

The House Committee on Appropriations offers the following substitute to HB 511:

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 (SUB)

**SECTION 1.**

17

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; and

99 (5) To fulfill any purpose provided in subsection (c) of Code Section 12-8-37.1.

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

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

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

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

123 ~~45, known as the 'Budget Act'; provided, however, that the division shall be exempt from~~  
124 ~~the provisions of Code Section 45-12-92, which requires payment into the state treasury~~  
125 ~~of moneys collected by state agencies."~~

126

**SECTION 3.**

127 Said title is further amended by revising Code Section 12-8-37.1, relating to state grants  
128 relative to solid waste management, as follows:

129 "12-8-37.1.

130 (a) The state is authorized to make grants, as funds are available, to any county,  
131 municipality, or any combination of the same, or to any public authority, agency,  
132 commission, or institution, to assist such governmental or public body in the construction  
133 of solid waste handling systems which are consistent with local and regional solid waste  
134 management plans prepared in accordance with the requirements of this part.

135 (b) The director shall administer all funds granted by the state pursuant to this Code  
136 section.

137 (c) The corpus of the ~~solid waste trust fund~~ Solid Waste Trust Fund established in Code  
138 Section 12-8-27.1 may be used to make grants and loans to cities and counties, any  
139 combination of cities and counties, authorities, state agencies, or the Georgia Recycling  
140 Market Development Council for the cleanup of solid waste disposal facilities, including  
141 those used for the disposal of scrap tires; for the development and implementation of solid  
142 waste enforcement programs for the prevention and abatement of illegal dumping of solid  
143 waste, including without limitation the prevention and abatement of litter; for the funding  
144 of grants or loans, in accordance with procedures developed by the division; for the  
145 implementation of innovative technologies for the recycling and reuse of solid waste,  
146 including without limitation scrap tires; and for educational and other efforts to promote  
147 waste reduction, recycling, and recycling market development."

148 **SECTION 4.**

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

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

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

164 ~~(f) All surcharges required by subsection (e) of this Code section shall be paid to the~~  
165 ~~division for transfer into the state treasury to the credit of the general fund. The division~~  
166 ~~shall collect such fees until the unencumbered principal balance of the hazardous waste~~  
167 ~~trust fund equals or exceeds \$25 million, at which time the division shall not collect any~~  
168 ~~further such surcharges until the unencumbered balance in such fund equals or is less than~~  
169 ~~\$12.5 million, at which time the division shall resume collection of such surcharges at the~~  
170 ~~beginning of the next calendar year following the year in which such event occurs. The~~  
171 ~~director shall provide written notice to all permitted solid waste disposal facilities at the~~  
172 ~~time he receives notice that the unencumbered balance of such trust fund equals or~~  
173 ~~exceeds \$25 million or equals or is less than \$12.5 million. Reserved.~~

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

180 **SECTION 5.**

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

183 "(h)(1) A fee is imposed upon the retail sale of all new replacement tires in this state of  
 184 \$1.00 per tire sold. The fee shall be collected by retail dealers at the time the retail dealer  
 185 sells a new replacement tire to the ultimate consumer; provided, however, that a Georgia  
 186 tire distributor who sells tires to retail dealers must collect such fees from any retail  
 187 dealer who does not have a valid scrap tire generator identification number issued by the  
 188 division. The fee and any required reports shall be remitted not less than quarterly on  
 189 such forms as may be prescribed by the division. The division is authorized to contract  
 190 with the Department of Revenue to, and the Department of Revenue is authorized to,  
 191 collect such fees on behalf of the division. All fees received shall be deposited into the  
 192 state treasury to the account of the general fund in accordance with the provisions of  
 193 Code Section 45-12-92. ~~All moneys deposited into the solid waste trust fund shall be~~  
 194 ~~deemed expended and contractually obligated and shall not lapse to the general fund.~~

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

198 (A) A deduction of 3 percent of the first \$3,000.00 of the total amount of all fees  
 199 reported due on such report; and



200 (B) A deduction of one-half of 1 percent of that portion exceeding \$3,000.00 of the  
201 total amount of all fees reported due on such report.

202 (3) The tire fees authorized in this subsection shall cease to be collected on ~~June 30, 2025~~  
203 June 30, 2032. The director shall make an annual report to the House Committee on  
204 Natural Resources and Environment and the Senate Natural Resources and the  
205 Environment Committee regarding the status of the activities funded by the ~~solid waste~~  
206 ~~trust fund~~ Solid Waste Trust Fund.

207 (4) ~~The fee amount provided for in this subsection shall be subject to revision pursuant~~  
208 ~~to Code Section 45-12-92.2."~~

209 **SECTION 6.**

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

212 "(b) The General Assembly declares its intent to fund the execution of the public policy  
213 set forth in subsection (a) of this Code section by and through ~~the division with the fees~~  
214 ~~established and collected by the division pursuant to subsection (e) of Code Section 12-2-2,~~  
215 ~~subsection (e) of Code Section 12-8-39, subsection (d) of Code Section 12-8-68, and Code~~  
216 ~~Section 12-8-95.1. The General Assembly further declares its intent to ensure that the~~  
217 ~~funding provided by fees on hazardous waste management activities and hazardous~~  
218 ~~substance reporting and by owners and operators of solid waste disposal facilities pursuant~~  
219 ~~to those Code sections and through the collection of civil penalties will not be diverted for~~  
220 ~~any purpose other than the administration of this article by the division, including~~  
221 ~~reviewing and overseeing investigations, corrective action, and other actions by federal~~  
222 ~~agencies required under this article and supporting the reduction of hazardous waste and~~  
223 ~~pollution prevention activities by federal agencies, the prevention of pollution, including~~  
224 ~~reduction of hazardous wastes generated; and the effectuation of corrective action at sites~~  
225 ~~that may threaten human health or the environment where hazardous wastes, hazardous~~

226 ~~constituents, or hazardous substances have been disposed of or released. Appropriation of~~  
227 ~~funds to the department for inclusion in the hazardous waste trust fund continued in~~  
228 ~~existence by subsection (a) of Code Section 12-8-95 shall be deemed consistent with this~~  
229 ~~declaration of legislative intent the Hazardous Waste Trust Fund established by Code~~  
230 ~~Section 12-8-95.~~"

231 **SECTION 7.**

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

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

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

247 (a.1) Under the authority granted and subject to the conditions imposed by Article III,  
248 Section IX, Paragraph VI(r) of the Constitution of Georgia, for the period beginning on  
249 July 1, 2022, and ending on June 30, 2032, all of the money collected pursuant to  
250 subsection (e) of Code Section 12-8-39 shall be annually appropriated to the Hazardous  
251 Waste Trust Fund established by subsection (a) of this Code section and such funds shall

252 not lapse as otherwise required by Article III, Section IX, Paragraph IV(c) of the  
253 Constitution of Georgia. Each annual appropriation shall be made through the General  
254 Appropriations Act and shall include all of the money collected from such source during  
255 the most recently completed fiscal year.

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

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

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

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

271 (4) In accordance with rules promulgated by the board, for financing of the state and  
272 local share of the costs associated with the investigation, remediation, and postclosure  
273 care and maintenance of sites placed on the National Priority List pursuant to the federal  
274 Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as  
275 amended, or sites placed on the hazardous site inventory pursuant to Code Section  
276 12-8-97; provided, however, that the director shall ensure that beginning July 1, 2003,  
277 and annually in each following year, an amount equal to at least one-half of the sum of  
278 annual collections made pursuant to subsection (e) of Code Section 12-8-39 ~~and~~

279 ~~appropriated to the department in accordance with subsection (b) of Code Section~~  
 280 ~~12-8-91~~ shall be available to be used for the purposes of this paragraph; provided, further,  
 281 that if a county or municipal corporation has been or is the owner of or operator of such  
 282 site, not less than ~~\$500,000~~ \$500,000.00 of such costs shall be paid from the ~~hazardous~~  
 283 ~~waste trust fund~~ Hazardous Waste Trust Fund; and

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

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

290

### SECTION 8.

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

294 "19-14-20.

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

300 (2) The state treasurer shall invest the money held in the State Children's Trust Fund in  
 301 the same manner in which state funds are invested as authorized by the State Depository  
 302 Board pursuant to Article 3 of Chapter 17 of Title 50. Interest earned by the money held  
 303 in the trust fund shall be accounted for separately and shall be credited to the trust fund  
 304 to be disbursed as other moneys in the trust fund.

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

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

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

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

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

329 (3) To cooperate with and secure cooperation of every department, agency, or  
330 instrumentality in the state government or its political subdivisions in the furtherance of  
331 the purposes of this article;

- 332 (4) To prepare, publish in print or electronically, and disseminate fundamental child  
333 related information of a descriptive and analytical nature to all components of the  
334 children's service system of this state, including, but not limited to, the juvenile justice  
335 system;
- 336 (5) To serve as a state-wide clearing-house for child related information and research;
- 337 (6) In coordination and cooperation with all components of the children's service systems  
338 of this state, to develop legislative proposals and executive policy proposals reflective of  
339 the priorities of the entire child related systems of this state, including, but not limited to,  
340 child abuse injury prevention, treatment, and juvenile justice systems;
- 341 (7) To serve in an advisory capacity to the Governor on issues impacting the children's  
342 service systems of this state;
- 343 (8) To coordinate high visibility child related research projects and studies with a  
344 state-wide impact when those studies and projects cross traditional system component  
345 lines;
- 346 (9) To provide for the interaction, communication, and coordination of all components  
347 of the children's service systems of this state and to provide assistance in establishing  
348 state-wide goals and standards in the system;
- 349 (10) To provide for the effective coordination and communication between providers of  
350 children and youth services, including pediatrics, health, mental health, business and  
351 industry, and all components of social services, education, and educational services;
- 352 (11) To encourage and facilitate the establishment of local commissions or coalitions on  
353 children and youth and to facilitate the involvement of communities in providing services  
354 for children and youth;
- 355 (12) To review and develop an integrated state plan for services provided to children and  
356 youth in this state through state programs;
- 357 (13) To provide technical assistance and consultation to local governments, particularly  
358 those involved in providing services to children and youth;

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

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

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

368 **SECTION 9.**

369 Said article is further amended by repealing Code Sections 19-14-21, 19-14-22, and  
 370 19-14-23, relating to source of funds, investments and interest, and issuance of warrants,  
 371 respectively.

372 **SECTION 10.**

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

377 "(b)(1) In recognition of its obligations to lifetime sportsman's license purchasers, the  
 378 General Assembly directs the ~~department~~ state treasurer to establish a ~~fund known as the~~  
 379 Wildlife Endowment Trust Fund as a separate fund in the state treasury and all funds held  
 380 in the Wildlife Endowment Fund previously established by this Code section shall be  
 381 transferred to the Wildlife Endowment Trust Fund for receipt of funds of an amount equal  
 382 to that generated by the sale of lifetime sportsman's licenses listed in subsection (d) of  
 383 Code Section 27-2-3.1. Further, the General Assembly declares its intent to appropriate

384 ~~to the Wildlife Endowment Fund each fiscal year an amount equal to that generated by~~  
385 ~~the prior year's sales of lifetime licenses. The fund is also authorized to accept~~  
386 ~~contributions from private individuals and entities. All funds appropriated and those~~  
387 ~~contributed to the Wildlife Endowment Fund shall be deemed expended and contractually~~  
388 ~~obligated and shall not lapse to the general fund.~~

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

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

404 (c.1) The commissioner of natural resources shall be the trustee of the Wildlife  
405 Endowment Trust Fund with full authority over the administration of the fund. The state  
406 treasurer shall be the custodian of the Wildlife Endowment Fund and shall invest its assets  
407 in accordance with Georgia laws and shall report to the department the annual income and  
408 contributions to the fund. The intent of the General Assembly is that such income from the  
409 fund be appropriated annually to the department for the purposes stated in subsection (d)  
410 of this Code section.



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

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

419 **SECTION 11.**

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

423 "28-5-45.

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

430 (b)(1) A fiscal dedication analysis shall include a reliable estimate in dollars of the  
431 amount of revenue dedicated pursuant to the provisions of the bill, as well as a statement  
432 as to the immediate effect and, if determinable or reasonably foreseeable, the long-range  
433 effect of the measure. The fiscal dedication analysis shall also contain the total amount  
434 of funds presently dedicated pursuant to the authority granted by Article III, Section IX,  
435 Paragraph VI(r) of the Constitution of Georgia, the proportion of the total 1 percent  
436 imposed by such constitutional provision that the measure at issue would constitute, and

437 the amount and proportion of the total 1 percent cap that would remain if the bill  
438 becomes law. The fiscal dedication analysis shall also contain a warning regarding any  
439 probable or immediately foreseeable conditions by which the bill may cause the 1 percent  
440 cap to be exceeded at any time during the period for which the bill is effective.

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

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

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

455 (c)(1) A member who intends to introduce a bill that requires a fiscal dedication analysis  
456 shall request a fiscal dedication analysis from the Office of Planning and Budget and the  
457 Department of Audits and Accounts by December 1 of the year preceding the annual  
458 convening of the General Assembly in which the bill is to be introduced, but subsequent  
459 to the preparation of such bill by the Office of Legislative Counsel. The director of the  
460 Office of Planning and Budget and the state auditor shall prepare and submit each such  
461 timely requested fiscal dedication analysis not later than the day of convening of the  
462 General Assembly.

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

471 (d) Each fiscal dedication analysis required by this Code section shall be attached to the  
 472 bill by the chairperson of the committee to which the bill is assigned and shall be read to  
 473 the members of each respective house of the General Assembly at the third reading of the  
 474 bill. In addition, a copy of each fiscal dedication analysis or revision thereto required by  
 475 this Code section shall be distributed to each member of the respective house of the  
 476 General Assembly before which the bill is pending prior to any such bill being voted upon  
 477 by such house of the General Assembly."

478 **SECTION 12.**

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

481 "31-11-103.

482 (a)(1) There shall be established a Trauma Care Network Trust Fund as a separate fund  
 483 in the state treasury and all funds held in the Georgia Trauma Trust Fund previously  
 484 established by this Code section shall be transferred to the Trauma Care Network Trust  
 485 Fund. ~~There is established the Georgia Trauma Trust Fund.~~ The executive director of  
 486 the Georgia Trauma Care Network Commission shall serve as the trustee of the fund  
 487 ~~Georgia Trauma Trust Fund.~~ The moneys deposited into such fund pursuant to this  
 488 article may be expended by the executive director with the approval of the Georgia

489 Trauma Care Network Commission for those purposes specified in Code Section  
490 31-11-102.

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

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

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

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

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

516 **SECTION 13.**

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

520 **SECTION 14.**

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

522 "40-2-151.2.

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

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

530 (b) Under the authority granted and subject to the conditions imposed by Article III,  
531 Section IX, Paragraph VI(r) of the Constitution of Georgia, for the period beginning on  
532 July 1, 2022, and ending on June 30, 2032, all of the money collected pursuant to  
533 paragraph (19) of subsection (a) of Code Section 40-2-151, Code Section 40-2-151.1, and  
534 subsection (b) of Code Section 48-13-50.3 shall be annually appropriated to the  
535 Transportation Trust Fund established by this Code section and such funds shall not lapse  
536 as otherwise required by Article III, Section IX, Paragraph IV(c) of the Constitution of  
537 Georgia. Each annual appropriation shall be made through the General Appropriations Act  
538 and shall include all of the money collected from such sources during the most recently  
539 completed fiscal year.

540 (c) All of the money appropriated to the Transportation Trust Fund pursuant to  
541 subsection (b) of this Code section shall be dedicated for use and expended by the

542 commissioner of transportation for transportation purposes and transit projects as such  
543 terms are defined in Code Section 40-2-151.1. Not more than ten percent of the funds  
544 shall be expended on transit projects.

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

549 **SECTION 15.**

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

553 **SECTION 16.**

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

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

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

567 (C) Under the authority granted and subject to the conditions imposed by Article III,  
568 Section IX, Paragraph VI(r) of the Constitution of Georgia, for the period beginning on  
569 July 1, 2022, and ending on June 30, 2032, all of the money collected pursuant to  
570 paragraph (4) of this subsection shall be annually appropriated to the Georgia  
571 Agricultural Trust Fund established by subparagraph (A) of this paragraph and such  
572 funds shall not lapse as otherwise required by Article III, Section IX, Paragraph IV(c)  
573 of the Constitution of Georgia. Each annual appropriation shall be made through the  
574 General Appropriations Act and shall include all of the money collected from such  
575 source during the most recently completed fiscal year.  
576 (D) All of the money appropriated to the Georgia Agricultural Trust Fund pursuant to  
577 subparagraph (C) of this paragraph shall be dedicated for use and expended by the  
578 Commissioner of Agriculture for the purposes of marketing and promotion activities  
579 conducted by the Department of Agriculture in support of Georgia agricultural products  
580 and supporting the maintenance and operations of state farmers' markets.  
581 (E) The Commissioner of Agriculture shall prepare an accounting of the funds  
582 expended pursuant to this paragraph during the most recently completed fiscal year to  
583 be provided to the Office of Planning and Budget, the House Budget and Research  
584 Office, and the Senate Budget and Evaluation Office by January 1 of each year."

585 **SECTION 17.**

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

589 **SECTION 18.**

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

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

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

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

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

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

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



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

620 ~~(3)~~(C) The amount of 5 percent shall be provided to local governments to be used  
 621 solely for public safety purposes consisting of the operation of 9-1-1 systems under Part  
 622 4 of Article 2 of Chapter 5 of Title 46. The commissioner shall include such amount  
 623 as a part of the 9-1-1 distribution made on or before October 15 of each year to such  
 624 local governments.

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

629 **SECTION 19.**

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

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

636 (B) The state treasurer shall invest the money held in the Georgia Transit Trust Fund  
 637 in the same manner in which state funds are invested as authorized by the State  
 638 Depository Board pursuant to Article 3 of Chapter 17 of Title 50. Interest earned by  
 639 the money held in the trust fund shall be accounted for separately and shall be credited  
 640 to the trust fund to be disbursed as other moneys in the trust fund.

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

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

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

657 **SECTION 20.**

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

661 "(4) 'Fund' means the State Children's Trust Fund created pursuant to Code Section  
662 19-14-20."

663

**SECTION 21.**

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

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

670

**SECTION 22.**

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

673 "(b) The advisory board may ~~authorize~~ make timely recommendations to the director of  
674 the Division of Family and Children Services of the Department of Human Services  
675 regarding the disbursement of available money from the ~~fund~~ State Children's Trust Fund  
676 after appropriation thereof to an entity or program eligible pursuant to the criteria of the  
677 office exclusively to fund a private nonprofit or public organization in the development or  
678 operation of a prevention program if all of the following conditions are met:

679 (1) The organization demonstrates broad based community involvement emphasizing  
680 volunteer efforts and demonstrates expertise in child abuse prevention issues;

681 (2) The organization demonstrates a willingness and ability to provide program models  
682 and consultation to organizations and communities regarding program development and  
683 maintenance; and

684 (3) Other conditions that the board may deem appropriate.

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

689 **SECTION 23.**

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

695 **SECTION 24.**

696 Except as provided for in Section 23 of this Act, this Act shall become effective on July 1,  
697 2022.

698 **SECTION 25.**

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