

House Bill 1053

By: Representatives Chandler of the 105th, Weldon of the 3rd, Atwood of the 179th, Golick of the 40th, Welch of the 110th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 7 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated,
2 relating to registration of organizations providing services to runaway and homeless youth,
3 so as to change a definition; to clarify that registered organizations are not exempt from the
4 regulation of early care and education programs; to provide for related matters; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 7 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to
9 registration of organizations providing services to runaway and homeless youth, is amended
10 by revising paragraph (2) of Code Section 49-5-160, relating to definitions and qualifications,
11 as follows:

12 "(2) 'Organization' means a nonprofit charitable organization which is exempt from
13 taxation under the provisions of Section 501(c)(3) of the United States Internal Revenue
14 Code; and which:

15 (A) Serves children who ~~have~~:

16 (i) Have run away or children who are homeless;

17 (ii) Have a history of running away;

18 (iii) Are homeless;

19 (iv) Are at risk of becoming involved with the juvenile justice or child welfare
20 system in this state; or

21 (v) Have been placed by his or her parent or legal guardian;

22 (B) Has qualified staff on duty at all hours the organization is open for service; ~~and~~

23 (C) Employs at least one individual who is licensed pursuant to Chapter 10A, 26, 34,
24 or 39 of Title 43; and

25 (D) Receives more than 75 percent of its funding from the community or individuals
26 and does not contract with this state for the placement of children."

27 **SECTION 2.**

28 Said article is further amended by revising subsection (a) of Code Section 49-5-161, relating
29 to required registration and form, as follows:

30 "(a) ~~All On and after July 1, 2011,~~ all organizations shall register under this Code section
31 by submitting a form to the department, upon forms furnished by the department. The form
32 shall require the name, address, and telephone number of the organization and emergency
33 contact information."

34 **SECTION 3.**

35 Said article is further amended by revising Code Section 49-5-164, relating to registered
36 organizations not exempt, as follows:

37 "49-5-164.

38 Nothing in this article shall be construed to exempt a registered organization from the
39 requirements of:

40 (1) Code Section 49-5-12 for minors who are present with a ~~service provider~~ registered
41 organization longer than 72 hours after the minor has accepted services without the
42 consent of such minor's parent or legal guardian; and

43 (2) Code Section 20-1A-10 regulating licensure, commissioning, and inspections of early
44 care and education programs."

45 **SECTION 4.**

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