit Plan Council,  
526 membership, terms of office, and vacancies, compensation and expense reimbursement,  
527 officers, executive secretary and staff support, meetings, adoption of procedures, and  
528 promulgation of rules and regulations, by replacing "vice-chairperson" with "vice  
529 chairperson" in subsection (c).
- 530 (14) Code Section 45-20-54, relating to disclosure of amounts or designations of authorized  
531 charitable deductions, and pressure, coercion, or intimidation of employee with reference to



532 deductions, by replacing "with rules and regulations" with "with the rules and regulations"  
533 in subsection (b).

534 (15) Code Section 45-23-8, relating to administrative procedures regarding a drug-free  
535 public work force, by replacing "Code Section 45-20-2 and" with "Code Section 45-20-2,  
536 and".

537 **SECTION 46.**

538 Title 46 of the Official Code of Georgia Annotated, relating to public utilities and public  
539 transportation, is amended in:

540 (1) Code Section 46-5-221, relating to definitions regarding the "Competitive Emerging  
541 Communications Technologies Act of 2006," by replacing "real time" with "real-time" in  
542 paragraph (2).

543 (2) Chapter 6, which is repealed, by designating said chapter as reserved.

544 **SECTION 47.**

545 Reserved.

546 **SECTION 48.**

547 Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is  
548 amended in:

549 (1) Code Section 48-2-18, relating to the State Board of Equalization and duties, by  
550 repealing subsection (g), which refers to an obsolete entity.

551 (2) Code Section 48-5-7.4, relating to bona fide conservation use property, residential  
552 transitional property, application procedures, penalties for breach of covenant, classification  
553 on tax digest, and annual report, by replacing "10 acres" with "ten acres" in paragraph (2) of  
554 subsection (b), by replacing "the Georgia Forestry Commission," with "the State Forestry  
555 Commission," in subsection (s), and by replacing "this Chapter." with "this chapter." in  
556 subsection (z).

557 (3) Code Section 48-5-7.6, relating to "Brownfield property" defined, related definitions,  
558 qualifying for preferential assessment, disqualification of property receiving preferential  
559 assessment, responsibilities of property owners, transfers of property, costs, appeals, penalty  
560 and creation of lien against property, and extension of preferential assessment of brownfield  
561 property under certain circumstances, by deleting "and" at the end of subparagraphs (a)(1)(A)  
562 and (a)(1)(B); by replacing "subsection (j) below." with "subsection (j) of this Code section."  
563 in subparagraph (a)(1)(D); by replacing "the 'Hazardous Sites Reuse and Redevelopment  
564 Act,'" with "the 'Georgia Hazardous Site Reuse and Redevelopment Act,'" in paragraph (3)  
565 of subsection (a), subparagraphs (a)(4)(A), (a)(4)(B), and (a)(4)(F), and subsection (j); by

566 replacing "subsection (e) below." with "subsection (e) of this Code section." in paragraph (7)  
 567 of subsection (a); by replacing "Code section 36-62-5.1 or" with "Code section 36-62-5.1,  
 568 or" in subparagraph (e)(1)(B); by deleting "or" at the end of subparagraph (e)(1)(C); by  
 569 replacing "subparagraph (C) of this subsection," with "subparagraph (C) of paragraph (1) of  
 570 this subsection," in paragraph (2) of subsection (e); by inserting "and" at the end of  
 571 subparagraph (f)(1)(D); by replacing "under this subsection" with "under this Code section"  
 572 in subsection (m); and by revising subsection (h) as follows:

573 "(h)(1) A qualified brownfield property may be subdivided into smaller parcels and  
 574 continue to receive preferential tax treatment if:

575 ~~(1)(A)~~ All of the requirements of subsection (g) ~~above~~ of this Code section are met;  
 576 and

577 ~~(2)(B)~~ The transferee and transferor agree and jointly submit to the local taxing  
 578 authority a sworn affidavit stating the eligible brownfield costs being transferred to the  
 579 subdivided property, to wit:

580 ~~(A)(i)~~ A transferor's report to the local taxing authority shall include:

581 ~~(i)(I)~~ The total certified eligible brownfield costs for the qualified brownfield  
 582 property;

583 ~~(ii)(II)~~ The tax savings realized to date;

584 ~~(iii)(III)~~ The eligible brownfield costs being transferred;

585 ~~(iv)(IV)~~ The number of years of preferential tax treatment pursuant to this Code  
 586 section has been received;

587 ~~(v)(V)~~ The eligible brownfield costs remaining; and

588 ~~(vi)(VI)~~ A request to establish the taxable base of the transferred property and  
 589 reestablish the taxable base for the retained property pursuant to paragraph ~~(3)~~  
 590 ~~below:~~ (2) of this subsection;

591 ~~(B)(ii)~~ Failure to file a sworn affidavit with one local taxing authority shall not affect  
 592 any sworn affidavit submitted to any other local taxing authority;

593 ~~(C)(iii)~~ A transferee's first report to the local taxing authority shall include:

594 ~~(i)(I)~~ A statement of the amount of the transferred eligible brownfield costs;

595 ~~(ii)(II)~~ The number of years of preferential tax treatment the property received prior  
 596 to transfer (carry over from transferor); and

597 ~~(iii)(III)~~ A request to establish a taxable base for the property pursuant to paragraph  
 598 ~~(3) below:~~ (2) of this subsection; and

599 ~~(D)(iv)~~ Subsequent reports made by a transferee shall include the same information  
 600 provided by property owners in paragraph (1) of subsection (f) of this Code section.

601 ~~(3)(2)~~ The taxable base for the subdivided property shall be established by the local  
 602 taxing authority based on the ratio of acres purchased to total acres at the time of the

603 establishment of the taxable base for the entire qualified brownfield property. ~~Such Said~~  
 604 ratio shall be applied to the taxable base as recorded in the county tax digest at the time  
 605 the application was received by the Environmental Protection Division for participation  
 606 in the Georgia Hazardous Site Reuse and Redevelopment Program. The taxable base on  
 607 the retained qualified brownfield property shall be decreased by the amount of taxable  
 608 base assigned to the subdivided portion of the property.

609 ~~(4)(3)~~ The subdivision of property shall not restart, reset, or otherwise lengthen the  
 610 period of preferential tax treatment pursuant to this Code section."

611 (4) Code Section 48-5-100.1, which is reserved, by designating said Code section as  
 612 repealed.

613 (5) Code Section 48-5C-1, relating to definitions, exemption from taxation, allocation and  
 614 disbursement of proceeds collected by tag agents, fair market value of vehicle appealable,  
 615 and report regarding the fair market value of motor vehicles, by replacing "paragraph (92)"  
 616 with "paragraph (95)" in subparagraph (b)(1)(A), by replacing "10 days" with "ten days" in  
 617 subparagraph (b)(1)(E), and by replacing "of Title 48" with "of this title" each time the term  
 618 appears throughout said Code section.

619 (6) Code Section 48-7-6, relating to license or registration extensions for National Guard  
 620 members and reservists on active duty, by replacing "national guard" with "National Guard"  
 621 in subsections (a) and (b).

622 (7) Code Section 48-7-27, relating to the computation of taxable net income, by replacing  
 623 the period with a semicolon at the end of subparagraph (a)(12)(B) and at the end of  
 624 division (a)(12.1)(B)(iv).

625 (8) Code Section 48-7-28.4, relating to adjustments to taxes, disallowing expenses paid to  
 626 certain real estate investment trusts, and procedures, conditions, and limitations, by revising  
 627 paragraphs (1) and (2) of subsection (a), subsection (c), and subparagraph (e)(1)(A) as  
 628 follows:

629 "(1) 'Association taxable as a corporation', ~~for purposes of paragraph (2) of this subsection,~~  
 630 does not include:

631 (A) A real estate investment trust ~~as defined in this Code section,~~ other than a 'captive  
 632 real estate investment trust';

633 (B) Any qualified real estate investment trust subsidiary under Section 856(i) of the  
 634 Internal Revenue Code of 1986, as amended, other than a qualified REIT subsidiary of  
 635 a 'captive real estate investment trust';

636 (C) Any Listed Australian Property Trust, meaning an Australian unit trust registered  
 637 as a 'Managed Investment Scheme' under the Australian Corporations Act in which the  
 638 principal class of units is listed on a recognized stock exchange in Australia and is  
 639 regularly traded on an established securities market, or an entity organized as a trust,

640 provided that a Listed Australian Property Trust owns or controls, directly or indirectly,  
641 75 percent or more of the voting power or value of the beneficial interests or shares of  
642 such trust; or

643 (D) Any qualified foreign entity, meaning a corporation, trust, association or  
644 partnership organized outside the laws of the United States and which satisfies the  
645 following criteria:

646 (i) At least 75 percent of the entity's total asset value at the close of its taxable year  
647 is represented by real estate assets, as defined at Section 856(c)(5)(B) of the Internal  
648 Revenue Code of 1986, as amended, thereby including shares or certificates of  
649 beneficial interest in any real estate investment trust, cash and cash equivalents, and  
650 ~~U.S. Government~~ United States government securities;

651 (ii) The entity is not subject to tax on amounts distributed to its beneficial owners,  
652 or is exempt from entity-level taxation;

653 (iii) The entity distributes at least 85 percent of its taxable income, as computed in  
654 the jurisdiction in which it is organized, to the holders of its shares or certificates of  
655 beneficial interest on an annual basis;

656 (iv) Not more than 10 percent of the voting power or value in such entity is held  
657 directly or indirectly or constructively by a single entity or individual, or the shares  
658 or beneficial interests of such entity are regularly traded on an established securities  
659 market; and

660 (v) The entity is organized in a country which has a tax treaty with the United  
661 States.

662 (2) 'Captive real estate investment trust' means any real estate investment trust the shares  
663 or beneficial interests of which are not regularly traded on an established securities  
664 market; and more than 50 percent of the voting power or value of the shares or beneficial  
665 interests ~~or shares~~ of which are owned or controlled, directly or indirectly; or  
666 constructively, by a single entity that is:

667 (A) Treated as an association taxable as a corporation under the Internal Revenue Code  
668 of 1986, as amended; and

669 (B) Not exempt from federal income tax pursuant to the provisions of Section 501(a)  
670 of the Internal Revenue Code of 1986, as amended."

671 "(c) The amount of the adjustment required by subsection (b) of this Code section shall be  
672 reduced, but not below zero, to the extent the corresponding expenses and costs received  
673 as income by the captive real estate investment trust are reduced by expenses paid, accrued,  
674 or incurred to persons that are not related members, and such expenses shall be allowed in  
675 computing the captive real estate investment trust's federal taxable income."

676 "(A) 'Allocated or apportioned, or both' ~~does not mean the amount of income that is~~  
 677 ~~subject to allocation or apportionment, or both. Rather it means the amount of income~~  
 678 ~~that is arrived at after applying the allocation and apportionment rules of a state as~~  
 679 ~~defined in subparagraph (B) of this paragraph.~~ A tax or the portion of a tax, which is  
 680 or would be imposed regardless of the amount of the income, shall not be considered  
 681 to be a tax on or measured by the income of the captive real estate investment trust.  
 682 The term shall not mean the amount of income that is subject to allocation or  
 683 apportionment, or both."

684 (9) Code Section 48-7-29.12, relating to tax credit for qualified donation of real property,  
 685 carryover of credit, appraisals, transfer of credit, and penalty, by replacing "Code Section  
 686 48-7-20 or Code Section 48-7-21" with "Code Section 48-7-20 or 48-7-21" in paragraph (1)  
 687 of subsection (b).

688 (10) Code Section 48-7-29.14, relating to income tax credit for clean energy property, by  
 689 replacing "Georgia Forestry Commission" with "State Forestry Commission" twice in  
 690 paragraph (2) of subsection (b) and by replacing "single family residential" with  
 691 "single-family residential" in the introductory language of subparagraphs (b)(5)(A)  
 692 and (b)(5)(B).

693 (11) Code Section 48-7-38, relating to deduction for payments to minority subcontractors  
 694 and certification as a minority business enterprise regarding income tax imposition, rate, and  
 695 computation and exemptions, by replacing "minority contractor" with "minority  
 696 subcontractor" in paragraph (3) of subsection (b).

697 (12) Code Section 48-7-40.1, relating to tax credits for business enterprises in less developed  
 698 areas, by replacing "the areas which are comprised of" with "the areas composed of" in the  
 699 introductory language of subsection (b) and by replacing "area comprised of" with "area  
 700 composed of" in paragraphs (1), (2), and (3) of subsection (c).

701 (13) Code Section 48-7-40.15A, relating to additional job tax credit based on increase in port  
 702 traffic and conditions and limitations, by replacing "tier two or tier three county" with "tier  
 703 2 or tier 3 county" in paragraph (2) of subsection (a), by replacing "8 retail stores" with "eight  
 704 retail stores" in subparagraph (a)(2)(C), by replacing "Code Sections 48-7-40 and 48-7-40.2  
 705 or 48-7-40.7" with "Code Sections 48-7-40 and 48-7-40.2 or Code Section 48-7-40.7" in the  
 706 introductory paragraph of paragraph (2) of subsection (d), and by replacing "was  
 707 determined;" with "were determined;" in subparagraph (d)(2)(A).

708 (14) Code Section 48-7-40.21, relating to tax credits for existing business enterprises  
 709 undergoing qualified business expansion, recapture, and application of credit, by replacing  
 710 "516, Internet publishing and broadcasting;" with "519, Internet publishing and  
 711 broadcasting;" in paragraph (1) of subsection (a).

712 (15) Code Section 48-7-40.22, relating to credit to business enterprises for leased motor  
713 vehicles, daily ridership, and implementation, by replacing "516, Internet publishing and  
714 broadcasting;" with "519, Internet publishing and broadcasting;" in paragraph (1) of  
715 subsection (a).

716 (16) Code Section 48-7-40.24, relating to the conditions for taking a job tax credit by  
717 business enterprises and calculating credit, by replacing "this Code Section," with "this Code  
718 section," in subsection (n).

719 (17) Code Section 48-7-40.26, relating to tax credit for film, video, or digital production in  
720 state, by replacing "Article 5 of Chapter 7 and the commissioner" with "Article 5 of  
721 Chapter 7 of this title and the commissioner" in the last sentence of paragraph (5) of  
722 subsection (b) and by replacing "evaluated by the Georgia Department of Economic  
723 Development" with "evaluated by the Department of Economic Development" in  
724 subparagraph (c)(2)(A).

725 (18) Code Section 48-7-40.29, relating to income tax credits for certain qualified equipment  
726 that reduces business or domestic energy or water usage, by replacing "commissioner of  
727 natural resources, may take" with "commissioner of natural resources may take" in  
728 subsection (b) and by replacing "under this Code section." with "under this Code section;"  
729 at the end of paragraph (1) of subsection (d).

730 (19) Code Section 48-7-40.30, relating to an income tax credit for certain qualified  
731 investments for a limited period of time, by replacing "benefitted" with "benefited" in  
732 subparagraph (b)(6)(C) and by replacing "to engage as one of its primary purposes such  
733 activity." with "to engage in such activity as one of its primary purposes." in the  
734 undesignated text at the end of paragraph (6).

735 (20) Code Section 48-8-2, relating to definitions relative to state sales and use tax, by  
736 replacing "'Alcoholic Beverages'" with "'Alcoholic beverages'" in paragraph (1); by  
737 redesignating current paragraph (26) as new paragraph (28.1) and reserving the  
738 paragraph (26) designation so as to put definitions in alphabetical order; by replacing "form,  
739 code or protocol of the content for purposes of transmission, conveyance or routing" with  
740 "form, code, or protocol of the content for purposes of transmission, conveyance, or routing"  
741 in the introductory language of paragraph (39); by replacing "transmission, conveyance and  
742 routing" with "transmission, conveyance, and routing", "47 USC 522(6)" with "47 U.S.C.  
743 Section 522(6)", and "47 CFR 20.3;" with "47 C.F.R. Section 20.3;" in subparagraph (G) of  
744 paragraph (39); by deleting the quotation marks around "telecommunications service" in  
745 paragraph (5), "dealer" in subparagraph (N) of paragraph (8), "food and food ingredients,",  
746 "dietary supplements,", and "alcoholic beverages" in paragraph (14), "mobility enhancing  
747 equipment," in paragraph (15), "durable medical equipment," in paragraph (20),  
748 "telecommunications services," in paragraph (22), "telecommunications service", "mobile

749 wireless service", "delivered electronically," and "ancillary services," in paragraph (25), and  
 750 "telecommunications service" in paragraph (38); and by revising paragraphs (2) and (3) as  
 751 follows:

752 "(2) 'Ancillary services' means services that are associated with or incidental to the  
 753 provision of 'telecommunications services,' including but not limited to 'detailed  
 754 telecommunications billing service,' 'directory assistance,' 'vertical service,' and 'voice  
 755 mail services.'

756 (3)(A) 'Bundled transaction' means the retail sale of two or more products, except real  
 757 property and services to real property, where the products are otherwise distinct and  
 758 identifiable and the products are sold for one nonitemized price. A 'bundled transaction'  
 759 does not include the sale of any products in which the 'sales price' varies, or is  
 760 negotiable, based on the selection by the purchaser of the products included in the  
 761 transaction.

762 ~~(A)~~(B) As used in this paragraph, the term 'distinct and identifiable products' ~~Distinct~~  
 763 ~~and identifiable products'~~ shall not include:

764 (i) Packaging such as containers, boxes, sacks, bags, and bottles or other materials  
 765 such as wrapping, labels, tags, and instruction guides, that accompanies the 'retail sale'  
 766 of the products and are incidental or immaterial to the 'retail sale' thereof. Examples  
 767 of packaging that are incidental or immaterial include grocery sacks, shoe boxes, dry  
 768 cleaning garment bags, and express delivery envelopes and boxes;

769 (ii) A product provided free of charge with the required purchase of another product.  
 770 A product is 'provided free of charge' if the 'sales price' of the product purchased does  
 771 not vary depending on the inclusion of the product 'provided free of charge'; or

772 (iii) Items included in the 'sales price.'

773 ~~(B)~~(C) As used in this paragraph, the ~~The~~ term 'one nonitemized price' shall not include  
 774 a price that is separately identified by product on binding sales or other supporting sales  
 775 related documentation made available to the customer in paper or electronic form  
 776 including, but not limited to, an invoice, bill of sale, receipt, contract, service  
 777 agreement, lease agreement, periodic notice of rates and services, rate card, or price list.

778 ~~(C)~~(D) A transaction that otherwise meets the definition of a 'bundled transaction' as  
 779 defined above, is not as provided under this paragraph shall not be a 'bundled  
 780 transaction' if it such transaction is:

781 (i) The 'retail sale' of tangible personal property and a service where the tangible  
 782 personal property is essential to the use of the service, ~~and~~ is provided exclusively in  
 783 connection with the service, and the true object of the transaction is the service;

784 (ii) The 'retail sale' of services where one service is provided that is essential to the  
 785 use or receipt of a second service, ~~and~~ the first service is provided exclusively in

786 connection with the second service, and the true object of the transaction is the second  
787 service;

788 (iii)(I) A transaction that includes taxable products and nontaxable products and the  
789 'purchase price' or 'sales price' of the taxable products is de minimis. As used in this  
790 subparagraph, the term; 'de minimis' means the seller's 'purchase price' or 'sales  
791 price' of the taxable product is 10 percent or less of the total 'purchase price' or 'sales  
792 price' of the bundled products.

793 (II) Sellers shall use either the 'purchase price' or the 'sales price' of the products to  
794 determine if the taxable products are de minimis. Sellers may not use a combination  
795 of the 'purchase price' and 'sales price' of the products to determine if the taxable  
796 products are de minimis.

797 (III) Sellers shall use the full term of a service contract to determine if the taxable  
798 products are de minimis; or

799 (iv) The 'retail sale' of exempt tangible personal property and taxable tangible  
800 personal property where:

801 (I) The transaction includes 'food and food ingredients,' 'drugs,' 'durable medical  
802 equipment,' 'mobility enhancing equipment,' 'over-the-counter drugs,' or 'prosthetic  
803 devices'; and

804 (II) The seller's 'purchase price' or 'sales price' of the taxable tangible personal  
805 property is 50 percent or less of the total 'purchase price' or 'sales price' of the  
806 bundled tangible personal property. Sellers may not use a combination of the  
807 'purchase price' and 'sales price' of the tangible personal property when making the  
808 50 percent determination for a transaction."

809 (21) Code Section 48-8-3, relating to exemptions regarding sales and use tax, by replacing  
810 "Act of 1965; by or pursuant to" with "Act of 1965; or by or pursuant to" in  
811 division (57)(D)(ii), by replacing "which are used" with "which is used" in subparagraph (A)  
812 of paragraph (57.2) and subparagraph (A) of paragraph (57.3), by replacing "May 5, 2004  
813 until" with "May 5, 2004, until" in subparagraph (A) of paragraph (78), by replacing "May  
814 17, 2004 until" with "May 17, 2004, until" in subparagraph (A) of paragraph (80), and by  
815 designating currently repealed paragraph (85) as reserved.

816 (22) Code Section 48-8-30, relating to imposition of tax, rate, and collection regarding state  
817 sales and use tax, by replacing "is a dealer, as defined in Code Section 48-8-2 and" with "is  
818 a dealer, as defined in Code Section 48-8-2, and" in paragraph (1) of subsection (c.1) and  
819 twice in paragraph (1) of subsection (e.1).

820 (23) Code Section 48-8-69, relating to purchases from printed catalogs and local jurisdiction  
821 boundary changes in regard to the imposition, rate, collection, and assessment of state sales



822 and use tax, by replacing "catalogs" with "catalogues" and "catalog" with "catalogue" in  
823 subsection (a).

824 (24) Code Section 48-8-70, relating to determination of ZIP Code designation applicable to  
825 particular purchases and rebuttable presumption of seller's due diligence, by replacing "ZIP  
826 code" with "ZIP Code" each time the term appears and by replacing "nine digit" with  
827 "nine-digit".

828 (25) Code Section 48-8-72, relating to over-collected state sales or use tax, by replacing  
829 "business practice, if in the" with "business practice if, in the" in subsection (b).

830 (26) Code Section 48-8-77, relating to sourcing, definitions, sales of "advertising and  
831 promotional direct mail" and "other direct mail" and sales of telecommunication service, by  
832 deleting the quotation marks around "advertising and promotional direct mail" each time the  
833 term appears in subsection (d) except in subparagraph (d)(3)(A); by deleting the quotation  
834 marks around "direct mail" each time the term appears in subsection (d); by deleting the  
835 quotation marks around "other direct mail" each time the term appears in subsection (d)  
836 except in subparagraph (d)(3)(B); by replacing "obligations to collect, pay or remit any tax  
837 on any transaction involving 'other direct mail' to which the permit, certificate, or statement  
838 apply." with "obligations to collect, pay, or remit any tax on any transaction involving other  
839 direct mail to which the permit, certificate, or statement applies." in subparagraph (d)(2)(C);  
840 by replacing "a product transferred electronically or a service." with "a product transferred  
841 electronically, or a service." in division (d)(3)(A)(ii); by deleting the quotation marks around  
842 "bundled transaction" in subparagraph (d)(4)(B); by replacing the comma with a semicolon  
843 at the end of division (d)(4)(C)(i); by replacing "telecommunication services" and  
844 "telecommunication service" with "telecommunications service" each time the terms appear  
845 in subsection (e); by replacing "call-by-call basis, is sourced" with "call-by-call basis shall  
846 be sourced" in paragraph (2) of subsection (e); and by replacing "of this Code Section" with  
847 "of this Code section" in paragraph (3) of subsection (e).

848 (27) Code Section 48-8-89.1, relating to the procedure for certifying additional qualified  
849 municipalities, issuance of new distribution certificate, and cessation of authority to collect  
850 tax ceases upon failure to file new certificate, by replacing "district is located each" with  
851 "district is located, each" in the introductory language of paragraph (4) of subsection (f).

852 (28) Code Section 48-8-90, relating to crediting of tax paid by purchaser in another tax  
853 jurisdiction, payment of difference between lesser similar tax payment and tax imposed by  
854 article, proof of payment, and limitation on credit, by replacing "coterminous" with  
855 "conterminous" in the last sentence.

856 (29) Code Section 48-8-111.1, relating to application of article to consolidated government  
857 regarding county special purpose local option sales tax, by replacing "this article" with "this  
858 part" in subsections (a), (b), and (d).

859 (30) Code Section 48-8-113, relating to administration and collection by state revenue  
860 commissioner, application, and deduction to dealers, by replacing "this article" with "this  
861 part".

862 (31) Code Section 48-8-114, relating to sales tax return requirements regarding county  
863 special purpose local option sales tax, by replacing "this article" with "this part" each time  
864 the term appears.

865 (32) Code Section 48-8-116, relating to tax credits regarding county special purpose local  
866 option sales tax, by replacing "this article" with "this part" each time the term appears.

867 (33) Code Section 48-8-117, relating to inapplicability of tax to certain sales of tangible  
868 personal property outside taxing county, by replacing "this article" with "this part" each time  
869 the term appears.

870 (34) Code Section 48-8-118, relating to the definition of building and construction materials  
871 and inapplicability of tax to certain sales or uses of building and construction materials, by  
872 replacing "this article" with "this part" in subsection (b).

873 (35) Code Section 48-8-119, relating promulgation of rules and regulations by the state  
874 revenue commissioner, by replacing "this article." with "this part."

875 (36) Code Section 48-8-161, relating to definitions relative to the "Uniform Sales and Use  
876 Tax Administration Act," by replacing "seller registered" with "a seller registered" and "five  
877 hundred million dollars," with "\$500 million," in paragraph (7) and by revising paragraph (8)  
878 as follows:

879 "(8) 'Model 4 seller' means a seller that is not a 'Model 1 seller', a 'Model 2 seller', or a  
880 'Model 3 seller.'"

881 (37) Code Section 48-8-241, relating to the creation of special districts and tax rates  
882 regarding special district transportation sales and use tax, by replacing "coterminous" with  
883 "conterminous" in subsection (a).

884 (38) Code Section 48-8-249, relating to the use of proceeds within special district  
885 exclusively for projects on approved investment list and contracts, by replacing  
886 "coterminous" with "conterminous" in subsection (e).

887 (39) Code Section 48-9-10.1, relating to refunds of sales and use taxes to credit card issuers,  
888 by replacing "under Chapter 8 of Title 48," with "under Chapter 8 of this title," in  
889 subsection (a), by deleting the quotation marks around "motor fuel" and "highway use" and  
890 by replacing "tax-exempt entity," with "tax-exempt entity" in subsection (b), and by replacing  
891 "registered with Internal Revenue Service" with "registered with the Internal Revenue  
892 Service", "tax-exempt entity who" with "tax-exempt entity that", and "dealer to the  
893 allowance" with "dealer for the allowance" in subsection (c).

894 (40) Code Section 48-11-4, relating to licensing of persons engaged in tobacco business,  
895 initial and annual fees, suspension and revocation, registration and inspection of vending

896 machines, bond by distributor, jurisdiction, and licensing of promotional activities, by  
 897 replacing "or distributor's or dealer's license" with "distributor's, or dealer's license" in the  
 898 first sentence of subsection (c), by designating the introductory language of subsection (c)  
 899 as paragraph (1) of subsection (c), and by redesignating current paragraphs (1) through (3)  
 900 as new paragraphs (2) through (4) of subsection (c), respectively.

901 (41) Code Section 48-13-16, relating to excluded businesses or practitioners and other laws  
 902 on occupation taxes or registration fees of local governments not repealed, by deleting  
 903 "Georgia" twice in paragraph (1) of subsection (a).

904 (42) Code Section 48-13-51, relating to county and municipal levies on public  
 905 accommodations charges for promotion of tourism, conventions, and trade shows, by  
 906 replacing "this paragraph (3)", "this paragraph (3.1)", "this paragraph (3.2)", "this  
 907 paragraph (3.3)", "this paragraph (3.5)", "this paragraph (4)", "this paragraph (4.1)", "this  
 908 paragraph (4.2)", "this paragraph (4.3)", "this paragraph (4.4)", "this paragraph (4.5)", "this  
 909 paragraph (4.6)", "this paragraph (5)", and "this paragraph (5.1)" with "this paragraph" each  
 910 time those terms appear in subsection (a) and by replacing "this subsection (a)" with "this  
 911 subsection" in subparagraph (a)(5)(B).

912 (43) Code Section 48-17-1, relating to definitions regarding coin operated amusement  
 913 machines, by replacing "subparagraphs (A), (B), (C), and (D) of paragraph (d)(1) of Code  
 914 Section 16-12-35" with "subparagraphs (d)(1)(A) through (d)(1)(D) of Code Section  
 915 16-12-35" in paragraph (7.1) and by redesignating current paragraph (8) as new paragraph (9)  
 916 and by redesignating current paragraph (9) as new paragraph (8), arranging said paragraphs  
 917 in alphabetical order.

918 (44) Code Section 48-17-4, relating to the refusal to issue or renew license, revocation or  
 919 suspension, and hearing regarding coin operated amusement machines, by replacing "A  
 920 licensee or applicant that allows" with "A licensee or applicant allows" in the introductory  
 921 language of paragraph (4) of subsection (c).

922 **SECTION 49.**

923 Title 49 of the Official Code of Georgia Annotated, relating to social services, is amended  
 924 in:

925 (1) Code Section 49-4-152.2, relating to rebates for sole-source and multiple-source drugs  
 926 included in the Controlled Medical Assistance Drug List, by replacing "coterminous" with  
 927 "conterminous" in subsection (b).

928 (2) Code Section 49-4-168, relating to definitions regarding the "State False Medicaid  
 929 Claims Act," by replacing "requires no proof" with "require no proof" and "means that a  
 930 person" with "mean that a person" in the introductory language of paragraph (2).

931 (3) Code Section 49-4-168.2, relating to the role of the Attorney General in pursuing cases,  
932 civil actions by private persons, special procedures for civil actions by private persons,  
933 limitation on participation by private person, stay of discovery, and receipt of proceeds from  
934 civil judgment by private person and Indigent Care Trust Fund, by replacing "the Georgia  
935 Department of Community Health," with "the Department of Community Health," in  
936 paragraphs (1) and (2) of subsection (i).

937 (4) Code Section 49-4A-8, relating to commitment of delinquent or unruly children,  
938 procedure, cost, return of mentally ill or retarded children, escapees, discharge, evidence of  
939 commitment, records, and restitution, by replacing "Records as may be maintained" with  
940 "Records maintained" in paragraph (2) of subsection (d), by replacing "As long as a good  
941 faith attempt" with "So long as a good faith attempt" in paragraphs (2) and (4) of  
942 subsection (e.1), and by replacing "to serve criminal process, upon a written request" with  
943 "to serve criminal process upon a written request" and "the written request mentioned above  
944 must" with "such written request must" in paragraph (1) of subsection (i).

945 (5) Code Section 49-5-1, relating to the "Children and Youth Act," by replacing "The short  
946 title of this article shall be the 'Children and Youth Act.'" with "This article shall be known  
947 and may be cited as the 'Children and Youth Act.'"

948 (6) Code Section 49-5-60, relating to definitions regarding employees' records checks for  
949 day-care centers, by replacing "relating to criminal attempt when the crime" with "relating  
950 to criminal attempt, when the crime" in paragraph (3).

951 (7) Code Section 49-5-110, relating to definitions regarding records checks for persons  
952 supervising children, by replacing "relating to criminal attempt as it concerns" with "relating  
953 to criminal attempt, as it concerns" in paragraph (2).

954 (8) Code Section 49-5-130, relating to legislative findings and intent regarding the  
955 Governor's Office for Children and Families, by replacing "preventative" with "preventive"  
956 in paragraph (3).

957 (9) Code Section 49-5-132, relating to the establishment of the Governor's Office for  
958 Children and Families, funding, and duties and responsibilities, by replacing "Governor's  
959 Office of Planning and Budget" with "Office of Planning and Budget" in subsection (a).

960 (10) Code Section 49-6-62, relating to the establishment of community care unit, provision  
961 of services, annual service plan, implementation plan, annual progress report, fees and  
962 contributions, and funding regarding community care and services for the elderly, by  
963 replacing "House Health and Human Services Committee," with "House Committee on  
964 Health and Human Services," in subsection (g).

965 (11) Code Section 49-6-72, relating to definitions regarding the "Georgia Family Caregiver  
966 Support Act," by replacing "a person 18 years or older" with "a person 18 years of age or  
967 older" in paragraph (1).

968 (12) Code Section 49-9-4, relating to the creation of the Georgia Vocational Rehabilitation  
 969 Agency and function, by replacing "public or private source, shall" with "public or private  
 970 source shall" in subsection (d) and by replacing "transferred employees, the compensation"  
 971 with "transferred employees; the compensation" in subsection (g).

972 (13) Code Section 49-9-5, relating to provision of services to persons with disabilities, by  
 973 replacing "under the Randolph-Sheppard Act (20 U.S. Code, Section 107b)(49 Stat. 1559)"  
 974 with "under the Randolph-Sheppard Act, 20 U.S.C. Section 107(b)," in subparagraph (C) of  
 975 paragraph (4).

976 **SECTION 50.**

977 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended  
 978 in:

979 (1) Code Section 50-5-58, relating to cases where purchases through the Department of  
 980 Administrative Services not mandatory, by replacing "of this clause" with "of this paragraph"  
 981 in paragraph (2) of subsection (a) and by replacing "to report same" with "to report the same"  
 982 in subsection (b).

983 (2) Code Section 50-5-133, relating to fraud in certification process, penalty, and effect of  
 984 multiple violations regarding minority business enterprise development, by replacing "obtain  
 985 or retain, certification" with "obtain or retain certification" in paragraph (1) of subsection (a)  
 986 and by replacing "attempting to obtain, public moneys" with "attempting to obtain public  
 987 moneys" in paragraph (4) of subsection (a).

988 (3) Code Section 50-5-135, relating to the creation of the State Use Council, membership,  
 989 terms, appointments, compensation, and existence, by replacing "the eleven members" with  
 990 "the 11 members" in subsection (b).

991 (4) Code Section 50-5-136, relating to the powers and authority of the State Use Council,  
 992 by replacing "in all cases, however, they" with "in all cases; however, they" in paragraph (1)  
 993 of subsection (b).

994 (5) Code Section 50-5A-7, relating to duties of the Office of the State Treasurer generally  
 995 and investments through the treasurer, by replacing "Comptroller General" with "comptroller  
 996 general" and "Comptroller General's" with "comptroller general's" in paragraph (1) of  
 997 subsection (a).

998 (6) Code Section 50-5B-20, relating to the office of the Comptroller General and duties, by  
 999 replacing "Comptroller General" with "comptroller general" each time the term appears.

1000 (7) Code Section 50-5B-21, relating to the deputy comptroller general, by replacing  
 1001 "Comptroller General" with "comptroller general" each time the term appears.

1002 (8) Code Section 50-5B-22, relating to a bound book detailing annual appropriations, by  
 1003 replacing "Comptroller General" with "comptroller general".

- 1004 (9) Code Section 50-5B-23, relating to annual reporting by the Comptroller General, by  
1005 replacing "Comptroller General" with "comptroller general".
- 1006 (10) Code Section 50-5B-24, relating to the official seal of the Comptroller General, by  
1007 replacing "Comptroller General" with "comptroller general".
- 1008 (11) Code Section 50-6-20, relating to the state auditor's salary, expenses, duties, and bond,  
1009 by replacing "Comptroller General," with "comptroller general,".
- 1010 (12) Code Section 50-13-4, relating to procedural requirements for adoption, amendment,  
1011 or repeal of rules, emergency rules, limitation on action to contest rule, and legislative  
1012 override, by replacing "House Committee on Industrial Relations" with "House Committee  
1013 on Industry and Labor" in subsection (h).
- 1014 (13) Code Section 50-13A-16, relating to small claims division established, jurisdiction,  
1015 representation, hearings, and finality of decisions regarding tax tribunals, by replacing  
1016 "pursuant to the Code Section 50-13A-9," with "pursuant to Code Section 50-13A-9," in  
1017 subsection (c).
- 1018 (14) Code Section 50-16-3.1, relating to state authorities prohibited from selling real  
1019 property and exceptions, by deleting paragraph (1) which has an obsolete reference to "The  
1020 Georgia Building Authority (Hospital) provided for in Article 2 of Chapter 7 of Title 31;"  
1021 and by redesignating current paragraphs (2) and (3) as new paragraphs (1) and (2),  
1022 respectively, in subsection (a).
- 1023 (15) Code Section 50-16-34, relating to powers and duties of the State Properties  
1024 Commission generally, by replacing "State Institutions and Property Committee of the  
1025 House" with "House Committee on State Properties" in division (12)(B)(v).
- 1026 (16) Code Section 50-16-41, relating to rental agreements without competitive bidding,  
1027 limitations, managing administrative space of state agencies, utilization of administrative  
1028 space, reassignment of administrative space, and rules and regulations, by replacing "House  
1029 Committee on State Institutions and Property" with "House Committee on State Properties"  
1030 in subsection (j).
- 1031 (17) Code Section 50-17-21, relating to definitions regarding state financing and investment,  
1032 by deleting obsolete reference "Georgia Building Authority (Hospital)," in paragraph (9).
- 1033 (18) Code Section 50-18-71, relating to the right of access, timing, fees, denial of requests,  
1034 and impact of electronic records regarding inspection of public records, by replacing  
1035 "pursuant to this paragraph" with "pursuant to this subsection" in subsection (d).
- 1036 (19) Code Section 50-18-72, relating to when public disclosure is not required regarding  
1037 inspection of public records, by replacing "information of a proprietary nature, produced or  
1038 collected" with "information of a proprietary nature produced or collected" in paragraph (35)  
1039 of subsection (a).

1040 (20) Code Section 50-20-2, relating to definitions relative to nonprofit contractors, by  
1041 replacing "Comptroller General" with "comptroller general" in paragraph (4).

1042 (21) Chapter 28, which is repealed, by designating said chapter as reserved.

1043 (22) Code Section 50-32-4, relating to membership, terms, appointment, expenses, removal,  
1044 applicability of Chapter 10 of Title 45, meetings, voting, and assignment regarding the  
1045 Georgia Regional Transportation Authority, by replacing "Governor of the State of Georgia"  
1046 with "Governor" and "to the contrary notwithstanding; except" with "to the contrary  
1047 notwithstanding, except" in subsection (a) and by replacing "as prescribed in the bylaws, and  
1048 such notice" with "as prescribed in the bylaws and such notice" in subsection (f).

1049 (23) Code Section 50-32-11, relating to powers of the Georgia Regional Transportation  
1050 Authority generally, by replacing "of the authority and such state agencies" with "of the  
1051 authority, and such state agencies" in paragraph (21) of subsection (a), by replacing "joint  
1052 agencies thereof and such state agencies," with "joint agencies thereof, and such state  
1053 agencies" and "act in conjunction, and to enter" with "act in conjunction and to enter" in  
1054 paragraph (26), and by replacing "metropolitan planning organization, and is in compliance"  
1055 with "metropolitan planning organization and is in compliance" in paragraph (38) of  
1056 subsection (a).

1057 (24) Code Section 50-32-15, relating to the issuance of bonds regarding jurisdiction of the  
1058 Georgia Regional Transportation Authority, by replacing "State Toll Road Authority," with  
1059 "State Road and Tollway Authority," in subsection (c).

1060 (25) Chapter 33, which is repealed, by designating said chapter as reserved.

1061 **SECTION 51.**

1062 Reserved.

1063 **SECTION 52.**

1064 Reserved.

1065 **SECTION 53.**

1066 Reserved.

1067 **SECTION 54.**

1068 (a) Except for Title 47, the text of Code sections and title, chapter, article, part, subpart,  
1069 Code section, subsection, paragraph, subparagraph, division, and subdivision numbers and  
1070 designations as contained in the Official Code of Georgia Annotated published under  
1071 authority of the state by The Michie Company in 1982 and contained in Volumes 3 through  
1072 40 of such publication or replacement volumes thereto, as amended by the text and

1073 numbering of Code sections as contained in the 2012 supplements to the Official Code of  
1074 Georgia Annotated published under authority of the state in 2012 by LEXIS Publishing, are  
1075 ratified and reenacted, and such text, numbers, and designations shall have the effect of  
1076 statutes enacted by the General Assembly of Georgia except as otherwise provided by  
1077 subsection (b) of this section and subsection (c) of Code Section 28-9-5.

1078 (b) Annotations; editorial notes; Code Revision Commission notes; research references;  
1079 notes on law review articles; opinions of the Attorney General of Georgia; indexes; analyses;  
1080 title, chapter, article, part, and subpart captions or headings, except as otherwise provided in  
1081 the Code; catchlines of Code sections or portions thereof, except as otherwise provided in  
1082 the Code; and rules and regulations of state agencies, departments, boards, commissions, or  
1083 other entities which are contained in the Official Code of Georgia Annotated are not enacted  
1084 as statutes by the provisions of this Act. Material which has been added in brackets or  
1085 parentheses and editorial, delayed effective date, effect of amendment, or other similar notes  
1086 within the text of a Code section by the editorial staff of the publisher in order to explain or  
1087 to prevent a misapprehension concerning the contents of the Code section and which is  
1088 explained in an editorial note is not enacted by the provisions of this section and shall not be  
1089 considered a part of the Official Code of Georgia Annotated.

1090 (c) The reenactment of the statutory portion of the Official Code of Georgia Annotated by  
1091 subsection (a) of this section shall not affect, supersede, or repeal any Act of the General  
1092 Assembly, or portion thereof, which is not contained in the Official Code of Georgia  
1093 Annotated and which was not repealed by Code Section 1-1-10, specifically including those  
1094 Acts which have not yet been included in the text of the Official Code of Georgia Annotated  
1095 because of effective dates which extend beyond the effective date of the Code or the  
1096 publication date of the Code or its supplements.

1097 (d) For purposes of publishing volumes, replacement volumes, and supplements to the  
1098 Official Code of Georgia Annotated pursuant to Chapter 9 of Title 28: legislation enacted at  
1099 the same session of the General Assembly and amending the same statutory provision shall  
1100 be considered in *pari materia*, and full effect shall be given to each if that is possible; Acts  
1101 enacted during the same session shall be treated as conflicting with each other only to the  
1102 extent that they cannot be given effect simultaneously; in the event of such a conflict, the  
1103 latest enactment, as determined by the order in which bills became law with or without the  
1104 approval of the Governor, shall control to the extent of the conflict unless the latest  
1105 enactment contains a provision expressly ceding control in such an event; and language  
1106 carried forward unchanged in one amendatory Act shall not be read as conflicting with  
1107 changed language contained in another Act passed during the same session.

1108 (e) The provisions contained in Sections 1 through 53 of this Act and in the other Acts  
1109 enacted at the 2013 regular session of the General Assembly of Georgia shall supersede the



1110 provisions of the Official Code of Georgia Annotated ratified and reenacted by subsection (a)  
1111 of this section.

1112 (f) In the event of a conflict between a provision in Sections 1 through 53 of this Act and a  
1113 provision of another Act enacted at the 2013 regular session of the General Assembly, the  
1114 provision of such other Act shall control over the conflicting provision in Sections 1  
1115 through 53 of this Act to the extent of the conflict.

1116 **SECTION 55.**

1117 This Act shall become effective upon its approval by the Governor or upon its becoming law  
1118 without such approval; except that:

1119 (1) The amendment made by paragraph (4) of Section 16 of this Act shall be effective July  
1120 1, 2013, through June 30, 2014;

1121 (2) The amendment made by paragraph (5) of Section 16 of this Act shall become effective  
1122 July 1, 2014;

1123 (3) The amendment made by paragraph (4) of Section 26 of this Act shall become effective  
1124 only when funds are specifically appropriated for purposes of Ga. L. 2007, p. 463, in an  
1125 Appropriations Act making specific reference to such Act; and

1126 (4) The amendment made by paragraph (18) of Section 48 of this Act shall become effective  
1127 on January 1 of the year following the year in which federal funds are made available for the  
1128 purpose of funding the credit provided by Ga. L. 2010, p. 1163, Section 1 and in which the  
1129 state auditor certifies in writing to the commissioner of natural resources and the state  
1130 revenue commissioner that such funds have been received, have been deposited in the  
1131 general fund, and are available for purposes of Ga. L. 2010, p. 1163, Section 1.

1132 **SECTION 56.**

1133 All laws and parts of laws in conflict with this Act are repealed.