

Senate Bill 52

By: Senators Ligon, Jr. of the 3rd and Stone of the 23rd

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

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5 or have been preempted or superseded by subsequent laws; to codify principles of law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

9 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

10 **SECTION 1.**

11 Reserved.

12 **SECTION 2.**

13 Title 2 of the Official Code of Georgia Annotated, relating to agriculture, is amended in:

14 (1) Code Section 2-15-1, relating to the short title of the "Georgia Pacific White Shrimp
15 Aquaculture Development Act of 2004," by replacing "This chapter may be cited" with "This
16 chapter shall be known and may be cited".

17 **SECTION 3.**

18 Reserved.

19 **SECTION 4.**

20 Reserved.

21 **SECTION 5.**

22 Reserved.

SECTION 6.

23
24 Reserved.

SECTION 7.

25
26 Title 7 of the Official Code of Georgia Annotated, relating to banking and finance, is
27 amended in:

28 (1) Code Section 7-1-241, relating to restrictions on engaging in banking business, in
29 subsection (c), by replacing "on-line" with "online".

30 (2) Code Section 7-1-394, relating to investigation, approval or disapproval by the
31 Department of Banking and Finance, and abbreviated procedures, in subsection (c), by
32 replacing "provided, however, in no event" with "provided, however, that in no event".

33 (3) Code Section 7-1-490, relating to the responsibility of directors and officers of a bank
34 or trust company and delegation of investment decisions, in the introductory language of
35 subsection (b), by replacing "officer, may be entitled" with "officer may be entitled".

SECTION 8.

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37 Reserved.

SECTION 9.

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39 Reserved.

SECTION 10.

40
41 Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, is
42 amended in:

43 (1) Code Section 10-5-31, relating to registration requirements for agents and exemptions,
44 in paragraph (b)(1), by replacing "15 U.S.C. Section 78(h)(2)" with "15 U.S.C.
45 Section 78o(h)(2)".

46 (2) Code Section 10-6B-40, relating to agent authority that requires specific grant and
47 granting of general authority under a power of attorney, in paragraph (b)(2), by replacing
48 "subparagraph (a)(1)(G)" with "subparagraph (a)(1)(G) of this Code section".

SECTION 11.

49
50 Reserved.

SECTION 12.

51
52 Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural
53 resources, is amended in:

54 (1) Code Section 12-4-45, relating to the powers of the Board of Natural Resources as to
 55 establishment of drilling and operation units and applicability of state antitrust laws to private
 56 agreements approved by the board, in division (a)(2)(D)(i), by replacing "area; and" with
 57 "area, and".

58 (2) Code Section 12-4-50, relating to obedience to subpoena required, self-incrimination not
 59 a defense, and use of evidence in criminal prosecutions, by replacing "obedience to its
 60 subpoena" with "obedience to the subpoena".

61 (3) Code Section 12-5-31, relating to regulated riparian rights to surface waters for general
 62 or farm use, permits for withdrawal, diversion, or impoundment, coordination with water
 63 plans, metering of farm use, interbasin transfers, and appeal procedures, in
 64 subparagraph (m.1)(2)(D), by inserting a comma following "Code section", by replacing
 65 "conditions, and" with "conditions and", by replacing "installed, that" with "installed and
 66 that", and by inserting a comma following "five years".

67 (4) Code Section 12-5-105, relating to regulated reasonable use of ground water for farm
 68 use, permits to withdraw, obtain, or utilize, metering, and related procedures, in
 69 subparagraph (b.1)(2)(D), by inserting a comma following "Code section", by replacing
 70 "installed, that" with "installed and that", and by inserting a comma following "five years".

71 (5) Code Section 12-6A-7, relating to establishment of the Board of Trustees of the Georgia
 72 Outdoor Stewardship Trust Fund, membership, role, and priorities, in subsection (b), by
 73 replacing "in absence of a quorum" with "in the absence of a quorum".

74 (6) Code Section 12-6A-8, relating to the Georgia Outdoor Stewardship Trust Fund
 75 applications and proposals for funding, quarterly review and approval of proposals, final
 76 approvals, and disbursement of funds, in subsections (d) and (e), by replacing "and Senate"
 77 with "and the Senate" each time the phrase appears.

78 (7) Code Section 12-13-3, relating to definitions regarding underground storage tanks, in
 79 paragraph (10), by replacing "provided, however, such term" with "provided, however, that
 80 such term".

81 **SECTION 13.**

82 Title 13 of the Official Code of Georgia Annotated, relating to contracts, is amended in:

83 (1) Code Section 13-8-56, relating to reasonableness determinations restricting competition
 84 and presumptions with respect to restrictive covenants in contracts, in the introductory
 85 language of paragraph (2), by replacing "is reasonable provided" with "is reasonable,
 86 provided".

87 **SECTION 14.**

88 Reserved.

89 **SECTION 15.**

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

91 (1) Code Section 15-11-201, as effective on the date of this Act, relating to DFCS case plans
92 and contents regarding family reunification determination, at the end of
93 subparagraph (b)(16)(B), by replacing the period with a semicolon.

94 (2) Code Section 15-11-201, as effective on July 1, 2020, relating to DFCS case plans and
95 contents regarding family reunification determination, at the end of paragraph (b)(16), by
96 replacing the period with a semicolon.

97 **SECTION 16.**

98 Reserved.

99 **SECTION 17.**

100 Reserved.

101 **SECTION 18.**

102 Reserved.

103 **SECTION 19.**

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

106 (1) Code Section 19-8-13, relating to petition for adoption, filing and contents, financial
107 disclosures, attorney's affidavit, and redaction of certain information unnecessary, in
108 subparagraph (a)(5)(E), by inserting a comma following "including" and by inserting "and"
109 at the end of the subparagraph following "Children;".

110 (2) Code Section 19-9-134, relating to the power of attorney form for the care of a child, in
111 subparagraph (c)(6)(C), by replacing "O.C.G.A. § 19-9-130(b)" with "O.C.G.A.
112 § 19-9-132(b)".

113 **SECTION 20.**

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

115 (1) Code Section 20-1-15, relating to definitions regarding "The Caregiver Educational
116 Consent Act," by deleting the subsection (a) designation at the beginning of the Code section
117 and in paragraph (4), by replacing "a person that" with "a person who".

118 (2) Code Section 20-1-17, relating to reliance on properly executed affidavit, notice of child
119 ceasing to reside with kinship caregiver, and provision of false information in execution of

120 affidavit, at the beginning of subsections (a) and (b), by replacing "person that" with "person
121 who".

122 (3) Code Section 20-1-18, relating to requirements for validly executed kinship caregiver's
123 affidavit and form, at the end of the kinship caregiver's affidavit in subsection (b) under
124 notices and additional information, by replacing "person that" with "person who" each time
125 the phrase appears and by replacing "identification such" with "identification, such".

126 (4) Code Section 20-1A-30, relating to definitions regarding background checks for early
127 care and learning, in paragraph (10), by replacing "fingerprint-based" with "fingerprint
128 based".

129 (5) Code Section 20-1A-31, relating to records check application for potential employees
130 and comprehensive records check determination, in subsection (b), by replacing
131 "comprehensive records checks determinations" with "comprehensive records check
132 determinations" both times the phrase appears and by inserting a comma following "Code
133 Section 35-3-33".

134 (6) Code Section 20-1A-34, relating to check of fingerprints on a national level, satisfactory
135 determination prior to employment, additional records checks, and retention of fingerprints,
136 in subsection (a), by replacing "rules of the GCIC" with "rules of GCIC", by replacing
137 "fingerprints to the GCIC" with "fingerprints to GCIC", and by replacing "The GCIC" with
138 "GCIC"; and in subsection (b), by replacing "comprehensive records checks determinations"
139 with "comprehensive records check determinations" both times the phrase appears.

140 (7) Code Section 20-1A-37, relating to director or employee residing in a family child care
141 learning home or at certain programs and comprehensive records check requirements, by
142 replacing "the GCIC" with "GCIC" both times the term appears.

143 (8) Code Section 20-1A-39, relating to early care and learning background checks for
144 potential employees, current employees and directors, comprehensive records check
145 requirements, satisfactory determination, and liability for hiring an ineligible employee, in
146 subsection (b), by replacing "comprehensive records checks determinations" with
147 "comprehensive records check determinations" both times the phrase appears.

148 (9) Code Section 20-2-84, relating to accountability, flexibility, and consequences
149 components of contracts regarding increased flexibility for local school systems, in the
150 undesignated text at the end of subsection (c), by replacing "high performing school" with
151 "high-performing school".

152 (10) Code Section 20-2-143, relating to sex education and AIDS prevention instruction,
153 implementation, and student exemption in elementary and secondary education, in
154 subsection (b), by replacing "grade 9" with "grade nine".

- 155 (11) Code Section 20-2-200, relating to regulation of certificated professional personnel in
156 public schools by the Professional Standards Commission, rules and regulations, and fees,
157 near the end of subsection (a), by replacing "is defined as" with "means".
- 158 (12) Code Section 20-2-201, relating to elementary and secondary education teacher specific
159 course requirements, in-service or continuing education, and online offerings, in
160 subsection (b), by replacing "professional personnel that" with "professional personnel who"
161 and in subsection (c), by replacing "As used in this subsection," with "As used in this
162 subsection, the term" and by replacing "on line" with "online" each time the term appears.
- 163 (13) Code Section 20-2-260, relating to public schools and capital outlay funds generally,
164 in paragraph (b)(5), by replacing "shall include classrooms, libraries, rooms and space for
165 physical education, space for fine arts, restrooms, specialized laboratories, cafeterias, media
166 centers, building equipment, building fixtures, furnishings, career, technical, and agricultural
167 education labs and facilities to support industry credentialing, related exterior facilities,
168 landscaping and paving, and similar items" with "shall include: classrooms; libraries; rooms
169 and space for physical education; space for fine arts; restrooms; specialized laboratories;
170 cafeterias; media centers; building equipment; building fixtures; furnishings; career,
171 technical, and agricultural education labs and facilities to support industry credentialing;
172 related exterior facilities; landscaping and paving; and similar items" and in paragraph (g)(5),
173 by replacing "the Appropriations Act" with "the appropriations Act".
- 174 (14) Code Section 20-2-281, relating to student assessments, in paragraph (d)(1), by
175 replacing "provided those standards" with "provided that those standards".
- 176 (15) Code Section 20-2-286, relating to innovative assessment pilot program, procedure, and
177 reporting regarding the effectiveness of educational programs, in paragraph (f)(3), by
178 replacing "systems state-wide" with "systems state wide" and in subsection (g), by replacing
179 "state-wide" with "state wide".
- 180 (16) Code Section 20-2-742, relating to multi-tiered system of supports prior to suspension
181 or expulsion for certain students, in paragraph (a)(1), by replacing "data based
182 problem-solving" with "data based problem solving".
- 183 (17) Code Section 20-3-250.27, relating to the Tuition Guaranty Trust Fund, in
184 paragraph (g)(5), by inserting a semicolon following "paid tuition".
- 185 (18) Code Section 20-3-374, relating to the service cancelable loan fund and authorized
186 types of service cancelable educational loans by the Georgia Student Finance Authority, in
187 subparagraphs (b)(2)(B) and (b)(2)(C), by replacing "U.S." with "United States".
- 188 (19) Code Section 20-4-120, relating to the creation of the Georgia Joint Defense
189 Commission and membership, in paragraph (a)(7), by replacing "Adjutant General" with
190 "adjutant general".

191 (20) Code Section 20-14-90, relating to the creation of the Agricultural Education Advisory
 192 Commission, membership, duties, meetings, and allowance and reimbursement for expenses,
 193 in subsection (c) and in paragraph (e)(1), by replacing "co-chairperson" with "cochairperson"
 194 each time the term appears.

195 (21) Code Section 20-14-91, relating to the creation of the Career and Technical Education
 196 Advisory Commission, membership, requirements, meetings, and reimbursement, in
 197 subsection (c) and in paragraph (e)(1), by replacing "co-chairperson" with "cochairperson"
 198 each time the term appears.

199 (22) Code Section 20-18-3, relating to the creation of the Georgia Rural Development
 200 Council, membership, role, and operation, in subsection (e), by replacing "this resolution"
 201 with "this chapter", in paragraphs (f)(1) and (f)(3), by deleting "of the Official Code of
 202 Georgia Annotated", and in paragraph (f)(4), by replacing "this resolution" with "this
 203 subsection" and by replacing "fifteen days" with "15 days".

204 (23) Code Section 20-18-5, relating to funds appropriated for the establishment and
 205 operation of the Center for Rural Prosperity and Innovation, by replacing "provided that the
 206 Board of Regents" with "provided that the board of regents".

207 **SECTION 21.**

208 Title 21 of the Official Code of Georgia Annotated, relating to elections, is amended in:

209 (1) Code Section 21-5-73, relating to lobbyist disclosure reports, in paragraph (e)(1.1), by
 210 replacing "this Code section" with "this subsection" and by replacing "subparagraph (D) of
 211 paragraph (1)" with "subparagraph (D) of paragraph (4.1)".

212 **SECTION 22.**

213 Reserved.

214 **SECTION 23.**

215 Reserved.

216 **SECTION 24.**

217 Reserved.

218 **SECTION 25.**

219 Reserved.

220 **SECTION 26.**

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

223 (1) Code Section 26-4-5, relating to definitions regarding pharmacists and pharmacies, in
224 paragraph (1.05), by replacing "21 U.S.C." with "21 U.S.C. Section" both times the phrase
225 appears.

226 (2) Code Section 26-5-23, relating to publication of an annual report regarding drug abuse
227 treatment and education programs, by replacing "patients' states of residence" with "each
228 patient's state of residence".

229 **SECTION 27.**

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

231 (1) Code Section 27-2-23, relating to hunting, trapping, or fishing license, permit, tag, and
232 stamp fees, in subparagraph (3)(H), by deleting the dollar sign preceding "50.00".

233 **SECTION 28.**

234 Reserved.

235 **SECTION 29.**

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

238 (1) Code Section 29-1-1, relating to definitions regarding guardian and ward, in
239 paragraph (24), by replacing "letters of guardianship" with "letters of conservatorship".

240 **SECTION 30.**

241 Reserved.

242 **SECTION 31.**

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

244 (1) Code Section 31-1-40, relating to prohibition on expenditure or use of state resources to
245 advocate for or intended to influence citizens in support of the federal Affordable Care Act,
246 in subsection (a), by deleting the quotation marks preceding and following "Patient
247 Protection and Affordable Care Act,".

248 (2) Code Section 31-2-4, relating to the Department of Community Health's powers, duties,
249 functions, and responsibilities, divisions, directors, and contracts for health benefits, at the
250 end of subparagraph (d)(11)(D), by deleting "and" following "operate;".

- 251 (3) Code Section 31-2-12, which was automatically repealed on December 31, 2018, by
 252 designating said Code section as reserved.
- 253 (4) Code Section 31-2-16, relating to the creation of the Rural Health System Innovation
 254 Center, purposes and duties, and reporting, in subparagraph (b)(12)(B), by inserting a comma
 255 following "Code Section 31-8-9.1".
- 256 (5) Code Section 31-2A-50, relating to legislative findings regarding perinatal facilities, in
 257 paragraph (1), by replacing "numbers of maternal deaths" with "number of maternal deaths".
- 258 (6) Code Section 31-2A-52, relating to approval as a designated perinatal facility and
 259 establishing criteria for levels of maternal and neonatal care, in paragraph (b)(1), by
 260 replacing "rulemaking" with "rule making".
- 261 (7) Code Section 31-6-47, relating to exemptions from the chapter regarding the certificate
 262 of need program, in the undesignated text at the end of subparagraph (a)(18)(C) and in
 263 subparagraph (a)(20)(E), by replacing "provided, however," with "provided, however, that".
- 264 (8) Code Section 31-7-259, relating to preliminary records check determination, suspension
 265 or revocation of license, refusal to issue regular license, fingerprint check, employment
 266 history, director's criminal liability, exempt employees, mitigating factors in criminal records
 267 check, and civil penalty regarding hospitals and other health care facilities, in subsection (m),
 268 by replacing "requirements and" with "requirements, and".
- 269 (9) Code Section 31-7-353, as effective October 1, 2019, relating to records check
 270 application, transmittal of fingerprints, and penalties for unauthorized release or disclosure
 271 of information, in subsection (c), by replacing "record check application" with "records check
 272 application".
- 273 (10) Code Section 31-7-355, as effective October 1, 2019, relating to personnel files, when
 274 department may require background check, and result of unsatisfactory determination, in the
 275 introductory text of paragraph (b)(1), by replacing "paragraph" with "subsection", in
 276 subparagraph (b)(1)(A), by replacing "abuse, facilitated" with "abuse facilitated", and in
 277 paragraph (b)(5), by replacing "their" with "his or her".
- 278 (11) Code Section 31-50-1, which is repealed, by designating said Code section as reserved.

279 **SECTION 32.**

280 Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries,
 281 is amended in:

- 282 (1) Code Section 32-9-13, relating to definitions regarding the Metropolitan Atlanta Rapid
 283 Transit Authority (MARTA), in paragraph (5), by replacing "counties" with "Counties" and
 284 by replacing "City" with "city".
- 285 (2) Code Section 32-9-14, relating to procedures, conditions, and limitations for levy of
 286 additional retail sales and use tax by City of Atlanta for MARTA services, in the ballot

287 question set out in quotation marks in subsection (c), by replacing "(insert percentage)" with
288 "(insert percentage)".

289 **SECTION 33.**

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

291 (1) Code Section 33-1-25, relating to the Georgia Agribusiness and Rural Jobs Act, in
292 paragraph (b)(4), by replacing "'Credit allowance date' mean the date" with "Credit allowance
293 date' means the date".

294 (2) Code Section 33-5-20.1, relating to definitions relative to surplus line insurance, at the
295 end of subdivisions (1.1)(C)(i)(I) and (1.1)(C)(i)(II), by deleting "or" following
296 "subparagraph;".

297 (3) Code Section 33-23-12, relating to limited licenses for insurance agents, agencies,
298 subagents, counselors, and adjusters, in subparagraph (b.1)(1)(B), by replacing "to sell,
299 solicit or negotiate such insurance" with "to sell, solicit, or negotiate such insurance".

300 (4) Code Section 33-24-44.1, relating to procedure for cancellation by insured and notice,
301 in subsection (a), by replacing "the insurer, shall, within 10 days" with "the insurer shall
302 within ten days".

303 (5) Code Section 33-24-45, relating to cancellation or nonrenewal of automobile or
304 motorcycle policies and procedure for review by Commissioner, in paragraphs (b)(2)
305 and (b)(3), by redesignating the text of current paragraph (b)(2) as new paragraph (b)(3) and
306 by redesignating the text of current paragraph (b)(3) as new paragraph (b)(2).

307 (6) Code Section 33-24-46, relating to cancellation or nonrenewal of certain property
308 insurance policies, in paragraphs (b)(4) and (b)(5), by redesignating the text of current
309 paragraph (b)(4) as new paragraph (b)(5) and by redesignating the text of current
310 paragraph (b)(5) as new paragraph (b)(4).

311 (7) Code Section 33-24-59.22, relating to prescription drug program defined, cost sharing,
312 denial of coverage, and dispensing fees, in subsection (b), by replacing "30 days' supply"
313 with "30 day supply".

314 (8) Code Section 33-38-2, relating to the scope of the chapter relating to the Georgia Life
315 and Health Insurance Guaranty Association, in paragraph (c)(4), by deleting "a" preceding
316 "health care plan" and "prepaid legal services plan" and by replacing "and a health
317 maintenance organization" with "or health maintenance organization".

318 **SECTION 34.**

319 Reserved.

320 **SECTION 35.**

321 Reserved.

322 **SECTION 36.**

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

325 (1) Code Section 36-36-92, relating to annexation of unincorporated islands, procedures, and
326 provision of municipal services, in subsection (e), by replacing "provided, however, the
327 extension" with "provided, however, that the extension" and in subsection (f), by replacing
328 "islands is severable" with "islands are severable".

329 (2) Code Section 36-85-1, relating to definitions regarding interlocal risk management
330 agencies, in paragraph (10), by replacing "comprised of municipalities" with "composed of
331 municipalities" both times the phrase appears.

332 **SECTION 37.**

333 Reserved.

334 **SECTION 38.**

335 Title 38 of the Official Code of Georgia Annotated, relating to military, emergency
336 management, and veterans affairs, is amended in:

337 (1) Code Section 38-3-3, relating to definitions relative to emergency management, in
338 paragraph (4), by inserting a comma following "energy or power".

339 (2) Code Section 38-3-182, relating to establishment of the Georgia Emergency
340 Communications Authority, purpose, duties and responsibilities, board of directors, perpetual
341 existence, power and authority, operation, and regulation, in subparagraph (d)(1)(A), by
342 replacing "The commissioner of the Department of Public Safety" with "The commissioner
343 of public safety", in subparagraph (d)(1)(B), by replacing "The commissioner of the
344 Department of Revenue" with "The commissioner of revenue", and in subsection (j), by
345 replacing "construed to affect" with "construed to effect".

346 (3) Code Section 38-4-14, relating to creation of the Georgia Veterans Service Foundation,
347 Inc., purpose, operation, and reporting, in paragraph (b)(2), by replacing "Georgia Veterans
348 Service Foundation" with "The Georgia Veterans Service Foundation", in paragraphs (b)(3)
349 and (b)(4), by replacing "Georgia Veterans Service Foundation" with "the Georgia Veterans
350 Service Foundation" each time the phrase appears, in paragraphs (c)(5) and (c)(6), by
351 replacing "provided, however," with "provided, however, that", and in subsection (d), by
352 replacing "Georgia Veterans Service Foundation, Inc., shall" with "The Georgia Veterans
353 Service Foundation, Inc., shall" both times the phrase appears and by replacing "all donors

354 to Georgia Veterans Service Foundation" with "all donors to the Georgia Veterans Service
355 Foundation".

356 **SECTION 39.**

357 Reserved.

358 **SECTION 40.**

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

361 (1) Code Section 40-5-64, relating to limited driving permits for certain offenders, in
362 paragraph (c)(6), by replacing "Attending court," with "Attending court;"; by replacing
363 "Title 42 probation office, or reporting" with "Title 42 probation office; reporting", and by
364 replacing "probation officer serving pursuant to Article 6 of Chapter 8 of Title 42," with
365 "probation officer serving pursuant to Article 6 of Chapter 8 of Title 42;".

366 (2) Code Section 40-5-142, relating to definitions regarding commercial drivers' licenses,
367 in subparagraph (18.2)(J), by replacing "thereon, as set forth in paragraph (8) of
368 subsection (a) of Code Section 16-8-12; or" with "thereon; or"

369 (3) Code Section 40-6-10, relating to insurance requirements for operation of motor vehicles
370 generally, in paragraph (a)(7), by replacing "the department" with "the Department of Driver
371 Services" and in subsections (b) and (d), by replacing "the department" with "the Department
372 of Revenue".

373 (4) Code Section 40-6-11, relating to insurance requirements for operation of motorcycles,
374 in paragraph (d)(1) and in subsection (e), by replacing "the department" with "the
375 Department of Revenue".

376 (5) Code Section 40-6-15, relating to knowingly driving motor vehicle on suspended,
377 canceled, or revoked registration and punishment, in subsection (d), by replacing "The
378 department" with "The Department of Revenue" both times the term appears.

379 (6) Code Section 40-6-28, relating to restricted access managed lanes, in subsection (a), by
380 replacing "The department" with "The Department of Transportation".

381 (7) Code Section 40-6-163, relating to the duty of driver of vehicle meeting or overtaking
382 school bus, reporting of violations, and civil monetary penalty for violations captured by
383 school bus camera, in subparagraph (d)(3)(A), by replacing "in subparagraph (d)(3)(B) of this
384 Code Section" with "in subparagraph (B) of this paragraph", in paragraph (d)(6), by replacing
385 "subparagraph (B) of this paragraph" with "subparagraph (B) of paragraph (3) of this
386 subsection", in paragraph (d)(14), by replacing "of subsection (c) of Code Section 40-6-163"
387 with "of subsection (c) of this Code section", and in paragraph (d)(15), by replacing

388 "subparagraph (d)(3)(B) of this Code section" with "subparagraph (B) of paragraph (3) of
389 this subsection".

390 **SECTION 41.**

391 Reserved.

392 **SECTION 42.**

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

395 (1) Code Section 42-3-51, relating to community service or educational advancement
396 program, letter of application, requirements, and limitation of liability, in subsection (b), by
397 replacing "shall work offenders" with "shall work with offenders" and in subsection (d), by
398 replacing "community service or educational advancement" with "community service or in
399 an educational advancement".

400 (2) Code Section 42-9-41, relating to duty of the State Board of Pardons and Paroles to
401 obtain and place in records information respecting persons subject to relief or placed on
402 probation, investigations, and rules, in paragraph (a)(3), by replacing "his sentence" with "his
403 or her sentence".

404 **SECTION 43.**

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

407 (1) Code Section 43-10-12, relating to regulation and licenses for schools of barbering,
408 cosmetology, esthetics, hair design, and nail care, teachers and instructors, registration of
409 apprentices, and certification as teacher by Department of Education, in paragraph (e)(7), by
410 replacing "provided, however, any teacher" with "provided, however, that any teacher".

411 (2) Code Section 43-15-2, relating to definitions regarding professional engineers and land
412 surveyors, in division (6)(D)(iii), by replacing "Storm water management" with "Storm-water
413 management".

414 (3) Code Section 43-15-13.1, relating to requirements for professional land surveyors
415 engaged in design of storm-water management plans, facilities, water distribution lines, and
416 sanitary sewer collection systems, in the introductory language, by replacing
417 "divisions (6)(D)(ii) through (iv)" with "divisions (6)(D)(ii) through (6)(D)(iv)".

418 (4) Code Section 43-17-13, relating to penalties, cease and desist orders, injunctions,
419 restitution, appointment and powers of receivers, and subpoenas regarding charitable
420 solicitations, in division (a)(2)(B)(iv), by inserting "or" following "equitable;".

- 421 (5) Code Section 43-34-8, relating to the Georgia Composite Medical Board's authority to
422 refuse license, certificate, or permit or issue discipline, suspension, restoration,
423 investigations, hearings on fitness, immunity, and publication of final disciplinary actions,
424 in subsection (b.1), by inserting "the" preceding "Georgia Administrative Procedure Act.".
- 425 (6) Code Section 43-34-25, relating to delegation of certain medical acts to advanced
426 practice registered nurses, construction and limitations of such delegation, definitions,
427 conditions of nurse protocol, and issuance of prescription drug orders, in paragraph (c)(3),
428 by replacing "radiographic image tests" with "radiographic imaging tests".
- 429 (7) Code Section 43-50-41, relating to disciplinary action, subpoenas, judicial review,
430 reinstatement, investigatory powers, immunity, failure to appear, and voluntary surrender of
431 veterinary license, in paragraph (a)(11), by deleting "registration" preceding "fee".
- 432 (8) Code Section 43-50-44, relating to exemptions from the article regarding veterinarian
433 licensing and registration, in paragraph (13), by replacing "veterinary-client-animal patient
434 relationship" with "veterinarian-client-patient relationship".

435

SECTION 44.

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

- 437 (1) Code Section 44-2-131, relating to declaration of titles by descent upon petition, service
438 of petition and publication of notices, transfer of registered titles and issuance of new
439 certificates, and rights of surviving spouses, in subsection (d), by replacing "provided,
440 however," with "provided, however, that".
- 441 (2) Code Section 44-6-185, relating to partition by sale, purchase by party, buyouts, sale to
442 others, and notice and hearing, in subsection (e), by replacing "paragraphs (1) or (2)" with
443 "paragraph (1) or (2)".
- 444 (3) Code Section 44-14-361.1, relating to how liens are declared and created, amendments,
445 records, commencement of actions, notices, priorities, parties, and limitations on aggregate
446 amount of liens, in paragraph (a)(2), by replacing "provided, however," with "provided,
447 however, that".
- 448 (4) Code Section 44-16-5, relating to enforcement of environmental covenant, in
449 subsection (c), by inserting a comma following "2008".
- 450 (5) Code Section 44-16-9, relating to limitations of environmental covenants, in
451 subsection (b), by replacing "subsection (a) and (b)" with "subsections (a) and (b)".

452

SECTION 45.

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

455 (1) Code Section 45-7-4, relating to annual salaries of certain state officials and
 456 cost-of-living adjustments, in subparagraph (a)(22)(E), by replacing "two year biennium"
 457 with "two-year biennium" both times the phrase appears.

458 **SECTION 46.**

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

461 (1) Code Section 46-5-133, relating to the authority of local governments to adopt
 462 resolutions to impose monthly 9-1-1 charges, in subsection (d), by replacing "shall be applied
 463 county-wide" with "shall be applied county wide".

464 **SECTION 47.**

465 Reserved.

466 **SECTION 48.**

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

469 (1) Code Section 48-2-15, relating to confidential and privileged tax information, in
 470 division (e)(1)(B)(iii), by inserting a comma following "assessments".

471 (2) Code Section 48-5-7.4, relating to bona fide conservation use property, residential
 472 transitional property, application procedures, penalties for breach of covenant, classification
 473 on tax digest, and annual reports, in paragraph (q)(5), by replacing "provided the owner" with
 474 "provided that the owner".

475 (3) Code Section 48-5-311, relating to creation of county boards of equalization, duties,
 476 review of assessments, and appeals, in subdivision (e)(6)(D)(iii)(I), by replacing "indicate
 477 that upon resolution" with "indicate that, upon resolution", in paragraph (e)(8), by deleting
 478 the comma following "the county board of equalization" the first time the phrase appears, and
 479 in paragraph (e.1)(10), by replacing "as agreed on by the parties" with "as agreed upon by
 480 the parties".

481 (4) Code Section 48-5-606, relating to the appeal of commissioner's decisions by taxpayers
 482 or groups, in subsection (a), by replacing "Code section" with "Code Section".

483 (5) Code Section 48-5C-1, as effective July 1, 2019, relating to definitions regarding
 484 alternative ad valorem tax on motor vehicles, exemption from taxation, allocation and
 485 disbursement of proceeds collected by tag agents, fair market value of vehicle appealable,
 486 and report, in subparagraph (d)(15)(I), by deleting "and" following "state;".

487 (6) Code Section 48-7-40.33, relating to tax credits for musical or theatrical performances,
 488 in subparagraph (b)(4)(A), by replacing "make-up" with "makeup".

489 (7) Code Section 48-7-40.35, relating to income tax credit for qualified employers,
 490 conditions and limitations to credit, and requirements for being a qualified employer, in
 491 paragraph (c)(3), by replacing "in Code section" with "in Code Section" and in
 492 paragraphs (d)(1), (d)(2), and (d)(3), by replacing "under Code section" with "under Code
 493 Section" each time the phrase appears.

494 (8) Code Section 48-7-53, relating to partnership returns, contents, oath, reporting of final
 495 federal adjustments, administrative adjustment requests, and rules and regulations, in
 496 paragraph (a)(7), by inserting a comma following "audited partnership or tiered partner" and
 497 in division (c)(6)(B)(ii), by replacing "filed with commissioner" with "filed with the
 498 commissioner".

499 (9) Code Section 48-8-3, relating to exemptions relative to general provisions regarding state
 500 sales and use tax, in division (68.1)(G)(iv), by replacing "equipment, including but not
 501 limited to" with "equipment, including, but not limited to".

502 **SECTION 49.**

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

505 (1) Code Section 49-6-92, relating to establishment of the Georgia Alzheimer's and Related
 506 Dementias State Plan Advisory Council, membership, advisory nature, review and
 507 recommendations, operation of council, and reporting, in subparagraph (a)(1)(C), by
 508 replacing "President" with "president".

509 **SECTION 50.**

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

512 (1) Code Section 50-13-41, relating to hearing procedures, powers of administrative law
 513 judges, issuance of decisions, reviewing agencies, and review of contested cases, in the first
 514 sentence of paragraph (d)(4), by inserting a comma following "may" and following
 515 "subsection".

516 (2) Code Section 50-32-2, relating to definitions regarding the Georgia Regional
 517 Transportation Authority, in paragraph (3), by replacing "Sections 7401 to 7671q" with
 518 "Sections 7401 through 7671q" and in paragraph (18.1), by replacing "intra-facility" with
 519 "intrafacility" and by inserting "and" preceding "ride share".

520 (3) Code Section 50-32-32, relating to the Georgia Regional Transportation Authority's
 521 issuance of guaranteed revenue bonds, in subsection (a), by replacing "issue, and declares"
 522 with "issue and declares".

- 523 (4) Code Section 50-39-2, relating to definitions regarding the Atlanta-region Transit Link
524 'ATL' Authority, in paragraph (18), by replacing "intra-facility" with "intrafacility" and by
525 inserting "and" preceding "ride share".
- 526 (5) Code Section 50-39-4, relating to the Atlanta-region Transit Link 'ATL' Authority's
527 membership, structure, operation, appointment of executive director, and annual reporting,
528 in paragraph (a)(1), by replacing "respective districts are include" with "respective districts
529 include", in subparagraph (a)(2)(C), by replacing "Blocks" with "blocks", and in
530 subsection (b), by inserting a comma following "Governor".
- 531 (6) Code Section 50-39-10, relating to uniform operation and jurisdictional issues, in
532 paragraph (b)(3), by inserting a comma following "extended to any county" and by inserting
533 a comma following "Code section", in paragraph (d)(2), by inserting a comma following
534 "constructed", and in subsection (f), by replacing "county wide" with "county-wide".
- 535 (7) Code Section 50-39-11, relating to the general powers of the Atlanta-region Transit Link
536 'ATL' Authority and construction with provisions on coordination and comprehensive
537 planning and service delivery by counties and municipalities, in paragraph (a)(11), by
538 replacing "for the purpose of" with "for the purposes of".
- 539 (8) Code Section 50-39-12, relating to development, review, and amendment of regional
540 transit plans, coordination with federal priorities, and branding, in subsection (a), by inserting
541 a comma following "jurisdictional lines".
- 542 (9) Code Section 50-39-31, relating to the Atlanta-region Transit Link 'ATL' Authority's
543 responsibility for use of federal funds, by replacing "p. 1008," with "p. 1008;".
- 544 (10) Code Section 50-39-32, relating to the Atlanta-region Transit Link 'ATL' Authority's
545 use of revenue bonds, in paragraph (a)(1), by inserting a comma following "\$1 billion" and
546 following "undertaking" and in subsection (c), by inserting a comma following "new bonds"
547 and following "matured".
- 548 (11) Code Section 50-39-33, relating to the Atlanta-region Transit Link 'ATL' Authority's
549 issuance of guaranteed revenue bonds and exemption from taxation, in subsection (a), by
550 replacing "issue, and declares" with "issue and declares".
- 551 (12) Code Section 50-39-34, relating to the Atlanta-region Transit Link 'ATL' Authority's
552 bonds as securities and investments, by inserting a comma following "legally invest funds".
- 553 (13) Code Section 50-39-53, as effective July 1, 2021, relating to the Atlanta-region Transit
554 Link 'ATL' Authority's grant programs, pilot program formation, factors to be considered in
555 selecting pilot projects, procedures, and eligible projects, in subsection (e), by replacing
556 "Atlanta region" with "Atlanta-region".
- 557 (14) Code Section 50-40-21, relating to development of broadband services and publication
558 and utilization of maps identifying underserved areas, in subsection (b), by inserting a
559 comma following "map does not exist".

560 (15) Code Section 50-40-22, relating to petitions contesting maps regarding broadband
561 services, in subsection (b), by inserting a comma following "not subject to review".

562 (16) Code Section 50-40-81, relating to development of the Georgia Broadband Deployment
563 Initiative, funding awards, considerations, priorities, and compliance with federal provisions,
564 in subsection (a), by replacing "including without limitation backhaul" with "including,
565 without limitation, backhaul".

566 **SECTION 51.**

567 Reserved.

568 **SECTION 52.**

569 Reserved.

570 **SECTION 53.**

571 Title 53 of the Official Code of Georgia Annotated, relating to wills, trusts, and
572 administration of estates, is amended in:

573 (1) Code Section 53-12-82, relating to rules for trusts and consideration of assets of an inter
574 vivos marital trust following death, in subparagraph (a)(2)(A), by replacing "provided, that
575 if a trust" with "provided that, if a trust".

576 (2) Code Section 53-13-2, relating to definitions relative to fiduciary access to digital assets,
577 in paragraph (14), by replacing "databases" with "data bases".

578 (3) Code Section 53-13-40, relating to construction of the Revised Uniform Fiduciary
579 Access to Digital Assets Act with federal provisions, by inserting a comma following
580 "Section 7001".

581 **SECTION 54.**

582 (a) Except for Title 47, the text of Code sections and title, chapter, article, part, subpart,
583 Code section, subsection, paragraph, subparagraph, division, and subdivision numbers and
584 designations as contained in the Official Code of Georgia Annotated published under
585 authority of the state by The Michie Company in 1982 and contained in Volumes 3
586 through 40 of such publication or replacement volumes thereto, as amended by the text and
587 numbering of Code sections as contained in the 2018 supplements to the Official Code of
588 Georgia Annotated published under authority of the state in 2018 by LEXIS Publishing, are
589 hereby reenacted.

590 (b) Annotations; editorial notes; Code Revision Commission notes; research references;
591 notes on law review articles; opinions of the Attorney General of Georgia; indexes; analyses;
592 title, chapter, article, part, and subpart captions or headings, except as otherwise provided in

593 the Code; catchlines of Code sections or portions thereof, except as otherwise provided in
594 the Code; and rules and regulations of state agencies, departments, boards, commissions, or
595 other entities which are contained in the Official Code of Georgia Annotated are not enacted
596 as statutes by the provisions of this Act. Material which has been added in brackets or
597 parentheses and editorial, delayed effective date, effect of amendment, or other similar notes
598 within the text of a Code section by the editorial staff of the publisher in order to explain or
599 to prevent a misapprehension concerning the contents of the Code section and which is
600 explained in an editorial note is not enacted by the provisions of this section and shall not be
601 considered a part of any statutes.

602 (c) The reenactment of the statutory portion of the Official Code of Georgia Annotated by
603 subsection (a) of this section shall not affect, supersede, or repeal any Act of the General
604 Assembly, or portion thereof, which is not contained in the Official Code of Georgia
605 Annotated and which was not repealed by Code Section 1-1-10, specifically including those
606 Acts which have not yet been included in the text of the Official Code of Georgia Annotated
607 because of effective dates which extend beyond the effective date of the Code or the
608 publication date of the Code or its supplements. This subsection shall not apply to any Act
609 or portion thereof which was superseded due to conflict as provided by subsection (b) of
610 Code Section 28-9-5.

611 (d) The provisions contained in Sections 1 through 53 of this Act and in the other Acts
612 enacted at the 2018 regular session of the General Assembly of Georgia shall supersede the
613 provisions of the Official Code of Georgia Annotated ratified and reenacted by subsection (a)
614 of this section.

615 (e) In the event of a conflict between a provision in Sections 1 through 53 of this Act and
616 a provision of another Act enacted at the 2019 regular session of the General Assembly, the
617 provision of such other Act shall control over the conflicting provision in Sections 1
618 through 53 of this Act to the extent of the conflict.

619 **SECTION 55.**

620 This Act shall become effective upon its approval by the Governor or upon its becoming law
621 without such approval.

622 **SECTION 56.**

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