

House Bill 511

By: Representatives Reeves of the 34th, England of the 116th, Blackmon of the 146th,
Williamson of the 115th, Mitchell of the 88th, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Titles 12, 19, 27, 28, 31, 40, 45, 48, and 49 of the Official Code of Georgia
2 Annotated, relating to conservation and natural resources, domestic relations, game and fish,
3 General Assembly, health, motor vehicles and traffic, public officers and employees,
4 revenue and taxation, and social services, respectively, so as to provide for the establishment
5 or revision of the Georgia Outdoor Stewardship Trust Fund, Solid Waste Trust Fund,
6 Hazardous Waste Trust Fund, State Children's Trust Fund, Wildlife Endowment Trust Fund,
7 Trauma Care Network Trust Fund, Transportation Trust Fund, Georgia Agricultural Trust
8 Fund, Fireworks Trust Fund, and Georgia Transit Trust Fund as funds within the state
9 treasury; to dedicate the proceeds of certain fees and taxes to such funds as authorized and
10 subject to the conditions imposed by Article III, Section IX, Paragraph VI(r) of the
11 Constitution of Georgia; to provide for annual appropriations and reporting; to provide for
12 fiscal dedication analyses to be completed for each bill that dedicates funds pursuant to
13 certain constitutional authority; to repeal and reserve certain provisions; to provide for
14 compliance with constitutional requirements; to provide for related matters; to provide for
15 an effective date; to repeal conflicting laws; and for other purposes.

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

H. B. 511

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17 **SECTION 1.**

18 Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural
 19 resources, is amended by revising Code Section 12-6A-5, relating to the establishment of the
 20 Georgia Outdoor Stewardship Trust Fund, as follows:

21 "12-6A-5.

22 (a) There is established the Georgia Outdoor Stewardship Trust Fund as a separate fund
 23 in the state treasury. Except as provided in subsections (c) and (d) of this Code section, the
 24 ~~state treasurer shall credit~~ General Assembly shall appropriate to the trust fund 40 percent
 25 of all moneys received by the state from the sales and use tax collected by establishments
 26 classified under the 2007 North American Industry Classification Code 451110, sporting
 27 goods stores, in the ~~immediately preceding~~ most recently completed fiscal year.

28 (b) Such funds shall not lapse to the general fund. Such funds shall be used to support the
 29 protection and conservation of land and shall be used to supplement, not supplant,
 30 department resources.

31 (c)(1) In the event that, in any current fiscal year, the ~~immediately preceding~~ most
 32 recently completed fiscal year's total moneys received from the levy of a sales and use
 33 tax fall at least 1 percent below the total moneys received from the levy of the tax in the
 34 year prior to the ~~immediately preceding~~ most recently completed fiscal year, then the
 35 amount that the ~~state treasurer shall credit~~ General Assembly shall appropriate to the trust
 36 fund ~~during the current~~ for the following fiscal year shall be reduced by 20 percent ~~of the~~
 37 ~~trust fund credit, which amount shall instead be paid into the state general fund.~~

38 (2) In the event that, in a fiscal year following the fiscal year of an initial trust fund ~~credit~~
 39 appropriation reduction pursuant to paragraph (1) of this subsection, the ~~immediately~~
 40 ~~preceding~~ most recently completed fiscal year's total moneys received from the levy of
 41 a sales and use tax fall at least 1 percent below the total moneys received from the levy
 42 of the tax in the year prior to the ~~immediately preceding~~ most recently completed fiscal
 43 year, then the amount that the ~~state treasurer shall credit~~ General Assembly shall

44 appropriate to the trust fund ~~during the current~~ for the following fiscal year shall be
 45 reduced by 50 percent of ~~the trust fund credit, which amount shall instead be paid into the~~
 46 ~~state general fund.~~

47 (d) In any current fiscal year following a year for which the amount ~~paid~~ appropriated to
 48 the trust fund is reduced in accordance with subsection (c) of this Code section, the same
 49 percentage reduction shall continue ~~be paid into the state general fund as in the~~
 50 ~~immediately preceding year~~ unless the total moneys received from the levy of the sales and
 51 use tax in the ~~immediately preceding~~ most recently completed fiscal year equal or exceed
 52 the total moneys received from the levy of the sales and use tax in the most recent fiscal
 53 year in which no reduction in the amount ~~paid~~ appropriated to the trust fund occurred
 54 pursuant to subsection (c) or (d) of this Code section."

55

SECTION 2.

56 Said title is further amended by revising Code Section 12-8-27.1, relating to the solid waste
 57 trust fund, as follows:

58 "12-8-27.1.

59 (a)(1) The state treasurer shall establish a separate trust fund in the state treasury that
 60 shall be known as the Solid Waste Trust Fund to which all funds within the solid waste
 61 trust fund previously established by this subsection shall be transferred. ~~There shall be~~
 62 ~~established the solid waste trust fund.~~ The director shall serve as trustee of the ~~solid~~
 63 ~~waste trust fund~~ Solid Waste Trust Fund. ~~The moneys deposited in such fund pursuant~~
 64 ~~to this Code section, Code Section 12-8-30.6, and Code Section 12-8-40.1 may be~~
 65 ~~expended by the director, with the approval of the board, for the following purposes:~~

66 (2) The state treasurer shall invest the money held in the Solid Waste Trust Fund in the
 67 same manner in which state funds are invested as authorized by the State Depository
 68 Board pursuant to Article 3 of Chapter 17 of Title 50. Interest earned by the money held

69 in the trust fund shall be accounted for separately and shall be credited to the trust fund
70 to be disbursed as other moneys in the trust fund.

71 (b) Under the authority granted and subject to the conditions imposed by Article III,
72 Section IX, Paragraph VI(r) of the Constitution of Georgia, for the period beginning on
73 July 1, 2022, and ending on June 30, 2032, all of the money collected pursuant to
74 subsection (h) of Code Section 12-8-40.1 shall be annually appropriated to the Solid Waste
75 Trust Fund established by subsection (a) of this Code section and such funds shall not lapse
76 as otherwise required by Article III, Section IX, Paragraph IV(c) of the Constitution of
77 Georgia. Each annual appropriation shall be made through the General Appropriations Act
78 and shall include all of the money collected from such source during the most recently
79 completed fiscal year.

80 (c) All of the money appropriated to the Solid Waste Trust Fund pursuant to subsection (b)
81 of this Code section shall be dedicated for use only for the following purposes:

82 (1) To take whatever emergency action is necessary or appropriate to assure that the
83 public health or safety is not threatened whenever there is a release or substantial threat
84 of a release of contaminants from a disposal facility;

85 (2) To take preventive or corrective actions where the release of contaminants presents
86 an actual or potential threat to human health or the environment and where the owner or
87 operator has not been identified or is unable or unwilling to perform corrective action,
88 including but not limited to closure and postclosure care of a disposal facility and
89 provisions for providing alternative water supplies;

90 (3) To take such actions as may be necessary to monitor and provide postclosure care of
91 any disposal facility, including preventive and corrective actions, without regard to the
92 identity or solvency of the owner thereof, commencing five years after the date of
93 completing closure; and

94 (4) To take such actions as may be necessary to implement the provisions of a scrap tire
95 management program in this state, particularly as may be related to the cleanup of scrap

96 tire disposal piles and facilities, regulation of tire carriers and other handlers, and
97 disbursement of grants and loans to cities, counties, and other persons as may be
98 necessary to implement fully the provisions of this part.

99 (d) The director shall prepare an accounting of the funds expended pursuant to this Code
100 section during the most recently completed fiscal year to be provided to the Office of
101 Planning and Budget, the House Budget and Research Office, and the Senate Budget and
102 Evaluation Office by January 1 of each year.

103 ~~(b)~~(e)(1) If the director determines that a solid waste or special solid waste handling
104 facility has been abandoned, that the owner or operator thereof has become insolvent, or
105 that for any other reason there is a demonstrated unwillingness or inability of the owner
106 or operator to maintain, operate, or close the facility, to carry out postclosure care of the
107 facility, or to carry out corrective action required as a condition of a permit to the
108 satisfaction of the director, the director may implement the applicable financial
109 responsibility mechanisms. The proceeds from any applicable financial responsibility
110 mechanisms shall be deposited ~~in the solid waste trust fund~~ into the Solid Waste Trust
111 fund.

112 ~~(c)~~(2) The determination of whether there has been an abandonment, default, or other
113 refusal or inability to perform and comply with closure, postclosure, or corrective action
114 requirements shall be made by the director.

115 ~~(d) Any interest earned upon the corpus of the solid waste trust fund shall not become a~~
116 ~~part thereof but shall be paid over to the division to be utilized by the division for~~
117 ~~administration of the state solid waste management program. Any funds not expended for~~
118 ~~this purpose in the fiscal year in which they are generated shall be deposited into the state~~
119 ~~treasury. Nothing in this Code section shall be construed so as to allow the division to~~
120 ~~retain any funds required by the Constitution of Georgia to be paid into the state treasury.~~
121 ~~The division shall comply with all provisions of Part 1 of Article 4 of Chapter 12 of Title~~
122 ~~45, known as the 'Budget Act'; provided, however, that the division shall be exempt from~~

123 ~~the provisions of Code Section 45-12-92, which requires payment into the state treasury~~
124 ~~of moneys collected by state agencies."~~

125 **SECTION 3.**

126 Said title is further amended by revising subsections (e), (f), and (g) of Code Section 12-8-39,
127 relating to cost reimbursement fees, surcharges, exempt contracts, and reporting, as follows:

128 ~~"(e)(1)~~ Owners or operators of any solid waste disposal facility other than an inert waste
129 landfill as defined in regulations promulgated by the board or a private industry solid waste
130 disposal facility shall assess and collect on behalf of the division from each disposer of
131 waste a surcharge of 75¢ per ton of solid waste disposed. Two percent of said surcharge
132 collected may be retained by the owner or operator of any solid waste disposal facility
133 collecting said surcharge to pay for costs associated with collecting said surcharge.
134 Surcharges assessed and collected on behalf of the division shall be paid to the division not
135 later than the first day of July of each year for the preceding calendar year. Any facility
136 permitted exclusively for the disposal of construction or demolition waste that conducts
137 recycling activities for construction or demolition materials shall receive a credit toward
138 the surcharge listed above per ton of material recycled at the facility.

139 ~~(2) The surcharge amount provided for in this subsection shall be subject to revision~~
140 ~~pursuant to Code Section 45-12-92.2.~~

141 ~~(f) All surcharges required by subsection (e) of this Code section shall be paid to the~~
142 ~~division for transfer into the state treasury to the credit of the general fund. The division~~
143 ~~shall collect such fees until the unencumbered principal balance of the hazardous waste~~
144 ~~trust fund equals or exceeds \$25 million, at which time the division shall not collect any~~
145 ~~further such surcharges until the unencumbered balance in such fund equals or is less than~~
146 ~~\$12.5 million, at which time the division shall resume collection of such surcharges at the~~
147 ~~beginning of the next calendar year following the year in which such event occurs. The~~
148 ~~director shall provide written notice to all permitted solid waste disposal facilities at the~~

149 ~~time he receives notice that the unencumbered balance of such trust fund equals or~~
 150 ~~exceeds \$25 million or equals or is less than \$12.5 million. Reserved.~~

151 (g) Unless the requirement for the surcharge required by subsection (e) of this Code
 152 section is reimposed by the General Assembly, no such surcharge shall be collected after
 153 ~~June 30, 2025~~ June 30, 2032. The director shall make an annual report to the House
 154 Committee on Natural Resources and Environment and the Senate Natural Resources and
 155 the Environment Committee regarding the status of the activities funded by the ~~hazardous~~
 156 ~~waste trust fund~~ Hazardous Waste Trust Fund."

157 **SECTION 4.**

158 Said title is further amended in Code Section 12-8-40.1, relating to tire disposal restrictions
 159 and fees, by revising subsection (h) as follows:

160 "(h)(1) A fee is imposed upon the retail sale of all new replacement tires in this state of
 161 \$1.00 per tire sold. The fee shall be collected by retail dealers at the time the retail dealer
 162 sells a new replacement tire to the ultimate consumer; provided, however, that a Georgia
 163 tire distributor who sells tires to retail dealers must collect such fees from any retail
 164 dealer who does not have a valid scrap tire generator identification number issued by the
 165 division. The fee and any required reports shall be remitted not less than quarterly on
 166 such forms as may be prescribed by the division. The division is authorized to contract
 167 with the Department of Revenue to, and the Department of Revenue is authorized to,
 168 collect such fees on behalf of the division. All fees received shall be deposited into the
 169 state treasury to the account of the general fund in accordance with the provisions of
 170 Code Section 45-12-92. ~~All moneys deposited into the solid waste trust fund shall be~~
 171 ~~deemed expended and contractually obligated and shall not lapse to the general fund.~~

172 (2) In collecting, reporting, and paying the fees due under this subsection, each
 173 distributor or retailer shall be allowed the following deductions, but only if the amount
 174 due was not delinquent at the time of payment:

- 175 (A) A deduction of 3 percent of the first \$3,000.00 of the total amount of all fees
 176 reported due on such report; and
- 177 (B) A deduction of one-half of 1 percent of that portion exceeding \$3,000.00 of the
 178 total amount of all fees reported due on such report.
- 179 (3) The tire fees authorized in this subsection shall cease to be collected on ~~June 30, 2025~~
 180 June 30, 2032. The director shall make an annual report to the House Committee on
 181 Natural Resources and Environment and the Senate Natural Resources and the
 182 Environment Committee regarding the status of the activities funded by the ~~solid waste~~
 183 ~~trust fund~~ Solid Waste Trust Fund.
- 184 ~~(4) The fee amount provided for in this subsection shall be subject to revision pursuant~~
 185 ~~to Code Section 45-12-92.2."~~

186

SECTION 5.

187 Said title is further amended by revising subsection (b) of Code Section 12-8-91, relating to
 188 declaration of policy and legislative intent, as follows:

189 "(b) The General Assembly declares its intent to fund the execution of the public policy
 190 set forth in subsection (a) of this Code section by and through ~~the division with the fees~~
 191 ~~established and collected by the division pursuant to subsection (e) of Code Section 12-2-2,~~
 192 ~~subsection (e) of Code Section 12-8-39, subsection (d) of Code Section 12-8-68, and Code~~
 193 ~~Section 12-8-95.1. The General Assembly further declares its intent to ensure that the~~
 194 ~~funding provided by fees on hazardous waste management activities and hazardous~~
 195 ~~substance reporting and by owners and operators of solid waste disposal facilities pursuant~~
 196 ~~to those Code sections and through the collection of civil penalties will not be diverted for~~
 197 ~~any purpose other than the administration of this article by the division, including~~
 198 ~~reviewing and overseeing investigations, corrective action, and other actions by federal~~
 199 ~~agencies required under this article and supporting the reduction of hazardous waste and~~
 200 ~~pollution prevention activities by federal agencies; the prevention of pollution, including~~

201 ~~reduction of hazardous wastes generated; and the effectuation of corrective action at sites~~
 202 ~~that may threaten human health or the environment where hazardous wastes, hazardous~~
 203 ~~constituents, or hazardous substances have been disposed of or released. Appropriation of~~
 204 ~~funds to the department for inclusion in the hazardous waste trust fund continued in~~
 205 ~~existence by subsection (a) of Code Section 12-8-95 shall be deemed consistent with this~~
 206 ~~declaration of legislative intent the Hazardous Waste Trust Fund established by Code~~
 207 ~~Section 12-8-95.~~"

208 **SECTION 6.**

209 Said title is further amended by revising subsections (a) and (b) of Code Section 12-8-95,
 210 relating to the hazardous waste trust fund, and adding a new subsection to read as follows:

211 "(a)(1) The state treasurer shall establish a separate trust fund in the state treasury that
 212 shall be known as the Hazardous Waste Trust Fund to which all funds within the
 213 hazardous waste trust fund previously established by this subsection shall be transferred.
 214 ~~There shall continue in existence the hazardous waste trust fund. The hazardous waste~~
 215 ~~trust fund shall be funded in accordance with subsection (b) of Code Section 12-8-91.~~
 216 ~~All moneys deposited in the fund shall be deemed expended and contractually obligated~~
 217 ~~and shall not lapse to the general fund. The director shall serve as trustee of the hazardous~~
 218 ~~waste trust fund Hazardous Waste Trust Fund.~~

219 (2) The state treasurer shall invest the money held in the Hazardous Waste Trust Fund
 220 in the same manner in which state funds are invested as authorized by the State
 221 Depository Board pursuant to Article 3 of Chapter 17 of Title 50. Interest earned by the
 222 money held in the trust fund shall be accounted for separately and shall be credited to the
 223 trust fund to be disbursed as other moneys in the trust fund.

224 (a.1) Under the authority granted and subject to the conditions imposed by Article III,
 225 Section IX, Paragraph VI(r) of the Constitution of Georgia, for the period beginning on
 226 July 1, 2022, and ending on June 30, 2032, all of the money collected pursuant to

227 subsection (e) of Code Section 12-8-39 shall be annually appropriated to the Hazardous
228 Waste Trust Fund established by subsection (a) of this Code section and such funds shall
229 not lapse as otherwise required by Article III, Section IX, Paragraph IV(c) of the
230 Constitution of Georgia. Each annual appropriation shall be made through the General
231 Appropriations Act and shall include all of the money collected from such source during
232 the most recently completed fiscal year.

233 (b) All of the money appropriated to the Hazardous Waste Trust Fund pursuant to
234 subsection (a.1) of this Code section shall be dedicated for use only for the following
235 purposes ~~The moneys deposited in the hazardous waste trust fund may be expended by the~~
236 director as follows:

237 (1) For activities associated with the investigation, detoxification, removal, and disposal
238 of any hazardous wastes, hazardous constituents, or hazardous substances at sites where
239 corrective action is necessary to mitigate a present or future danger to human health or
240 the environment;

241 (2) For emergency actions the director considers necessary to protect public health,
242 safety, or the environment whenever there is a release of hazardous wastes, hazardous
243 constituents, or hazardous substances;

244 (3) For activities of the division associated with the administration of this part, including
245 reviewing and overseeing investigations, corrective action, and other actions by federal
246 agencies required under this article and supporting the reduction of hazardous waste and
247 pollution prevention activities by federal agencies;

248 (4) In accordance with rules promulgated by the board, for financing of the state and
249 local share of the costs associated with the investigation, remediation, and postclosure
250 care and maintenance of sites placed on the National Priority List pursuant to the federal
251 Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as
252 amended, or sites placed on the hazardous site inventory pursuant to Code Section
253 12-8-97; provided, however, that the director shall ensure that beginning July 1, 2003,

254 and annually in each following year, an amount equal to at least one-half of the sum of
 255 annual collections made pursuant to subsection (e) of Code Section 12-8-39 ~~and~~
 256 ~~appropriated to the department in accordance with subsection (b) of Code Section~~
 257 ~~12-8-91~~ shall be available to be used for the purposes of this paragraph; provided, further,
 258 that if a county or municipal corporation has been or is the owner of or operator of such
 259 site, not less than ~~\$500,000~~ \$500,000.00 of such costs shall be paid from the ~~hazardous~~
 260 ~~waste trust fund~~ Hazardous Waste Trust Fund; and

261 (5) For activities administered by the director associated with pollution prevention,
 262 including reduction of hazardous wastes generated in this state.

263 (b.1) The director shall prepare an accounting of the funds expended pursuant to this Code
 264 section during the most recently completed fiscal year to be provided to the Office of
 265 Planning and Budget, the House Budget and Research Office, and the Senate Budget and
 266 Evaluation Office by January 1 of each year."

267 SECTION 7.

268 Title 19 of the Official Code of Georgia Annotated, relating to domestic relations, is
 269 amended by revising Code Section 19-14-20, relating to the creation of the State Children's
 270 Trust Fund, as follows:

271 "19-14-20.

272 (a)(1) The State Children's Trust Fund is created as a separate fund in the state treasury.
 273 ~~The fund shall be expended only as provided in this chapter and in Part 1 of Article 6 of~~
 274 ~~Chapter 5 of Title 49, and the State Children's Trust Fund shall continue in existence until~~
 275 ~~repealed by the legislature.~~ The director of the Division of Family and Children Services
 276 of the Department of Human Services shall be the trustee of the fund.

277 (2) The state treasurer shall invest the money held in the State Children's Trust Fund in
 278 the same manner in which state funds are invested as authorized by the State Depository
 279 Board pursuant to Article 3 of Chapter 17 of Title 50. Interest earned by the money held

280 in the trust fund shall be accounted for separately and shall be credited to the trust fund
281 to be disbursed as other moneys in the trust fund.

282 (b) Under the authority granted and subject to the conditions imposed by Article III,
283 Section IX, Paragraph VI(r) of the Constitution of Georgia, for the period beginning on
284 July 1, 2022, and ending on June 30, 2032, all of the money collected pursuant to Code
285 Sections 15-6-77.4 and 15-9-60 shall be annually appropriated to the State Children's Trust
286 Fund established by subsection (a) of this Code section and such funds shall not lapse as
287 otherwise required by Article III, Section IX, Paragraph IV(c) of the Constitution of
288 Georgia. Each annual appropriation shall be made through the General Appropriations Act
289 and shall include all of the money collected from such sources during the most recently
290 completed fiscal year.

291 (c) The State Children's Trust Fund may accept federal funds granted by Congress or
292 executive order for the purposes of the fund as well as gifts and donations from individuals,
293 private organizations, or foundations. The acceptance and use of federal funds does not
294 commit state funds and does not place an obligation upon the General Assembly to
295 continue the purposes for which the federal funds are made available. All funds received
296 in the manner described in this subsection shall be transmitted to the state treasurer for
297 deposit in the fund to be disbursed as other moneys in such fund.

298 (d) All of the money appropriated to the State Children's Trust Fund pursuant to
299 subsection (b) of this Code section shall be dedicated for use and expended by the director
300 of the Division of Family and Children Services of the Department of Human Services
301 only for the following purposes:

302 (1) To carry out the prevention and community based service programs as provided for
303 in Part 2 of Article 6 of Chapter 5 of Title 49;

304 (2) To carry out the duties relating to mentoring as provided for in Part 3 of Article 6 of
305 Chapter 5 of Title 49;

- 306 (3) To cooperate with and secure cooperation of every department, agency, or
307 instrumentality in the state government or its political subdivisions in the furtherance of
308 the purposes of this article;
- 309 (4) To prepare, publish in print or electronically, and disseminate fundamental child
310 related information of a descriptive and analytical nature to all components of the
311 children's service system of this state, including, but not limited to, the juvenile justice
312 system;
- 313 (5) To serve as a state-wide clearing-house for child related information and research;
- 314 (6) In coordination and cooperation with all components of the children's service systems
315 of this state, to develop legislative proposals and executive policy proposals reflective of
316 the priorities of the entire child related systems of this state, including, but not limited to,
317 child abuse injury prevention, treatment, and juvenile justice systems;
- 318 (7) To serve in an advisory capacity to the Governor on issues impacting the children's
319 service systems of this state;
- 320 (8) To coordinate high visibility child related research projects and studies with a
321 state-wide impact when those studies and projects cross traditional system component
322 lines;
- 323 (9) To provide for the interaction, communication, and coordination of all components
324 of the children's service systems of this state and to provide assistance in establishing
325 state-wide goals and standards in the system;
- 326 (10) To provide for the effective coordination and communication between providers of
327 children and youth services, including pediatrics, health, mental health, business and
328 industry, and all components of social services, education, and educational services;
- 329 (11) To encourage and facilitate the establishment of local commissions or coalitions on
330 children and youth and to facilitate the involvement of communities in providing services
331 for their children and youth;

332 (12) To review and develop an integrated state plan for services provided to children and
 333 youth in this state through state programs;

334 (13) To provide technical assistance and consultation to members of the council and
 335 local governments, particularly those involved in providing services to their children and
 336 youth;

337 (14) To facilitate elimination of unnecessary or duplicative efforts, programs, and
 338 services; and

339 (15) To do any and all things necessary and proper to enable it to perform wholly and
 340 adequately its duties and to exercise the authority granted to it.

341 (e) The director of the Division of Family and Children Services of the Department of
 342 Human Services shall prepare an accounting of the funds expended pursuant to this Code
 343 section during the most recently completed fiscal year to be provided to the Office of
 344 Planning and Budget, the House Budget and Research Office, and the Senate Budget and
 345 Evaluation Office by January 1 of each year."

346 **SECTION 8.**

347 Said article is further amended by repealing Code Sections 19-14-21, 19-14-22, and
 348 19-14-23, relating to source of funds, investments and interest, and issuance of warrants,
 349 respectively.

350 **SECTION 9.**

351 Title 27 of the Official Code of Georgia Annotated, relating to game and fish, is amended
 352 by revising Code Section 27-2-30, relating to establishment of the Wildlife Endowment Fund
 353 and limitations on expenditures from the fund, by revising subsections (b) and (c) and adding
 354 new subsections to read as follows:

355 "(b)(1) In recognition of its obligations to lifetime sportsman's license purchasers, the
 356 General Assembly directs the ~~department~~ state treasurer to establish a fund known as the

357 Wildlife Endowment Trust Fund as a separate fund in the state treasury and all funds held
358 in the Wildlife Endowment Fund previously established by this Code section shall be
359 transferred to the Wildlife Endowment Trust Fund for receipt of funds of an amount equal
360 to that generated by the sale of lifetime sportsman's licenses listed in subsection (d) of
361 Code Section 27-2-3.1. Further, the General Assembly declares its intent to appropriate
362 to the Wildlife Endowment Fund each fiscal year an amount equal to that generated by
363 the prior year's sales of lifetime licenses. The fund is also authorized to accept
364 contributions from private individuals and entities. All funds appropriated and those
365 contributed to the Wildlife Endowment Fund shall be deemed expended and contractually
366 obligated and shall not lapse to the general fund.

367 (2) The state treasurer shall invest the money held in the Wildlife Endowment Trust
368 Fund in the same manner in which state funds are invested as authorized by the State
369 Depository Board pursuant to Article 3 of Chapter 17 of Title 50. Interest earned by the
370 money held in the trust fund shall be accounted for separately and shall be credited to the
371 trust fund to be disbursed as other moneys in the trust fund. The fund is authorized to
372 accept donations from private individuals and entities.

373 (c) Under the authority granted and subject to the conditions imposed by Article III,
374 Section IX, Paragraph VI(r) of the Constitution of Georgia, for the period beginning on
375 July 1, 2022, and ending on June 30, 2032, all of the money collected pursuant to
376 subsection (d) of Code Section 27-2-3.1 shall be annually appropriated to the Wildlife
377 Endowment Trust Fund established by subsection (b) of this Code section and such funds
378 shall not lapse as otherwise required by Article III, Section IX, Paragraph IV(c) of the
379 Constitution of Georgia. Each annual appropriation shall be made through the General
380 Appropriations Act and shall include all of the money collected from such source during
381 the most recently completed fiscal year.

382 (c.1) The commissioner of natural resources shall be the trustee of the Wildlife
383 Endowment Trust Fund with full authority over the administration of the fund. The state

384 ~~treasurer shall be the custodian of the Wildlife Endowment Fund and shall invest its assets~~
385 ~~in accordance with Georgia laws and shall report to the department the annual income and~~
386 ~~contributions to the fund. The intent of the General Assembly is that such income from the~~
387 ~~fund be appropriated annually to the department for the purposes stated in subsection (d)~~
388 ~~of this Code section.~~

389 (c.2) All of the money appropriated to the Wildlife Endowment Trust Fund pursuant to
390 subsection (c) of this Code section shall be dedicated for use and expended by the
391 commissioner of natural resources for the purposes provided in subsection (d) of this Code
392 section.

393 (c.3) The commissioner of natural resources shall prepare an accounting of the funds
394 expended pursuant to this Code section during the most recently completed fiscal year to
395 be provided to the Office of Planning and Budget, the House Budget and Research Office,
396 and the Senate Budget and Evaluation Office by January 1 of each year."

397 **SECTION 10.**

398 Title 28 of the Official Code of Georgia Annotated, relating to the General Assembly, is
399 amended in Article 3 of Chapter 5, relating to fiscal bills generally, by adding a new Code
400 section to read as follows:

401 "28-5-45.

402 (a) Any bill that provides for the dedication of funds pursuant to Article III, Section IX,
403 Paragraph VI(r) of the Constitution of Georgia shall not be considered by the General
404 Assembly without a fiscal dedication analysis attached to the bill, and in the case of a
405 regular session, such a bill shall be introduced not later than the twentieth day of such
406 regular session. Any such bill shall not carry over from one regular session to the next, but
407 must be reintroduced with a new or revised fiscal dedication analysis.

408 (b)(1) A fiscal dedication analysis shall include a reliable estimate in dollars of the
409 amount of revenue dedicated pursuant to the provisions of the bill, as well as a statement

410 as to the immediate effect and, if determinable or reasonably foreseeable, the long-range
411 effect of the measure. The fiscal dedication analysis shall also contain the total amount
412 of funds presently dedicated pursuant to the authority granted by Article III, Section IX,
413 Paragraph VI(r) of the Constitution of Georgia, the proportion of the total 1 percent
414 imposed by such constitutional provision that the measure at issue would constitute, and
415 the amount and proportion of the total 1 percent cap that would remain if the bill
416 becomes law. The fiscal dedication analysis shall also contain a warning regarding any
417 probable or immediately foreseeable conditions by which the bill may cause the 1 percent
418 cap to be exceeded at any time during the period for which the bill is effective.

419 (2) If, after careful investigation, it is determined that no dollar estimate is possible, the
420 fiscal dedication analysis shall contain a statement to that effect, setting forth the reasons
421 why no dollar estimate can be given. In this event, the fiscal dedication analysis shall
422 contain an example based on a specific situation or reflecting the average group of
423 persons possibly affected by the bill so as to provide an indication of the cost of such bill
424 to the General Assembly. Assumptions used to develop these averages shall be noted in
425 the fiscal dedication analysis and the criteria included herein shall constitute a fiscal
426 dedication analysis.

427 (3) No comment or opinion regarding the merits of the measure for which the statement
428 is prepared shall be included in the fiscal dedication analysis; however, technical or
429 mechanical defects may be noted.

430 (4) The state auditor and the director of the Office of Planning and Budget shall jointly
431 prepare their fiscal dedication analysis; and, if there is a difference of opinion between
432 such officials, it shall be noted in the fiscal dedication analysis.

433 (c)(1) A member who intends to introduce a bill that requires a fiscal dedication analysis
434 shall request a fiscal dedication analysis from the Office of Planning and Budget and the
435 Department of Audits and Accounts by December 1 of the year preceding the annual
436 convening of the General Assembly in which the bill is to be introduced, but subsequent

437 to the preparation of such bill by the Office of Legislative Counsel. The director of the
438 Office of Planning and Budget and the state auditor shall prepare and submit each such
439 timely requested fiscal dedication analysis not later than the day of convening of the
440 General Assembly.

441 (2) During any regular or special session of the General Assembly, only the chairperson
442 of a committee to which a particular bill is assigned may request a new or revised fiscal
443 dedication analysis for a bill. In such cases, the director of the Office of Planning and
444 Budget and the state auditor shall prepare and submit the fiscal dedication analysis within
445 five days after receipt of the request or within ten days if the director of the Office of
446 Planning and Budget and the state auditor submit a jointly signed notice of a necessary
447 extension of time so informing the requester in writing and shall be allowed to submit
448 said analysis not later than ten days after the request for it is made.

449 (d) Each fiscal dedication analysis required by this Code section shall be attached to the
450 bill by the chairperson of the committee to which the bill is assigned and shall be read to
451 the members of each respective house of the General Assembly at the third reading of the
452 bill. In addition, a copy of each fiscal dedication analysis or revision thereto required by
453 this Code section shall be distributed to each member of the respective house of the
454 General Assembly before which the bill is pending prior to any such bill being voted upon
455 by such house of the General Assembly."

456 **SECTION 11.**

457 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by revising
458 Code Section 31-11-103, relating to the Georgia Trauma Trust Fund, as follows:

459 "31-11-103.

460 (a)(1) There shall be established a Trauma Care Network Trust Fund as a separate fund
461 in the state treasury and all funds held in the Georgia Trauma Trust Fund previously
462 established by this Code section shall be transferred to the Trauma Care Network Trust

463 Fund. There is established the Georgia Trauma Trust Fund. The executive director of
464 the Georgia Trauma Care Network Commission shall serve as the trustee of the fund
465 Georgia Trauma Trust Fund. The moneys deposited into such fund pursuant to this
466 article may be expended by the executive director with the approval of the Georgia
467 Trauma Care Network Commission for those purposes specified in Code Section
468 31-11-102.

469 (2) The state treasurer shall invest the money held in the Trauma Care Network Trust
470 Fund in the same manner in which state funds are invested as authorized by the State
471 Depository Board pursuant to Article 3 of Chapter 17 of Title 50. Interest earned by the
472 money held in the trust fund shall be accounted for separately and shall be credited to the
473 trust fund to be disbursed as other moneys in the trust fund.

474 (b)(1) Under the authority granted and subject to the conditions imposed by Article III,
475 Section IX, Paragraph VI(r) of the Constitution of Georgia, for the period beginning on
476 July 1, 2022, and ending on June 30, 2032, all of the money collected pursuant to Code
477 Section 40-6-189 shall be annually appropriated to the Trauma Care Network Trust Fund,
478 and such funds shall not lapse as otherwise required by Article III, Section IX, Paragraph
479 IV(c) of the Constitution of Georgia. Each annual appropriation shall be made through
480 the General Appropriations Act and shall include all of the money collected from such
481 source during the most recently completed fiscal year.

482 (2) All of the money appropriated to the Trauma Care Network Trust Fund pursuant to
483 this subsection shall be dedicated for use and expended in accordance with the purposes
484 specified in Code Section 31-11-102.

485 (3) The executive director of the Georgia Trauma Care Network Commission shall
486 prepare an accounting of the funds expended pursuant to this subsection during the most
487 recently completed fiscal year to be provided to the Office of Planning and Budget, the
488 House Budget and Research Office, and the Senate Budget and Evaluation Office by
489 January 1 of each year.

490 ~~(b)~~(c) The Georgia Trauma Care Network Commission shall report annually no later than
 491 October 1 to the Office of Health Strategy and Coordination. Such report shall provide an
 492 update on state-wide trauma system development and the impact of fund distribution on
 493 trauma patient care and outcomes."

494 **SECTION 12.**

495 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is
 496 amended by repealing subsection (d) of Code Section 40-2-151.1, relating to highway impact
 497 fees for heavy vehicles and use of funds.

498 **SECTION 13.**

499 Said title is further amended by adding a new Code section to read as follows:

500 "40-2-151.2.

501 (a)(1) There shall be established a Transportation Trust Fund as a separate fund in the
 502 state treasury. The commissioner of transportation shall be the trustee of the fund.

503 (2) The state treasurer shall invest the money held in the Transportation Trust Fund in
 504 the same manner in which state funds are invested as authorized by the State Depository
 505 Board pursuant to Article 3 of Chapter 17 of Title 50. Interest earned by the money held
 506 in the trust fund shall be accounted for separately and shall be credited to the trust fund
 507 to be disbursed as other moneys in the trust fund.

508 (b) Under the authority granted and subject to the conditions imposed by Article III,
 509 Section IX, Paragraph VI(r) of the Constitution of Georgia, for the period beginning on
 510 July 1, 2022, and ending on June 30, 2032, all of the money collected pursuant to
 511 paragraph (19) of subsection (a) of Code Section 40-2-151, Code Section 40-2-151.1, and
 512 subsection (b) of Code Section 48-13-50.3 shall be annually appropriated to the
 513 Transportation Trust Fund established by this Code section and such funds shall not lapse
 514 as otherwise required by Article III, Section IX, Paragraph IV(c) of the Constitution of

515 Georgia. Each annual appropriation shall be made through the General Appropriations Act
516 and shall include all of the money collected from such sources during the most recently
517 completed fiscal year.

518 (c) All of the money appropriated to the Transportation Trust Fund pursuant to
519 subsection (b) of this Code section shall be dedicated for use and expended by the
520 commissioner of transportation for transportation purposes and transit projects as such
521 terms are defined in Code Section 40-2-151.1. Not more than ten percent of the funds
522 shall be expended on transit projects.

523 (d) The commissioner of transportation shall prepare an accounting of the funds expended
524 pursuant to this subsection during the most recently completed fiscal year to be provided
525 to the Office of Planning and Budget, the House Budget and Research Office, and the
526 Senate Budget and Evaluation Office by January 1 of each year."

527 **SECTION 14.**

528 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,
529 is amended by repealing Code Section 45-12-92.2, relating to definitions, procedures
530 involving solid waste disposal surcharge and tire disposal fees, conditions, and appropriation.

531 **SECTION 15.**

532 Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is
533 amended in subsection (d) of Code Section 48-8-3.3, relating to definitions, applicability,
534 criteria for eligibility, rules and regulations, dealer performing both manufacturing and
535 agricultural operations, exemption, audits, and annual report, by adding a new paragraph to
536 read as follows:

537 "(5)(A) There shall be established a Georgia Agricultural Trust Fund as a separate fund
538 in the state treasury. The Commissioner of Agriculture shall be the trustee of the fund.

539 (B) The state treasurer shall invest the money held in the Georgia Agricultural Trust
540 Fund in the same manner in which state funds are invested as authorized by the State
541 Depository Board pursuant to Article 3 of Chapter 17 of Title 50. Interest earned by
542 the money held in the trust fund shall be accounted for separately and shall be credited
543 to the trust fund to be disbursed as other moneys in the trust fund. The fund is
544 authorized to accept donations from private individuals and entities.

545 (C) Under the authority granted and subject to the conditions imposed by Article III,
546 Section IX, Paragraph VI(r) of the Constitution of Georgia, for the period beginning on
547 July 1, 2022, and ending on June 30, 2032, all of the money collected pursuant to
548 paragraph (4) of this subsection shall be annually appropriated to the Georgia
549 Agricultural Trust Fund established by subparagraph (A) of this paragraph and such
550 funds shall not lapse as otherwise required by Article III, Section IX, Paragraph IV(c)
551 of the Constitution of Georgia. Each annual appropriation shall be made through the
552 General Appropriations Act and shall include all of the money collected from such
553 source during the most recently completed fiscal year.

554 (D) All of the money appropriated to the Georgia Agricultural Trust Fund pursuant to
555 subparagraph (C) of this paragraph shall be dedicated for use and expended by the
556 Commissioner of Agriculture for the purposes of marketing and promotion activities
557 conducted by the Department of Agriculture in support of Georgia agricultural products
558 and supporting the maintenance and operations of state farmers' markets.

559 (E) The Commissioner of Agriculture shall prepare an accounting of the funds
560 expended pursuant to this paragraph during the most recently completed fiscal year to
561 be provided to the Office of Planning and Budget, the House Budget and Research
562 Office, and the Senate Budget and Evaluation Office by January 1 of each year."

563 **SECTION 16.**

564 Said title is further amended by repealing subsection (e) of Code Section 48-13-50.3, relating
565 to additional tax imposed by innkeepers, forms for reporting, use of funds from additional
566 taxes, and provisions for termination.

567 **SECTION 17.**

568 Said title is further amended by revising subsection (b) of Code Section 48-13-131, relating
569 to excise tax imposed, rate of taxation, allocation of moneys collected from tax on consumer
570 fireworks to various purposes, and payment, as follows:

571 "(b)(1)(A) There shall be established a Fireworks Trust Fund as a separate fund in the
572 state treasury. The commissioner shall be the trustee of the fund.

573 (B) The state treasurer shall invest the money held in the Fireworks Trust Fund in the
574 same manner in which state funds are invested as authorized by the State Depository
575 Board pursuant to Article 3 of Chapter 17 of Title 50. Interest earned by the money
576 held in the trust fund shall be accounted for separately and shall be credited to the trust
577 fund to be disbursed as other moneys in the trust fund.

578 (2) Under the authority granted and subject to the conditions imposed by Article III,
579 Section IX, Paragraph VI(r) of the Constitution of Georgia, for the period beginning on
580 July 1, 2022, and ending on June 30, 2032, all of the money collected pursuant to
581 subsection (a) of this Code section shall be annually appropriated to the Fireworks Trust
582 Fund established by paragraph (1) of this subsection and such funds shall not lapse as
583 otherwise required by Article III, Section IX, Paragraph IV(c) of the Constitution of
584 Georgia. Each annual appropriation shall be made through the General Appropriations
585 Act and shall include all of the money collected from such source during the most
586 recently completed fiscal year.

587 (3) All of the money appropriated to the Fireworks Trust Fund pursuant to paragraph (2)
588 of this subsection shall be dedicated for use and expended as follows:

589 ~~Moneys collected from the excise tax on the sale of consumer fireworks as provided for~~
 590 ~~under subsection (a) of this Code section, and pursuant to Article III, Section IX, Paragraph~~
 591 ~~VI of the Constitution of Georgia, shall be used as follows:~~

592 ~~(1)(A)~~ The amount of 55 percent shall be provided to the Georgia Trauma Care
 593 Network Commission for purposes provided for under Code Section 31-11-102;

594 ~~(2)(B)~~ The amount of 40 percent shall be provided to the Georgia Firefighter Standards
 595 and Training Council to be exclusively used for the implementation of a grant program
 596 to improve the equipping and training of firefighters and to improve the rating of fire
 597 departments in this state by the Insurance Services Office; and

598 ~~(3)(C)~~ The amount of 5 percent shall be provided to local governments to be used
 599 solely for public safety purposes consisting of the operation of 9-1-1 systems under Part
 600 4 of Article 2 of Chapter 5 of Title 46. The commissioner shall include such amount
 601 as a part of the 9-1-1 distribution made on or before October 15 of each year to such
 602 local governments.

603 (4) The commissioner shall prepare an accounting of the funds expended pursuant to this
 604 subsection during the most recently completed fiscal year to be provided to the Office of
 605 Planning and Budget, the House Budget and Research Office, and the Senate Budget and
 606 Evaluation Office by January 1 of each year."

607 **SECTION 18.**

608 Said title is further amended by repealing subsections (c) and (d) of Code Section 48-13-141,
 609 relating to excise tax on for-hire ground transport, annual adjustment, and appropriation of
 610 proceeds for transit projects, and adding a new subsection to read as follows:

611 "(a.1)(1)(A) There shall be established a Georgia Transit Trust Fund as a separate fund
 612 in the state treasury. The commissioner shall be the trustee of the fund.

613 (B) The state treasurer shall invest the money held in the Georgia Transit Trust Fund
 614 in the same manner in which state funds are invested as authorized by the State

615 Depository Board pursuant to Article 3 of Chapter 17 of Title 50. Interest earned by
616 the money held in the trust fund shall be accounted for separately and shall be credited
617 to the trust fund to be disbursed as other moneys in the trust fund.

618 (2) Under the authority granted and subject to the conditions imposed by Article III,
619 Section IX, Paragraph VI(r) of the Constitution of Georgia, for the period beginning on
620 July 1, 2022, and ending on June 30, 2032, all of the money collected pursuant to this
621 subsection (a) of this Code section shall be annually appropriated to the Georgia Transit
622 Trust Fund established by paragraph (1) of this subsection and such funds shall not lapse
623 as otherwise required by Article III, Section IX, Paragraph IV(c) of the Constitution of
624 Georgia. Each annual appropriation shall be made through the General Appropriations
625 Act and shall include all of the money collected from such source during the most
626 recently completed fiscal year.

627 (3) All of the money appropriated to the Georgia Transit Trust Fund pursuant to
628 paragraph (2) of this subsection shall be dedicated for use by one or more transit
629 providers on transit projects.

630 (3) The commissioner shall prepare an accounting of the funds expended pursuant to this
631 subsection during the most recently completed fiscal year to be provided to the Office of
632 Planning and Budget, the House Budget and Research Office, and the Senate Budget and
633 Evaluation Office by January 1 of each year."

634 **SECTION 19.**

635 Title 49 of the Official Code of Georgia Annotated, relating to social services, is amended
636 by revising paragraph (4) of Code Section 49-5-131, relating to definitions relative to the
637 Governor's Office for Children and Families, as follows:

638 "(4) 'Fund' means the State Children's Trust Fund created pursuant to Code Section
639 19-14-20."

640 **SECTION 20.**

641 Said title is further amended by revising subsection (a) of Code Section 49-5-132, relating
 642 to the Governor's Office for Children and Families established, funding, and duties and
 643 responsibilities, as follows:

644 "(a) There is established the Governor's Office for Children and Families which shall be
 645 assigned to the ~~Office of Planning and Budget~~ Department of Human Services for
 646 administrative purposes."

647 **SECTION 21.**

648 Said title is further amended by revising Code Section 49-5-135, relating to powers and
 649 duties of advisory board and the disbursement of appropriated moneys from fund, as follows:

650 "(b) Upon recommendation of the ~~The~~ advisory board, the director of the Division of
 651 Family and Children Services of the Department of Human Services may authorize the
 652 disbursement of available money from the fund after appropriation thereof to an entity or
 653 program eligible pursuant to the criteria of the office exclusively to fund a private nonprofit
 654 or public organization in the development or operation of a prevention program if all of the
 655 following conditions are met:

- 656 (1) The organization demonstrates broad based community involvement emphasizing
 657 volunteer efforts and demonstrates expertise in child abuse prevention issues;
 658 (2) The organization demonstrates a willingness and ability to provide program models
 659 and consultation to organizations and communities regarding program development and
 660 maintenance; and
 661 (3) Other conditions that the board may deem appropriate.

662 ~~(c) Funds shall not be disbursed from the trust fund to any organization or other entity or~~
 663 ~~for any purpose authorized in subsection (a) of this Code section until approved by the~~
 664 ~~Governor; provided, however, that the Governor may not authorize the disbursement of~~
 665 ~~funds to an organization or other entity which the office has not recommended for a grant."~~

666 **SECTION 22.**

667 In accordance with the requirements of Article III, Section IX, Paragraph VI(r) of the
668 Constitution of Georgia, this Act shall not become law unless it receives the requisite
669 two-thirds' majority vote in both the Senate and the House of Representatives and the amount
670 of the funds dedicated by this Act do not equal or exceed 1 percent of the previous fiscal
671 year's state revenues subject to appropriations.

672 **SECTION 23.**

673 Except as provided for in Section 22 of this Act, this Act shall become effective on July 1,
674 2022.

675 **SECTION 24.**

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