

House Bill 783 (COMMITTEE SUBSTITUTE)

By: Representatives Caldwell of the 20<sup>th</sup>, Welch of the 110<sup>th</sup>, Gravley of the 67<sup>th</sup>, Barr of the 103<sup>rd</sup>, Blackmon of the 146<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend various titles of the Official Code of Georgia Annotated so as to repeal provisions  
2 creating inactive boards, panels, authorities, centers, commissions, committees, councils, task  
3 forces, and other such bodies; to remove inapplicable references; to provide for related  
4 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**PART I**  
7 style="text-align:center">**SECTION 1-1.**

8 Title 2 of the Official Code of Georgia Annotated, relating to agriculture, is amended by  
9 repealing Chapter 15, relating to Pacific White Shrimp Aquaculture Development, and  
10 designating said chapter as reserved.

11 style="text-align:center">**SECTION 1-2.**

12 Any assets of the Pacific White Shrimp Aquaculture Development Advisory Council existing  
13 as of June 30, 2018, shall devolve by operation of law and without further action to the State  
14 of Georgia on July 1, 2018. Any liabilities and obligations of the Pacific White Shrimp  
15 Aquaculture Development Advisory Council existing as of June 30, 2018, shall be  
16 transferred to and assumed by the State of Georgia, by such instruments as may be required  
17 to maintain the same.

18 style="text-align:center">**PART II**  
19 style="text-align:center">**SECTION 2-1.**

20 Said title is further amended by repealing Chapter 18, relating to the Georgia Tobacco  
21 Community Development Board, and designating said chapter as reserved.

22 **SECTION 2-2.**

23 Any assets of the Georgia Tobacco Community Development Board existing as of June 30,  
 24 2018, shall devolve by operation of law and without further action to the State of Georgia on  
 25 July 1, 2018. Any liabilities and obligations of the Georgia Tobacco Community  
 26 Development Board existing as of June 30, 2018, shall be transferred to and assumed by the  
 27 State of Georgia, by such instruments as may be required to maintain the same.

28 **SECTION 2-3.**

29 Code Section 45-7-21 of the Official Code of Georgia Annotated, relating to expense  
 30 allowance and travel cost reimbursement for members of certain boards and commissions,  
 31 is amended by revising subsection (a) as follows:

32 "(a) Each member of the boards and commissions enumerated in this Code section shall  
 33 receive the same expense allowance per day as that received by a member of the General  
 34 Assembly for each day such member of a board or commission is in attendance at a  
 35 meeting of such board or commission, plus reimbursement for actual transportation costs  
 36 while traveling by public carrier or the legal mileage rate for the use of a personal  
 37 automobile in connection with such attendance. The expense allowance and  
 38 reimbursement provided for in this Code section shall be paid in lieu of any per diem,  
 39 allowance, or other remuneration now received by any such member for such attendance.  
 40 The existing law relative to any limitation on the number of meeting days and remuneration  
 41 for service on committees or subcommittees of any such board or commission shall remain  
 42 in effect. The boards and commissions to which this Code section shall be applicable are  
 43 as follows:

- 44 (1) State Board of Education;
- 45 (2) Board of Regents of the University System of Georgia;
- 46 ~~(2.1)~~(3) Board of Community Supervision;
- 47 ~~(3)~~(4) Board of Corrections;
- 48 ~~(4)~~(5) Board of Economic Development;
- 49 ~~(5)~~(6) Board of Natural Resources;
- 50 ~~(6) Reserved;~~
- 51 (7) Dental Education Board;
- 52 (8) Georgia Student Finance Commission;
- 53 (9) Veterans Service Board;
- 54 (10) Georgia Agricultural Exposition Authority;
- 55 (11) Georgia Board for Physician Workforce;
- 56 (12) Georgia Music Hall of Fame Authority;
- 57 (13) Georgia Sports Hall of Fame Authority;

58 (14) Georgia Rail Passenger Authority;  
 59 ~~(15) Georgia Tobacco Community Development Board;~~  
 60 ~~(16)~~(15) State Board of the Technical College System of Georgia; and  
 61 ~~(17)~~(16) Civil War Commission; and  
 62 ~~(18) The delegation from the State of Georgia to the Southern Dairy Compact~~  
 63 ~~Commission."~~

#### 64 SECTION 2-4.

65 Code Section 50-13-2 of the Official Code of Georgia Annotated, relating to definitions for  
 66 state government administrative procedure, is amended by revising paragraph (1) as follows:

67 "(1) 'Agency' means each state board, bureau, commission, department, activity, or  
 68 officer authorized by law expressly to make rules and regulations or to determine  
 69 contested cases, except the General Assembly; the judiciary; the Governor; the State  
 70 Board of Pardons and Paroles; the State Financing and Investment Commission; the State  
 71 Properties Commission; the Board of Bar Examiners; the Board of Corrections and its  
 72 penal institutions; the State Board of Workers' Compensation; all public authorities  
 73 except as otherwise expressly provided by law; the State Personnel Board; the  
 74 Department of Administrative Services or commissioner of administrative services; the  
 75 Technical College System of Georgia; the Nonpublic Postsecondary Education  
 76 Commission; the Department of Labor when conducting hearings related to  
 77 unemployment benefits or overpayments of unemployment benefits; the Department of  
 78 Revenue when conducting hearings relating to alcoholic beverages, tobacco, or bona fide  
 79 coin operated amusement machines or any violations relating thereto; ~~the Georgia~~  
 80 ~~Tobacco Community Development Board;~~ the Georgia Higher Education Savings Plan;  
 81 the Georgia ABLE Program Corporation; any school, college, hospital, or other such  
 82 educational, eleemosynary, or charitable institution; or any agency when its action is  
 83 concerned with the military or naval affairs of this state. The term 'agency' shall include  
 84 the State Board of Education and Department of Education, subject to the following  
 85 qualifications:

86 (A) Subject to the limitations of subparagraph (B) of this paragraph, all otherwise valid  
 87 rules adopted by the State Board of Education and Department of Education prior to  
 88 January 1, 1990, are ratified and validated and shall be effective until January 1, 1991,  
 89 whether or not such rules were adopted in compliance with the requirements of this  
 90 chapter; and

91 (B) Effective January 1, 1991, any rule of the State Board of Education or Department  
 92 of Education which has not been proposed, submitted, and adopted in accordance with  
 93 the requirements of this chapter shall be void and of no effect."

94

**PART III**

95

**SECTION 3-1.**

96 Title 2 of the Official Code of Georgia Annotated, relating to agriculture, is amended by  
 97 repealing Chapter 20, relating to the Southern Dairy Compact, and designating said chapter  
 98 as reserved.

99

**PART IV**

100

**SECTION 4-1.**

101 Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to parks, historic  
 102 areas, memorials, and recreation, is amended by repealing Code Section 12-3-73, relating to  
 103 creation of the Heritage Trust Commission, appointment and criteria for selection of  
 104 members, terms of office, reimbursement of members for expenses, and duties, and  
 105 designating said Code section as reserved.

106

**PART V**

107

**SECTION 5-1.**

108 Chapter 1A of Title 20 of the Official Code of Georgia Annotated, relating to early care and  
 109 learning, is amended by repealing Article 3, relating to the Child Care Council.

110

**SECTION 5-2.**

111 Any assets of the Child Care Council existing as of June 30, 2018, shall devolve by operation  
 112 of law and without further action to the State of Georgia on July 1, 2018. Any liabilities and  
 113 obligations of the Child Care Council existing as of June 30, 2018, shall be transferred to and  
 114 assumed by the State of Georgia, by such instruments as may be required to maintain the  
 115 same.

116

**SECTION 5-3.**

117 Said chapter is further amended by revising paragraph (6) of Code Section 20-1A-4, relating  
 118 to powers and duties of the Department of Early Care and Learning, as follows:

119 ~~"(6) To perform the functions set out in Code Section 20-1A-64, relating to improvement~~  
 120 ~~of improve the quality, availability, and affordability of child care in this state;"~~

121 **PART VI**  
122 **SECTION 6-1.**

123 Code Section 20-3-73.3 of the Official Code of Georgia Annotated, relating to the Georgia  
124 Southern University Herty Advanced Materials Development Center and its advisory board,  
125 is amended by deleting subsection (f).

126 **PART VII**  
127 **SECTION 7-1.**

128 Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to postsecondary  
129 education, is amended by repealing Article 6, relating to the Private Colleges and  
130 Universities Authority, and designating said article as reserved.

131 **SECTION 7-2.**

132 Any assets of the Private Colleges and Universities Authority existing as of June 30, 2018,  
133 shall devolve by operation of law and without further action to the State of Georgia on July  
134 1, 2018. Any liabilities and obligations of the Private Colleges and Universities Authority  
135 existing as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by  
136 such instruments as may be required to maintain the same.

137 **PART VIII**  
138 **SECTION 8-1.**

139 Article 2 of Chapter 14 of Title 20 of the Official Code of Georgia Annotated, relating to  
140 education accountability assessment programs, is amended by repealing Part 7, relating to  
141 the Education Information Steering Committee, and designating said part as reserved.

142 **SECTION 8-2.**

143 Any assets of the Education Information Steering Committee existing as of June 30, 2018,  
144 shall devolve by operation of law and without further action to the State of Georgia on July  
145 1, 2018. Any liabilities and obligations of the Education Information Steering Committee  
146 existing as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by  
147 such instruments as may be required to maintain the same.

148

**PART IX**

149

**SECTION 9-1.**

150 Chapter 8 of Title 31 of the Official Code of Georgia Annotated, relating to care and  
 151 protection of indigent and elderly patients, is amended by repealing Article 9, relating to the  
 152 Federal and State Funded Health Care Financing Programs Overview Committee, and  
 153 designating said article as reserved.

154

**SECTION 9-2.**

155 Any assets of the Federal and State Funded Health Care Financing Programs Overview  
 156 Committee existing as of June 30, 2018, shall devolve by operation of law and without  
 157 further action to the State of Georgia on July 1, 2018. Any liabilities and obligations of the  
 158 Federal and State Funded Health Care Financing Programs Overview Committee existing  
 159 as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such  
 160 instruments as may be required to maintain the same.

161

**PART X**

162

**SECTION 10-1.**

163 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by  
 164 repealing Chapter 43, relating to the Commission on Men's Health, and designating said  
 165 chapter as reserved.

166

**SECTION 10-2.**

167 Any assets of the Commission on Men's Health existing as of June 30, 2018, shall devolve  
 168 by operation of law and without further action to the State of Georgia on July 1, 2018. Any  
 169 liabilities and obligations of the Commission on Men's Health existing as of June 30, 2018,  
 170 shall be transferred to and assumed by the State of Georgia, by such instruments as may be  
 171 required to maintain the same.

172

**PART XI**

173

**SECTION 11-1.**

174 Code Section 31-44-3 of the Official Code of Georgia Annotated, relating to adoption of  
 175 rules by the Board of Community Health, is amended as follows:

176 "(a) The board shall adopt rules to implement this chapter, including but not limited to  
 177 requirements for the issuance, renewal, denial, suspension, and revocation of a license to

178 operate an end stage renal disease facility. The rules adopted by the board pursuant to this  
 179 Code section shall not conflict with any federal law or regulation applicable to end stage  
 180 renal disease facilities or personnel thereof and shall set forth minimum standards for the  
 181 health, safety, and protection of the patient being served.

182 ~~(b) The department shall establish a Renal Dialysis Advisory Council to advise the~~  
 183 ~~department regarding licensing and inspection of end stage renal disease facilities. The~~  
 184 ~~council shall be composed of a minimum of 13 persons appointed by the board: one~~  
 185 ~~member recommended by the Dogwood Chapter of the American Nephrology Nurses~~  
 186 ~~Association; one member recommended by the Georgia Association of Kidney Patients;~~  
 187 ~~two physicians specializing in nephrology recommended by the Georgia Renal Physicians~~  
 188 ~~Association; one member recommended by the National Kidney Foundation of Georgia;~~  
 189 ~~two administrators of facilities certified as outpatient dialysis facilities in Georgia; three~~  
 190 ~~members of the general public, two of whom shall be dialysis patients or family members~~  
 191 ~~of dialysis patients; one member representing technicians working in renal dialysis~~  
 192 ~~facilities; one member representing social workers working in renal dialysis facilities; and~~  
 193 ~~one member representing dietitians working in renal dialysis facilities.~~

194 ~~(c) Members of the council shall serve four-year terms and until their successors are~~  
 195 ~~appointed and qualified. No member of the council shall serve more than two consecutive~~  
 196 ~~terms. The council shall meet as frequently as the department considers necessary, but not~~  
 197 ~~less than twice each year. The council shall be consulted and have the opportunity to~~  
 198 ~~evaluate all rules promulgated by the department under this chapter applicable to end stage~~  
 199 ~~renal disease facilities prior to their adoption. Members shall serve without compensation."~~

200 **SECTION 11-2.**

201 Any assets of the Renal Dialysis Advisory Council existing as of June 30, 2018, shall  
 202 devolve by operation of law and without further action to the State of Georgia on July 1,  
 203 2018. Any liabilities and obligations of the Renal Dialysis Advisory Council existing as of  
 204 June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such  
 205 instruments as may be required to maintain the same.

206 **PART XII**

207 **SECTION 12-1.**

208 Code Section 31-47-1 of the Official Code of Georgia Annotated, relating to the purpose of  
 209 the Arthritis Prevention and Control Program, is amended by revising subsections (c) through  
 210 (e) as follows:

211 ~~"(c) The Department of Public Health shall establish and coordinate an advisory panel on~~  
 212 ~~arthritis which shall provide nongovernmental input regarding the Arthritis Prevention and~~  
 213 ~~Control Program. Membership shall include, but shall not be limited to, persons with~~  
 214 ~~arthritis, public health educators, medical experts on arthritis, providers of arthritis health~~  
 215 ~~care, persons knowledgeable in health promotion and education, and representatives of~~  
 216 ~~national arthritis organizations and their local chapters.~~

217 ~~(d)~~(c) The Department of Public Health shall use, but shall not be limited to, strategies  
 218 consistent with the National Arthritis Action Plan and existing state planning efforts to  
 219 raise public awareness and knowledge about the causes and nature of arthritis, personal risk  
 220 factors, the value of prevention and early detection, ways to minimize preventable pain,  
 221 and options for diagnosing and treating the disease.

222 ~~(e)~~(d)(1) Subject to appropriation or access to other private or public funds, the  
 223 Department of Public Health may replicate and use successful arthritis programs and  
 224 enter into contracts and purchase materials or services from entities with appropriate  
 225 expertise for such services and materials as are necessary to carry out the goals of the  
 226 Arthritis Prevention and Control Program.

227 (2) Subject to appropriation or access to other private or public funds, the Department  
 228 of Public Health may enter into agreements with national organizations with expertise in  
 229 arthritis to implement parts of the Arthritis Prevention and Control Program."

230 **SECTION 12-2.**

231 Any assets of the Arthritis Prevention and Control Program advisory panel existing as of  
 232 June 30, 2018, shall devolve by operation of law and without further action to the State of  
 233 Georgia on July 1, 2018. Any liabilities and obligations of the Arthritis Prevention and  
 234 Control Program advisory panel existing as of June 30, 2018, shall be transferred to and  
 235 assumed by the State of Georgia, by such instruments as may be required to maintain the  
 236 same.

237 **PART XIII**

238 **SECTION 13-1.**

239 Code Section 33-1-19 of the Official Code of Georgia Annotated, relating to the Special  
 240 Advisory Commission on Mandated Health Insurance Benefits, is amended by repealing said  
 241 Code section and designating said Code section as reserved.



242 **SECTION 13-2.**

243 Any assets of the Special Advisory Commission on Mandated Health Insurance Benefits  
244 existing as of June 30, 2018, shall devolve by operation of law and without further action to  
245 the State of Georgia on July 1, 2018. Any liabilities and obligations of the Special Advisory  
246 Commission on Mandated Health Insurance Benefits existing as of June 30, 2018, shall be  
247 transferred to and assumed by the State of Georgia, by such instruments as may be required  
248 to maintain the same.

249 **PART XIV**

250 **SECTION 14-1.**

251 Chapter 29A of Title 33 of the Official Code of Georgia Annotated, relating to individual  
252 health insurance coverage, is amended by repealing Article 2, relating to the Commission on  
253 the Georgia Health Insurance Risk Pool, and designating said article as reserved.

254 **SECTION 14-2.**

255 Any assets of the Commission on the Georgia Health Insurance Risk Pool existing as of June  
256 30, 2018, shall devolve by operation of law and without further action to the State of Georgia  
257 on July 1, 2018. Any liabilities and obligations of the Commission on the Georgia Health  
258 Insurance Risk Pool existing as of June 30, 2018, shall be transferred to and assumed by the  
259 State of Georgia, by such instruments as may be required to maintain the same.

260 **PART XV**

261 **SECTION 15-1.**

262 Code Section 38-3-22.2 of the Official Code of Georgia Annotated, relating to establishment  
263 of the Airport Antiterrorism Training Committee and annual training of same, is amended  
264 by repealing said Code section.

265 **SECTION 15-2.**

266 Any assets of the Airport Antiterrorism Training Committee existing as of June 30, 2018,  
267 shall devolve by operation of law and without further action to the State of Georgia on July 1,  
268 2018. Any liabilities and obligations of the Airport Antiterrorism Training Committee  
269 existing as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by  
270 such instruments as may be required to maintain the same.

271

**PART XVI**

272

**SECTION 16-1.**

273 Chapter 6 of Title 49 of the Official Code of Georgia Annotated, relating to services for the  
274 aging, is amended by repealing Article 3, relating to the Georgia Silver-Haired Legislature,  
275 and designating said article as reserved.

276

**SECTION 16-2.**

277 Any assets of the Georgia Silver-Haired Legislature existing as of June 30, 2018, shall  
278 devolve by operation of law and without further action to the State of Georgia on July 1,  
279 2018. Any liabilities and obligations of the Georgia Silver-Haired Legislature existing as of  
280 June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such  
281 instruments as may be required to maintain the same.

282

**PART XVII**

283

**SECTION 17-1.**

284 This Act shall become effective on July 1, 2018.

285

**SECTION 17-2.**

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