

Senate Bill 193

By: Senators Unterman of the 45th, Shafer of the 48th, Burke of the 11th, Thompson of the 14th and Kirk of the 13th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 2A of Title 31 of the Official Code of Georgia Annotated,
2 relating to the Positive Alternatives for Pregnancy and Parenting Grant Program, so as to
3 revise the program mission and practice; to remove certain references to medically indigent
4 women; to revise the definition of contract management agency; to provide for related
5 matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to
9 positive alternatives for pregnancy and parenting grant program, is amended in Code
10 Section 31-2A-31, relating to definitions, by revising paragraph (3) as follows:

11 "(3) 'Contract management agency' or 'agency' means a nongovernmental charitable
12 organization in this state which is a 501(c)(3) tax-exempt organization under the Internal
13 Revenue Code of 1986 and whose mission and practice is to ~~provide~~ promote alternatives
14 to abortion services ~~to medically indigent women at no cost.~~ and it shall not refer,
15 encourage, or affirmatively counsel a person to have an abortion unless the person's
16 attending physician diagnoses a condition which makes such abortion necessary to
17 prevent her death."

18 **SECTION 2.**

19 Said article is further amended by revising Code Section 31-2A-32, relating to the Positive
20 Alternatives for Pregnancy and Parenting Grant Program, as follows:

21 "31-2A-32.

22 There is established within the department the Positive Alternatives for Pregnancy and
23 Parenting Grant Program. The purpose of the ~~grant~~ program shall be to promote healthy
24 pregnancies and childbirth and to promote the substantial state interest of public health by
25 providing, extending, and improving direct maternal and child health services and access

26 to maternal and child health services by awarding grants to nonprofit organizations that
 27 provide pregnancy support services."

28 **SECTION 3.**

29 Said article is further amended in Code Section 31-2A-33, relating to administration and
 30 duties, by revising subsection (b) as follows:

31 "(b) The contract management agency selected by the department shall meet the definition
 32 of a contract management agency as defined in paragraph (3) of Code Section 31-2A-31
 33 and shall:

- 34 (1) Create a grant application process;
 35 (2) Evaluate grant applications and make recommendations to the department;
 36 (3) Communicate acceptance or denial of grant applications to direct client service
 37 providers;
 38 (4) Monitor compliance with the terms and conditions of the grant;
 39 (5) Maintain records for each grant applicant and award; and
 40 (6) Coordinate activities and correspondence between the department and direct client
 41 service providers."

42 **SECTION 4.**

43 Said article is further amended by revising Code Section 31-2A-35, relating to grants, as
 44 follows:

45 "31-2A-35.

46 (a) Grants shall be awarded annually on a competitive basis to direct client service
 47 providers who display competent experience in providing any of the services included in
 48 Code Section 31-2A-34 pursuant to guidelines and criteria established pursuant to this
 49 article.

50 (b) The department shall, with input from the agency, determine the maximum grant
 51 amount to be awarded to each direct client service provider, and such grant amount shall
 52 not exceed 85 percent of the annual revenue for the prior year of any provider.

53 (c) The grant agreement entered into between the agency and a direct client service
 54 provider shall stipulate that the grant shall be used to provide any and all pregnancy support
 55 services pursuant to Code Section 31-2A-34. The agreement shall further stipulate that a
 56 direct client service provider shall not perform, promote, or act as a referral for an abortion,
 57 except as otherwise provided in paragraph (9) of subsection (a) of Code Section 31-2A-36,
 58 and that grant funds shall not be used to promote or be otherwise expended for political or
 59 religious purposes, including, but not limited to, counseling or written material. Nothing

60 in this article shall be construed to prohibit any direct client service provider from
61 promoting or expending nongrant funds for a political or religious purpose."

62 **SECTION 5.**

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