

Senate Bill 465

By: Senators Adelman of the 42nd, Smith of the 52nd and Meyer von Bremen of the 12th

**AS PASSED**

**AN ACT**

To amend the Official Code of Georgia Annotated, so as to correct typographical, stylistic, capitalization, punctuation, and other errors and omissions in the Official Code of Georgia Annotated and in Acts of the General Assembly amending the Official Code of Georgia Annotated; to reenact the statutory portion of the Official Code of Georgia Annotated, as amended; to provide for necessary or appropriate revisions and modernizations of matters contained in the Official Code of Georgia Annotated; to repeal portions of the Code and Acts related thereto which have become obsolete; to delete portions of the Code and Acts related thereto which have been superseded by subsequent state laws; to provide for and to correct citations in the Official Code of Georgia Annotated and other codes and laws of the state; to rearrange, renumber, and redesignate provisions of the Official Code of Georgia Annotated; to provide for other matters relating to the Official Code of Georgia Annotated; to provide effective dates; to repeal conflicting laws; and for other purposes.

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

**SECTION 1.**

Title 1 of the Official Code of Georgia Annotated, relating to general provisions, is amended as follows:

(1) By striking "Bill Elliott Day" and inserting in its place "'Bill Elliott Day'" in subsection (b) of Code Section 1-4-15, relating to Bill Elliott Day in regard to state holidays and observances.

**SECTION 2.**

Title 2 of the Official Code of Georgia Annotated, relating to agriculture, is amended as follows:

(1) By striking "February 20, 1985, (7 C.F.R. 51.3195-51.3209)," and inserting in its place "February 20, 1985 (7 C.F.R. 51.3195-51.3209)," in Code Section 2-14-137, relating to standards for grades of Vidalia onions.

**SECTION 3.**

Reserved.

**SECTION 4.**

Reserved.

**SECTION 5.**

Reserved.

**SECTION 6.**

Reserved.

**SECTION 7.**

Title 7 of the Official Code of Georgia Annotated, relating to banking and finance, is amended as follows:

(1) By rearranging the paragraphs to put them in alphabetical order by redesignating paragraph (32) as paragraph (34.1) and by redesignating paragraph (31.1) as paragraph (32), respectively, in Code Section 7-1-4, relating to definitions in regard to provisions applicable to the Department of Banking and Finance and financial institutions generally.

(2) By striking the periods and inserting in their place semicolons at the end of paragraphs (1) and (2) and by striking the period and inserting in its place "; and" at the end of paragraph (3) of Code Section 7-1-6, relating to notices and waivers of notice.

(3) By striking "state agency for administrative hearings" and inserting in its place "Office of State Administrative Hearings" in subsection (e) of Code Section 7-1-71, relating to the removal of officers, directors, or employees from financial institutions by the Department of Banking and Finance.

(4) By striking "rules and regulations shall be deemed" and inserting in its place "rules and regulations, shall be deemed" in Code Section 7-1-660, relating to dividends and interest in relation to credit unions' operation and regulation.

**SECTION 8.**

Reserved.

**SECTION 9.**

Title 9 of the Official Code of Georgia Annotated, relating to civil practice, is amended as follows:

- (1) By rearranging paragraphs to put them in alphabetical order by designating current paragraph (2) as paragraph (3) and designating current paragraph (3) as paragraph (2); by designating current paragraph (10) as paragraph (11) and designating current paragraph (11) as paragraph (10); and by designating current paragraph (19) as paragraph (20), designating current paragraph (20) as paragraph (21), and designating current paragraph (21) as paragraph (19) in subsection (d) of Code Section 9-11-9.1, relating to affidavit to accompany charge of professional malpractice.
- (2) By striking "C.D., E.F. and X.Y.," and inserting in its place "C.D., E.F., and X.Y.," in the form in Code Section 9-11-118, relating to the form of complaint for interpleader and declaratory relief in regard to civil practice.
- (3) By reserving the designation of repealed Code Section 9-15-5, relating to deposit by nonresident plaintiff, additional deposit, and refund of excess in regard to court and litigation costs.

**SECTION 10.**

Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, is amended as follows:

- (1) By striking "with the receivership;" and inserting in its place "with the manufacturer or distributor, or is in receivership;" in subparagraph (a)(4)(B) and by striking "Boats that have" and inserting in its place "Any boat that has" in paragraph (10) of subsection (d) of Code Section 10-1-677, relating to marine manufacturers and termination of a contractual relationship between dealer and manufacturer.
- (2) By striking "recreation vehicle dealer" and inserting in its place "recreational vehicle dealer" in subsection (a) and by striking "recreational dealer" and inserting in its place "recreational vehicle dealer" in paragraph (4) of subsection (b) of Code Section 10-1-679.5,

relating to the notice required for the termination of or substantial change to dealership agreements with regard to recreational vehicle dealers.

(3) By striking "this section" and inserting in its place "this Code section" in Code Section 10-1-679.14, relating to the required franchise agreement for the sale or distribution of recreational vehicles and exceptions in regard to recreational vehicle dealers.

(4) By striking the reserved designation from Code Section 10-4-114.1, formerly relating to the grading of leaf tobacco by the Agriculture Marketing Service.

(5) By striking "the preceding subsections of this Code section" and inserting in its place "subsections (a) through (h) of this Code section" in the introductory language of subsection (i) of Code Section 10-12-4, relating to legal effect, contest based on fraud, authentication or identification, limitations, notary, and application in regard to electronic records and signatures.

#### **SECTION 11.**

Reserved.

#### **SECTION 12.**

Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural resources, is amended as follows:

(1) By striking "days, times, places and methods," and inserting in its place "days, times, places, and methods," in paragraph (2) of subsection (e) of Code Section 12-3-82.1, relating to permits for investigation, survey, or recovery of deadhead logs.

(2) By striking the single quotes and inserting in their place double quotes at the beginning and end of "rain sensor shut-off switch" in subsection (a) and by striking "golf courses, or" and inserting in its place "golf courses or" and by striking "non-public water source." and inserting in its place "nonpublic water source." in paragraph (2) of subsection (b) of Code Section 12-5-6, relating to the installation and definition of "rain sensor shut-off switch" and penalty for violations in regard to water resources and conservation and natural resources.

(3) By striking "commissioner of the Department of Natural Resources, the commissioner of the Department of Administrative Services," and inserting in its place "commissioner of natural resources, the commissioner of administrative services," in subsection (d) of Code Section 12-5-23.3, relating to notice, privatization, oversight committee, and penalties in regard to the control of water pollution and surface-water use.

- (4) By striking "Senate Natural Resources Committee," and inserting in its place "Senate Natural Resources and the Environment Committee," in subsection (i) of Code Section 12-5-287, relating to the leasing of state owned marshland or water bottoms.
- (5) By striking "\$500,000" and inserting in its place "\$500,000.00" in paragraph (1) of subsection (b) of Code Section 12-5-577, relating to an operating budget, sources of funding, power to enter into contracts and to expend funds, and depositing in regard to the Metropolitan North Georgia Water Planning District.
- (6) By striking "farmland" and inserting in its place "farm land" in subsection (a) of Code Section 12-6-5.1, relating to legislative findings, reforestation incentives program authorized, and powers of the State Forestry Commission.
- (7) By striking "forestlands" and inserting in its place "forest lands" in subsections (a) and (b) of Code Section 12-6-241, relating to legislative findings in regard to the "Forest Heritage Trust Act of 2004."
- (8) By striking "Director" and inserting in its place "director" in Code Section 12-6-243, relating to the role of the State Forestry Commission under the "Forest Heritage Trust Act of 2004."
- (9) By striking "land disturbing" and inserting in its place "land-disturbing" in divisions (b)(15)(C)(i) and (iii) and by striking "; and" and inserting in its place a period at the end of division (b)(15)(C)(iii) of Code Section 12-7-6, relating to best management practices and minimum requirements for rules, regulations, ordinances, or resolutions in regard to control of soil erosion and sedimentation.
- (10) By striking "'Groundwater'" and inserting in its place "'Ground water'" in paragraph (3), by striking the single quotes and inserting in their place double quotes at the beginning and end of "preexisting release" in the second sentence of paragraph (5), and by striking "groundwater," and inserting in its place "ground water," in paragraph (10) of Code Section 12-8-202, relating to definitions in regard to the "Georgia Hazardous Site Reuse and Redevelopment Act."
- (11) By striking "groundwater" and inserting in its place "ground water" twice in subsection (a) of Code Section 12-8-207, relating to the limitation of expenses following approval of a corrective action plan in regard to the "Georgia Hazardous Site Reuse and Redevelopment Act."
- (12) By inserting "As used in this chapter, the term:" before paragraph (1) in Code Section 12-12-3, relating to definitions in regard to the "Georgia Asbestos Safety Act."

**SECTION 13.**

Reserved.

**SECTION 14.**

Reserved.

**SECTION 15.**

Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended as follows:

(1) By striking the period and inserting in its place a semicolon at the end of subparagraphs (d)(2)(A) through (d)(2)(C) and at the end of division (d)(2)(D)(ii), by striking the period and inserting in its place "; and" at the end subparagraph (d)(2)(E), and by striking "pro-rata contribution" and inserting in its place "pro rata contribution" in subsection (i) of Code Section 15-11-18, which is in effect from January 1, 2006, until January 1, 2007, relating to the creation of juvenile courts, terms and compensation of judges, state grants for judicial salaries, qualifications, presiding judge, practice of law, actions by judges, administration, and expenditures.

(2) By striking the period and inserting in its place a semicolon at the end of subparagraphs (d)(2)(A) through (d)(2)(D), by striking the period and inserting in its place "; and" at the end division (d)(2)(E)(ii), and by striking "pro-rata contribution" and inserting in its place "pro rata contribution" in subsection (i) of Code Section 15-11-18, which is effective January 1, 2007, relating to creation of juvenile courts, terms and compensation of judges, state grants for judicial salaries, qualifications, presiding judge, practice of law, actions by judges, administration, and expenditures.

(3) By striking "under this subsection" and inserting in its place "under this paragraph" in Code Section 15-11-66, relating to the disposition of a delinquent child.

(4) By striking "Department of Motor Vehicle Safety" and inserting in its place "Department of Driver Services" in Code Section 15-21-172, relating to the establishment of the Georgia Driver's Education Commission.

(5) By striking "Department of Motor Vehicle Safety" and inserting in its place "Department of Driver Services" in subsection (a) of Code Section 15-21-173, relating to members, terms, appointment, vacancies, chairperson and other officers, and employees in regard to the Georgia Driver's Education Commission.

(6) By striking "Department of Motor Vehicle Safety" and inserting in its place "Department of Driver Services" in Code Section 15-21-178, relating to disbursement of funds for driver education and training by the Georgia Driver's Education Commission.

#### **SECTION 16.**

Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is amended as follows:

(1) By striking "which person resides" and inserting in its place "which such person resides" and by striking "shall contain the photograph taken by the arresting law enforcement agency at the time of arrest or a subsequent photograph, the name and address of the convicted person, and the date, time, place of arrest, and disposition of the case" and inserting in its place "shall contain the photograph taken by the arresting law enforcement agency at the time of arrest; the name and address of the convicted person; the date, time, and place of arrest; and the disposition of the case" in subsection (a) of Code Section 16-5-110, relating to the publication of notice, information required, assessment for cost, and immunity in regard to the notice of the conviction and the release from confinement of sex offenders.

(2) By striking "subsection (a) of this Code section" and inserting in its place "subsection (b) of this Code section" in subsection (c) of Code Section 16-7-29, relating to interference with electronic monitoring devices, the definition of "electronic monitoring device," and penalty.

(3) By striking "pursuant to Code Sections 16-8-2, relating to theft by taking, 16-8-3, relating to theft by deception, 16-8-4, relating to theft by conversion, or 16-8-5, relating to theft of services," and inserting in its place "pursuant to Code Section 16-8-2, relating to theft by taking; 16-8-3, relating to theft by deception; 16-8-4, relating to theft by conversion; or 16-8-5, relating to theft of services;" in the introductory language and by striking "convicted under Code Sections 16-8-2, relating to theft by taking, 16-8-3, relating to theft by deception, 16-8-4, relating to theft by conversion, or 16-8-5, relating to theft of services," and inserting in its place "convicted under Code Section 16-8-2, relating to theft by taking; 16-8-3, relating to theft by deception; 16-8-4, relating to theft by conversion; or 16-8-5, relating to theft of services;" in the undesignated text at the end of Code Section 16-8-5.1, relating to circumstances permitting inference of intent to avoid payment and exceptions in regard to offenses involving theft.

(4) By inserting "As used in this article, the term:" before paragraph (1) and by striking "appraisal reports:" and inserting in its place "appraisal reports;" in paragraph (1) of Code Section 16-8-101, relating to definitions in regard to residential mortgage fraud.

(5) By striking "pursuant to (b) of this Code section" and inserting in its place "pursuant to subsection (b) of this Code section" in subsection (c) of Code Section 16-9-109, relating to disclosures by service providers pursuant to investigations in regard to computer systems protection.

(6) By striking "As used in this chapter," and inserting in its place "As used in this article," in the introduction of Code Section 16-9-151, relating to definitions in regard to computer security.

(7) By striking "subparagraph (A), (B), or (C) of paragraph (1) of subsection (a)" and inserting in its place "subparagraph (a)(1)(A), (a)(1)(B), or (a)(1)(C)" in subsection (a), by striking "subparagraph (B) of paragraph (1) of subsection (a)" and inserting in its place "subparagraph (a)(1)(B)" in the introductory language of subsection (c), by striking "origination, transport or termination" and inserting in its place "origination, transport, or termination," in paragraph (1) of subsection (c), and by striking the subparagraph (A) designation of paragraph (1) of subsection (d) of Code Section 16-9-155, relating to penalties in regard to computer security and forgery and fraudulent practices.

(8) By striking "and 'phenylpropanolamine' mean" and inserting in its place "or 'phenylpropanolamine' means" in paragraph (1) of subsection (a), by striking "sale by self-service," and inserting in its place "sale by self-service" in paragraph (1) and by striking "Georgia Board of Pharmacy." and inserting in its place "Georgia State Board of Pharmacy." in paragraph (3), by striking "Georgia Board of Pharmacy," and inserting in its place "Georgia State Board of Pharmacy," in subparagraph (B) of paragraph (4), by striking "Effective January 1, 2006 the" and inserting in its place "Effective January 1, 2006, this" in paragraph (5), by striking "a fine of not more than \$500.00, and," and inserting in its place "a fine of not more than \$500.00 and," in subparagraph (B) of of paragraph (6), and by striking "the State Board of Pharmacy" and inserting in its place "the Georgia State Board of Pharmacy" in paragraph (7) of subsection (b.1) of Code Section 16-13-30.3, relating to possession of substances containing ephedrine, pseudoephedrine, and phenylpropanolamine and restrictions on sales of products containing pseudoephedrine.

(9) By striking "control of the substances" and inserting in its place "control of the substance" in paragraphs (1) and (2) of subsection (b) and by striking "fifteen" and inserting in its place "15" in subsection (d) of Code Section 16-13-30.5, relating to the possession of

substances with intent to use or convey such substances for the manufacture of Schedule I or Schedule II controlled substances.

#### **SECTION 17.**

Title 17 of the Official Code of Georgia Annotated, relating to criminal procedure, is amended as follows:

(1) By striking "multicounty public defender office or its successor," and inserting in its place "Office of the Georgia Capital Defender," in subsection (a) and by striking "multicounty public defender office" and inserting in its place "Office of the Georgia Capital Defender" in subsection (b) of Code Section 17-12-26, relating to the budget of the Georgia Public Defender Standards Council.

(2) By striking "or to any individuals," and inserting in its place "or any individuals," in subsection (d) of Code Section 17-14-6, relating to setoff of prior total or partial restitution made to a victim, reduction of the award from the Crime Victims Compensation Board by the amount of restitution, and payment of restitution to governmental entities that have compensated the victim.

(3) By striking "pursuant to this chapter" and inserting in its place "pursuant to this article" in subsection (e) of Code Section 17-14-7, relating to the right of the offender to offer a restitution plan to the ordering authority, consideration and adoption of a plan, a hearing to determine restitution, burden of proof, liability among multiple offenders, payment for multiple victims, and waiver of victim's rights.

#### **SECTION 18.**

Reserved.

#### **SECTION 19.**

Title 19 of the Official Code of Georgia Annotated, relating to domestic relations, is amended as follows:

(1) By striking "are being determined." and inserting in its place "is being determined." in paragraph (1) of subsection (i), by striking "How, in its determination," and inserting in its place "How, in its determination:" in subparagraph (i)(2)(C), by striking "child caring" and inserting in its place "child-caring" in subparagraph (i)(4)(B), by striking "child rearing" and inserting in its place "child-rearing" and by striking "case by case" and inserting in its place "case-by-case" in division (i)(4)(D)(i), by striking "cost reducing" and inserting in its place

"cost-reducing" in subdivision (i)(4)(D)(ii)(II), and by striking "attorneys' fees," and inserting in its place "attorney's fees," in paragraph (2) of subsection (l) of Code Section 19-6-15, relating to child support in the final verdict or decree, guidelines for determining the amount of the award, continuation of duty to provide support, and duration of support.

#### **SECTION 20.**

Title 20 of the Official Code of Georgia Annotated, relating to education, is amended as follows:

(1) By striking "pursuant to paragraph (c) of this subsection." and inserting in its place "pursuant to paragraph (1) of this subsection." in paragraph (5) of subsection (b) of Code Section 20-2-212.2, relating to salary increase for persons receiving certification from the National Board for Professional Teaching Standards, leave for preparation, state payment of program participation fee, repayment, and reimbursement.

#### **SECTION 21.**

Reserved.

#### **SECTION 22.**

Reserved.

#### **SECTION 23.**

Reserved.

#### **SECTION 24.**

Title 24 of the Official Code of Georgia Annotated, relating to evidence, is amended as follows:

(1) By striking "activities or conduct" and inserting in its place "activities, or conduct" in subsection (c) of Code Section 24-3-37.1, relating to offers of assistance or expressions of benevolence, regret, mistake, error, sympathy, or apologies by a health care provider or the provider's employee or agent.

(2) By striking "and" at the end of paragraph (1) of subsection (a) and by striking "as calculated herein," and inserting in its place "as calculated in this subsection," in subsection (b) of Code Section 24-9-84.1, relating to how a witness is impeached and use of prior convictions in regard to credibility and evidence.

**SECTION 25.**

Reserved.

**SECTION 26.**

Reserved.

**SECTION 27.**

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

(1) By striking "subsections (a) and (b) of this Code section, in the possession of a person" and inserting in its place "subsections (a) and (b) of this Code section that are in the possession of a person" in subsection (c) of Code Section 27-4-37, relating to the taking of fish by grabbling, noodling, or hand grabbing.

**SECTION 28.**

Reserved.

**SECTION 29.**

Reserved.

**SECTION 30.**

Reserved.

**SECTION 31.**

Title 31 of the Official Code of Georgia Annotated, relating to health, is amended as follows:

(1) By striking "'Third-party payer'" and inserting in its place "'Third-party payor'" and by striking "payer." and inserting in its place "payor." in paragraph (3) of subsection (a) and by striking "Caesarean" and inserting in its place "Cesarean" in subparagraph (c)(13)(C) of Code Section 31-7-280, relating to health care provider annual reports.

(2) By striking "payers;" and inserting in its place "payors;" in paragraph (5) of Code Section 31-7-282, relating to collection and submission of health care data in regard to regulation and construction of hospitals and other health care facilities.

(3) By striking "Article." and inserting in its place "article." in paragraph (1) of Code Section 31-8-192, relating to "'Health Share' Volunteers in Medicine Act" definitions.

(4) By striking "licensed under Title 31" and inserting in its place "licensed under this title" in paragraph (8) of subsection (a) of Code Section 31-12A-6, relating to smokefree air exemptions.

(5) By striking "the Centers for Disease Control" and inserting in its place "the Centers for Disease Control and Prevention" in subsection (g) of Code Section 31-22-9.2, relating to HIV tests and the report of positive results, counseling, violations, exception for insurance coverage, and exposure of health care provider.

### **SECTION 32.**

Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, is amended as follows:

(1) By striking "the Georgia Open Records Act." and inserting in its place "Article 4 of Chapter 18 of Title 50." and by striking "the Open Records Act;" and inserting in its place "Article 4 of Chapter 18 of Title 50;" in subsection (m) of Code Section 32-2-79, relating to the requirements for a solicited or unsolicited proposal for a public-private initiative, the public notice of proposed project, a competing proposal, factors for consideration in comparing proposals, letter of intent to negotiate, confidential nature, and limited reimbursement authorized in regard to the exercise of power to contract generally by the Department of Transportation.

(2) By inserting the (a) designation at the beginning of paragraph (1) of Code Section 32-5-30, relating to the allocation of state and federal funds, budgeting periods, and authorization of reduction of funds allocated in regard to public roads.

(3) By striking "is not a interstate highway," and inserting in its place "is not an interstate highway," in paragraph (1) of subsection (g) of Code Section 32-6-26, relating to the weight of a vehicle and its load.

(4) In Code Section 32-6-27, relating to enforcement of vehicle load limitations, by striking "5¢ per pound" and inserting in its place "Five cents per pound" at the beginning and by inserting "or" after the semicolon at the end of paragraph (1) and by striking "the following schedule: 125 percent times, in each category of excess weights, the rate imposed" and inserting in its place "the following schedule: 125 percent times the rate imposed" in paragraph (2) of subsection (a) and by striking subsection (b) and inserting in its place the following:

"(b) The schedules listed in paragraphs (1) and (2) of subsection (a) of this Code section shall apply separately to:

(1) The excess weight of the gross load; and

(2) The sum of the excess weight or weights of any axle or axles;

provided, however, that where both gross load and axle weight limits are exceeded, the owner or operator shall be required to recompense the state only for the largest of the money damages imposed under paragraphs (1) and (2) of this subsection."

#### **SECTION 32A.**

By repealing Section 2 of an Act amending Code Section 32-4-22 of the Official Code of Georgia Annotated, approved April 28, 2001 (Ga. L. 2001, p. 1215), which section has been codified as and superceded by Code Section 32-4-3, relating to naming state roads, bridges, or interchanges, and which Code section shall remain effective.

#### **SECTION 33.**

Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended as follows:

(1) By striking "sales presentations and seminars provided that" and inserting in its place "sales presentations and seminars, provided that" in division (b)(8)(C)(viii) of Code Section 33-6-4, relating to the enumeration of unfair methods of competition and unfair or deceptive acts or practices and penalty in regard to unfair trade practices in insurance.

(2) By striking "defined in paragraph (1) or (2) of this subsection (b) or the introductory language of paragraph (3) of this subsection (b) and such contract," and inserting in its place "defined in paragraph (1) or (2) of this subsection or the introductory language of this paragraph and such contract," in subparagraph (b)(3)(E) of Code Section 33-7-6, relating to property insurance, contract requirements, rules and regulations, and exemption in regard to kinds of insurance, limits of risks, and reinsurance.

(3) By striking "subparagraph (A) of this paragraph of this Code section." and inserting in its place "subparagraph (A) of this paragraph." in subparagraph (a)(1)(B) of Code Section 33-7-11, relating to uninsured motorist coverage under motor vehicle liability policies.

(4) By striking "presentations and seminars provided that" and inserting in its place "presentations and seminars, provided that" in subsection (e) of Code Section 33-9-36, relating to unauthorized premiums and unlawful inducements in regard to insurance regulation of rates, underwriting rules, and related organizations.

(5) By striking "drug-free workplace; provided, however, an insurer" and inserting in its place "drug-free workplace; provided, however, that an insurer" in subsection (b) of Code Section 33-9-40.2, relating to workers' compensation insurance premium discount for insured with drug-free workplace program.

(6) By striking "As used in this article:" and inserting in its place "As used in this article, the term:" in the introductory language of Code Section 33-20A-31, relating to definitions regarding a patient's right to an independent review in managed health care plans.

#### **SECTION 34.**

Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations, is amended as follows:

(1) By striking "December 31, 2011" and inserting in its place "December 31, 2011," in subsection (c) of Code Section 34-8-151, relating to the rate of employer contributions for unemployment insurance.

(2) By striking "subsection (g)" and inserting in its place "subsection (g) of this Code section" in paragraph (1) of subsection (h) of Code Section 34-8-153, relating to liability of succeeding employer, computation of rate of contributions, transfers between employers with substantially common ownership, management, or control, transfers made for the purpose of obtaining a lower rate of contribution, and penalties for violations in regard to employment security contributions and payments in lieu of contributions.

#### **SECTION 35.**

Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and agencies, is amended as follows:

(1) By striking "create their own such policies" and inserting in its place "create its own such policies" and by striking "requirements of this provision" and inserting in its place "requirements of this Code section" in Code Section 35-1-14, relating to written policies for emergency pursuits in regard to law enforcement officers and agencies.

(2) By striking the reserved designation from Code Section 35-3-9.2, formerly relating to the mobile cocaine education van.

(3) By striking "the federal Brady Handgun Violence Prevention Act." and inserting in its place "the federal Brady Handgun Violence Prevention Act, 18 U.S.C. Section 921, et seq." in paragraph (1) and by striking "by the Council of Superior Court Clerks" and inserting in its place "by The Council of Superior Court Clerks" in paragraph (2) of subsection (e) of

Code Section 35-3-34, relating to disclosure and dissemination of criminal records to private persons and businesses, resulting responsibility and liability of issuing center, and provision of certain information to the FBI in conjunction with the National Instant Criminal Background Check System in regard to the Georgia Crime Information Center of the Georgia Bureau of Investigation.

(4) By striking the colon at end of the introduction, by striking "(1) The" and inserting in its place "the", by striking "July 1, 2004; and either" and inserting in its place "July 1, 2004, and either:" in present paragraph (1), and by redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively, in Code Section 35-3-34.1, relating to circumstances when an exonerated first offender's criminal record may be disclosed.

(5) By striking "chairman" and inserting in its place "chairperson" and by striking "vice-chairman" and inserting in its place "vice chairperson" both times each appears in paragraph (1) of Code Section 35-6A-4, relating to the election of officers, meetings, minutes and records, and rules of the Criminal Justice Coordinating Council.

### **SECTION 36.**

Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended as follows:

(1) By striking "forestry lands and" and inserting in its place "forestry lands, and" in Code Section 36-22-1, relating to intent and general provisions in regard to land conservation.

(2) By striking "archaeological" and inserting in its place "archeological" in subparagraph (G) and by striking "and similar outdoor activities;" and inserting in its place "or similar outdoor activities;" in subparagraph (I) of paragraph (5) of Code Section 36-22-2, relating to definitions in regard to land conservation.

(3) By striking "the commissioner of the Department of Community Affairs," and inserting in its place "the commissioner of community affairs," in subsection (a) of Code Section 36-22-3, relating to the creation, members, members' expenses, and administrative affiliation of the Georgia Land Conservation Council.

(4) By striking "land conservation project, having complied with state laws, regulations, contracts, and agreements," and inserting in its place "land conservation project; having complied with state laws, regulations, contracts, and agreements;" in subsection (b) of Code Section 36-22-4, relating to land conservation programs, trust and loan funds established, segregation of funds, matching funds, opportunity for taxpayers to contribute, acceptance and

administration of property by the department, and partnerships with tax-exempt organizations.

(5) By striking "The University System of Georgia Cooperative Extension Service" and inserting in its place "the Cooperative Extension Service of the University of Georgia" in subsection (c) of Code Section 36-22-13, relating to the establishment of the Land Conservation Geographic Information System, availability of data and maps to cities and counties, cooperation with other agencies, institutions, and organizations, and assistance to cities and counties.

(6) By striking "The purpose of a special services district is to provide special services to a given geographic area" and inserting in its place "The purpose of a special district is to provide services to a given geographic area" in paragraph (1), by striking "a county which has a special services district for the unincorporated area of the county may result in the special services district" and inserting in its place "a county which has a special district for the unincorporated area of the county may result in the special district" in paragraph (2), and by striking "The purpose of a special services district" and inserting in its place "The purpose of a special district" in paragraph (3) of subsection (a) of Code Section 36-31-12, relating to legislative findings, special districts divided into noncontiguous areas, information required in audits, and informational summary in regard to incorporation of municipal corporations.

(7) By striking "subsection." and inserting in its place "subsection; and" at the end of subparagraph (d)(1)(D) of Code Section 36-70-25.1, relating to dispute resolution procedures in regard to the coordinated and comprehensive planning and service delivery by counties and municipalities.

(8) By striking "As used in the Code section," and inserting in its place "As used in this Code section," in subsection (a) of Code Section 36-70-28, relating to the definition of an affected municipality and the review and revision of strategy in regard to coordinated and comprehensive planning and service delivery by counties and municipalities.

(9) By striking "provide service" and inserting in its place "provides service" in paragraph (17) of Code Section 36-71-2, relating to definitions in regard to development impact fees.

(10) By striking "exempt development's proportionate share" and inserting in its place "exempt development project's proportionate share" in paragraph (3) of subsection (k) of Code Section 36-71-4, relating to the calculation of development impact fees.

(11) By striking "industries." and inserting in its place "industry." in subsection (b) of Code Section 36-71-5, relating to the Development Impact Fee Advisory Committee.

(12) By striking "an authority, to be known" and inserting in its place "an authority to be known" in subsection (b) of Code Section 36-75-4, relating to public safety and judicial facilities authorities created for each county and municipality, joint authority, and filing with the Secretary of State.

(13) By striking "constructed; provided" and inserting in its place "constructed, provided" and by striking "or of local government" and inserting in its place "or of any local government" in paragraph (5) and by striking "however, the agent" and inserting in its place "however, that the agent" in paragraph (6) of Code Section 36-75-7, relating to the power of a local authority in regard to local assistance for the war on terrorism.

(14) By striking "subsections (b) or (c)" and inserting in its place "subsection (b) or (c)" in paragraphs (1) and (2) of Code Section 36-81-8.1, relating to the definition of subrecipient, grant certification forms, filing with the state auditor, forfeiture of funds for noncompliance, and no exemption from liability in regard to local government budgets and audits.

(15) By striking "the United States, its departments" and inserting in its place "the United States and its departments" in subparagraph (A) and by striking "the State of Georgia, its departments," and inserting in its place "the State of Georgia and its departments," in subparagraph (B) of paragraph (2) of subsection (a) of Code Section 36-87-2, relating to the authority of counties and municipal corporations to participate in programs and powers in regard to participation in federal programs.

(16) By striking "received by the commissioner" and inserting in its place "received by the state revenue commissioner" in paragraphs (2) and (5) of Code Section 36-89-1, relating to definitions in regard to homeowner tax relief grants.

#### **SECTION 37.**

Reserved.

#### **SECTION 38.**

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

(1) By striking "operator of the home subject to the approval" and inserting in its place "operator of the home, subject to the approval" in paragraph (2) of subsection (b) of Code Section 38-4-2, relating to powers and appointment of executive directors of veterans' homes.

**SECTION 39.**

Reserved.

**SECTION 40.**

Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is amended as follows:

(1) By striking "on a form promulgated by the department," and inserting in its place "on a form promulgated by the department, the following:" in subparagraph (b)(4)(B) of Code Section 40-2-39, relating to registration and licensing of new motor vehicle dealers and temporary site permits.

(2) By inserting a (b)(1) designation at the beginning of the undesignated text after subsection (a) and by redesignating the (b)(2) designation as paragraph (2) of subsection (b) of Code Section 40-2-60.1, relating to the administrative process for additional special license plates, legislative findings, rules and regulations, and fees.

(3) By striking "laws relating to the use and operation of private passenger cars and trucks and boat trailers" and inserting in its place "laws relating to the use and operation of private passenger cars and trucks" in subsection (b) of Code Section 40-2-86.10, relating to special license plates for police officers wounded in the line of duty.

(4) By striking "the Elks major state project," and inserting in its place "the Elks' major state project," in subsection (a) of Code Section 40-2-86.11, relating to the special license plates commemorating the Benevolent and Protective Order of Elks.

(5) By striking "'Interjurisdiction movement'" and inserting in its place "'Interjurisdictional movement'" in paragraph (13) and by striking "'Intrajurisdiction movement'" and inserting in its place "'Intrajurisdictional movement'" in paragraph (14) of Code Section 40-2-87, relating to definitions in regard to reciprocal agreements for registration of commercial vehicles.

(6) By striking "drivers'" and inserting in its place "driver's" in subsection (b) of Code Section 40-5-21.1, relating to temporary licenses, permits, or special identification cards and foreign licenses or identification cards as evidence of legal presence in the United States.

(7) By striking "general education development (GED)" and inserting in its place "general educational development (GED)" in paragraphs (2) and (4) of subsection (a.1) and by striking "rendering him incapable" and inserting in its place "rendering him or her incapable" in paragraph (3) of subsection (c) of Code Section 40-5-22, relating to persons not to be

licensed, minimum ages for licensees, school attendance requirements, and driving training requirements in regard to issuance, expiration, and renewal of drivers' licenses.

(8) By striking "driver's" and inserting in its place "drivers'" in paragraph (2.1) of subsection (a) of Code Section 40-5-25, relating to applications and fees in regard to the issuance, expiration, and renewal of drivers' licenses.

(9) By striking "the time the 2005 amendment of this Code section becomes law" and inserting in its place "May 2, 2005," in paragraph (2) of subsection (b) of Code Section 40-16-3, relating to the Board of Driver Services and the commissioner.

(10) By striking "commissioner of the Department of Motor Vehicle Safety" and inserting in its place "commissioner of driver services" in paragraph (1), by striking "Commissioner of the Department of Public Safety" and inserting in its place "commissioner of public safety" in paragraph (2), by striking "commissioner of the Department of Transportation" and inserting in its place "commissioner of transportation" in paragraph (3), and by striking "commissioner of the Department of Revenue" and inserting in its place "state revenue commissioner" in paragraph (4) of subsection (b) of Code Section 40-16-8, relating to the Governor's Commercial Transportation Advisory Committee.

#### **SECTION 41.**

Reserved.

#### **SECTION 42.**

Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, is amended as follows:

(1) By striking "appropriate state official" and inserting in its place "appropriate official" each time it appears in subparagraphs (b)(2)(A) and (b)(3)(A) and both times it appears in each of subparagraph (b)(3)(B) and paragraph (1) of subsection (c), by striking "appropriate state officials" and inserting in its place "appropriate officials" in subparagraph (b)(3)(C), by striking "The Office of School Readiness" and inserting in its place "The Department of Early Care and Learning", and by striking "pursuant to Code Section 20-1A-5" and inserting in its place "pursuant to Code Section 20-1A-8" in paragraph (2) of subsection (c.1) of Code Section 42-1-12, relating to the State Sexual Offender Registry.

#### **SECTION 43.**

Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, is amended as follows:

(1) By inserting "Reserved" in subsection (b) of Code Section 43-34-64, relating to acupuncture licensure requirements.

#### **SECTION 44.**

Title 44 of the Official Code of Georgia Annotated, relating to property, is amended as follows:

(1) By striking "prior to entering active" and inserting in its place "prior to entering active duty" in paragraph (2) of subsection (b) and by striking "as provided for in this subpart" and inserting in its place "as provided for in this Code section" in subsection (e) of Code Section 44-7-22, relating to the termination of a residential rental agreement by a service member in regard to landlords and tenants.

#### **SECTION 45.**

Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees, is amended as follows:

(1) By striking "paragraph (3) of Code Section 45-1-4," and inserting in its place "paragraph (3) of subsection (a) of Code Section 45-1-4," in subsection (a) of Code Section 45-10-80, relating to public officers prohibited from advancing, employing, or advocating the employment of family members.

#### **SECTION 46.**

Title 46 of the Official Code of Georgia Annotated, relating to public utilities and public transportation, is amended as follows:

(1) By striking "'Electric membership corporation' means a corporation organized under Article 2 of this chapter." and inserting in its place "'Electric membership corporation' has the meaning provided by paragraph (3) of Code Section 46-3-171." in paragraph (2) of Code Section 46-3-3, relating to definitions in regard to the allocation of territorial rights to electric suppliers.

(2) By striking "database" and inserting in its place "data base" in paragraph (4) of subsection (a), the introductory language and paragraphs (3) and (4) of subsection (b), and

in subsection (d); by striking "a 911 call" and inserting in its place "a 9-1-1 call" in paragraph (1) and by striking "the effective date of this Code section." and inserting in its place "July 1, 2005." in paragraph (6) of subsection (e); and by striking "the effective date of this Code section," and inserting in its place "July 1, 2005," in subsection (f) of Code Section 46-5-28, relating to the consent required for inclusion of subscribers' names or dialing numbers in a wireless telephone data base or a traditional telephone directory, exceptions, the prohibited disclosure of wireless numbers to telemarketers, violations, and immunity of service suppliers for authorized disclosures in regard to general provisions of telephone service.

(3) By striking "basic telecommunication services" and inserting in its place "basic telecommunications services" in subsection (a); by striking "\$0.05" and inserting in its place "5¢", by striking "\$0.01" and inserting in its place "1¢", by striking "\$0.15" and inserting in its place "15¢", and by striking "\$0.20" and inserting in its place "20¢" in subsection (c); by striking "advanced telecommunication system," and inserting in its place "advanced telecommunications system," in subsection (f); by striking "use of telecommunication devices," and inserting in its place "use of telecommunications devices," in subsection (g); and by striking "\$0.01" and inserting in its place "1¢" in subsection (i) of Code Section 46-5-30, relating to establishment, administration, and operation of state-wide dual party relay service and audible universal information access service in regard to telephone systems for the physically impaired.

(4) By striking "service provider" and inserting in its place "service supplier" the one time the term appears in subsection (a) and the three times the term appears in subsection (c) of Code Section 46-5-124.1, relating to the provision that service suppliers must register certain information with the director of emergency management, updating information, and notices of delinquency in regard to telephone service and the emergency telephone number 9-1-1 system.

(5) By striking "'911'" and inserting in its place "9-1-1" in Code Section 46-5-125, relating to the formation of multijurisdictional and regional 9-1-1 systems.

(6) By striking "service providers" and inserting in its place "service suppliers" in paragraph (2) of subsection (m) of Code Section 46-5-134, relating to billing subscribers, the liability of a subscriber for a service charge, taxes on the service, establishment of an Emergency Telephone System Fund, records, and use of federal, state, municipal, or private funds in regard to the emergency telephone number 9-1-1 system.

**SECTION 47.**

Reserved.

**SECTION 48.**

Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is amended as follows:

- (1) By striking "filling the applicable income tax return," and inserting in its place "filing the applicable income tax return," in division (c)(1)(A)(ii) of Code Section 48-2-35, relating to refunds in regard to state administrative organization, administration, and enforcement of revenue and taxation.
- (2) By striking "taxes become delinquent, if and when, that person" and inserting in its place "taxes become delinquent if that person" in subsection (c) of Code Section 48-3-3, relating to executions by tax collectors and commissioners.
- (3) By striking "shall not be returned for ad valorem taxation, shall not be taxed, and no taxes shall be" and inserting in its place "shall not be returned for ad valorem taxation and shall not be taxed; and no taxes shall be" in subsection (b) of Code Section 48-5-504.20, relating to an exemption for aircraft owned by a dealer and held in inventory for sale or resale in regard to ad valorem taxation.
- (4) By striking "the effective date of this Code section," and inserting in its place "April 12, 2005," in subsection (b) of Code Section 48-8-14, relating to restrictions on state contracts with nongovernmental vendors filing or refusing to collect sales or use taxes.

**SECTION 49.**

Title 49 of the Official Code of Georgia Annotated, relating to social services, is amended as follows:

- (1) By striking "names of such adult persons, alone, and inserting in its place "names alone of such adult persons" in subsection (g) and by striking "Further, the department shall be authorized to conduct a name/descriptor based check" and inserting in its place "The department shall be authorized to conduct a name or descriptor based check" in subsection (h) of Code Section 49-2-14, relating to a record search for conviction data on prospective employees in regard to the Department, Commissioner, and Board of Human Resources.

(2) By striking "Long-Term" and inserting in its place "Long-term" in Code Section 49-4-160, relating to a short title in regard to the "Georgia Long-term Care Partnership Program Act."

(3) By striking "Long-Term" and inserting in its place "Long-term" once in subparagraph (A) of paragraph (1) and twice in paragraph (3) of Code Section 49-4-161, relating to definitions in regard to the Long-term Care Partnership Program.

(4) By striking "Long-Term" and inserting in its place "Long-term" once in subsections (a) and (b) and twice in subsection (c) of Code Section 49-4-162, relating to the Georgia Long-term Care Partnership Program established, purposes, and assets to be disregarded with respect to Medicaid eligibility or payment or recovery by the state of payments for medical services.

(5) By striking "Long-Term" and inserting in its place "Long-term" once in subsection (a) and twice in subsection (b) of Code Section 49-4-163, relating to the eligibility for asset disregard and reciprocal agreements with other states to extend asset disregard mutually in regard to the Georgia Long-term Care Partnership Program.

(6) By striking "Department of Education, Division of School Readiness." and inserting in its place "Department of Education." in paragraph (11) of subsection (c) of Code Section 49-5-41, relating to persons and agencies permitted access to child abuse and deprivation records.

(7) By striking "as an employee, unless there is" and inserting in its place "as an employee unless there is" in subsection (d) of Code Section 49-5-69, relating to employment requirements and suspension or revocation of license or criminal penalty for violations in regard to employees' records checks for day-care centers.

#### **SECTION 50.**

Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended as follows:

(1) By striking the period and inserting in its place a semicolon at the end of paragraph (7) of Code Section 50-5-51, relating to the power, authority, and duty of the Department of Administrative Services.

(2) By striking "high grade office paper" and inserting in its place "high-grade office paper" in paragraph (2) of subsection (a) of Code Section 50-5-60.2, relating to the use of recycled

content paper products in regard to general authority, duties, and procedure in state purchasing.

(3) By striking "commission, institution, authority or other entity of the state" and inserting in its place "commission, institution, authority, or other entity of the state" in subsection (b) of Code Section 50-5-80, relating to the unlawful act of making purchases or selling through the Department of Administrative Services for individual ownership, all department purchases remain state property, penalty, and applicability.

(4) By striking "state organizations" and inserting in its place "state government organizations" in paragraph (2) and by striking "state organizations;" and inserting in its place "state government organizations;" in paragraph (3) in Code Section 50-5B-3, relating to duties of the state accounting officer, recommendations for improving cash management practices, and implementing policies.

(5) By striking "press relations, branding, and use of a 'look;'" and inserting in its place "press relations, branding, and use of a 'look';" in paragraph (5) of subsection (b) and by striking "information using themes, 'look,' and other marketing elements" and inserting in its place "information using themes, a 'look,' and other marketing elements" in paragraph (6) of subsection (d) of Code Section 50-7-17, relating to the State-wide Tourism Marketing Program and Georgia Tourism Foundation of the Department of Economic Development.

(6) By striking "Ex-officio" and inserting in its place "Ex officio" in paragraph (1) of subsection (b) of Code Section 50-12-131, relating to membership, terms, qualifications, officers, quorum, and powers and duties in regard to the Georgia Commission on the Holocaust.

(7) By striking "chairman" and inserting in its place "chairperson" both times it appears and by inserting "or her" after "in his" both times it appears in division (12)(B)(iv) of Code Section 50-16-34, relating to the powers and duties of the State Properties Commission generally.

(8) By striking "chairman" and inserting in its place "chairperson" the three times it appears and by inserting "or her" after "in his" the four times it appears in subsection (g) of Code Section 50-16-39, relating to public competitive bidding procedure for sales and leases, acceptance or rejection of bids by commission, General Assembly, or Governor, and execution of leases and deeds in regard to the State Properties Code.

(9) By striking "chairman" and inserting in its place "chairperson" both times it appears in the form in paragraph (5) of subsection (j) of Code Section 50-16-43, relating to the leasing of state owned lands for exploration and extraction of mineral resources.

(10) By striking "institutions, authorities, or other entity of the state" and inserting in its place "institutions, authorities, or other entities of the state" in Code Section 50-16-163, relating to the Department of Administrative Services central inventory of personal property and its power to examine books, records, papers, or personal property of state entities to ensure compliance.

(11) By alphabetizing paragraphs (7), (8), and (9) by redesignating paragraph (7) as paragraph (9), by redesignating paragraph (8) as paragraph (7), and by redesignating paragraph (9) as paragraph (8), respectively, in Code Section 50-17-100, relating to definitions in regard to interest rate management in relation to state debt, investment, and depositories.

(12) By striking "Budget Act," and inserting in its place "Part 1 of Article 4 of Chapter 12 of Title 45, the 'Budget Act,'" in paragraphs (1) and (2) of subsection (e) and by striking "advisor" and inserting in its place "adviser" both times it appears in paragraph (2) of subsection (g) of Code Section 50-17-101, relating to guidelines, rules, and regulations for interest rate management plans and programs, state parties authorized to enter into, modify, or terminate interest rate management plans, disposition of payments under agreements, obligations, terms, and conditions, and the agency for state and oversight of the Georgia State Financing and Investment Commission.

(13) By striking "financial records shall include, but not be limited to" and inserting in its place "financial records shall include but not be limited to" in paragraph (18) of subsection (a) of Code Section 50-18-72, relating to when public disclosure is not required and disclosure of exempting legal authority in regard to the inspection of public records.

(14) By striking the period and inserting in its place a semicolon at the end of subparagraph (b)(11)(H) of Code Section 50-23-5, relating to the purpose, powers, and duties of the Georgia Environmental Facilities Authority.

(15) By striking "reside within or without" and inserting in its place "reside inside or outside" in paragraph (3) of subsection (b) of Code Section 50-32-10, relating to the purpose of the Georgia Regional Transportation Authority.

(16) By striking "irrigation return flows; and for the purposes of this subparagraph," and inserting in its place "irrigation return flows; for the purposes of this subparagraph," in subparagraph (D) of paragraph (9) of Code Section 50-34-2, relating to definitions relative to the OneGeorgia Authority.

## **SECTION 51.**

Title 51 of the Official Code of Georgia Annotated, relating to torts, is amended as follows:

(1) By striking "CFR" and inserting in its place "C.F.R." in paragraph (1) and division (15)(B)(iv) and by deleting the comma after "doctor" in paragraph (17) of Code Section 51-14-2, relating to definitions in regard to asbestos claims and silica claims.

**SECTION 52.**

Reserved.

**SECTION 53.**

Reserved.

**SECTION 54.**

Except for Title 47, the text of Code sections and title, chapter, article, part, subpart, Code section, subsection, paragraph, subparagraph, division, and subdivision numbers and designations as contained in the Official Code of Georgia Annotated published under authority of the state by The Michie Company in 1982 and contained in Volumes 3 through 40 of such publication or replacement volumes thereto, as amended by the text and numbering of Code sections as contained in the 2005 supplements to the Official Code of Georgia Annotated published under authority of the state in 2005 by LEXIS Publishing, are reenacted and shall have the effect of statutes enacted by the General Assembly of Georgia. Annotations; editorial notes; Code Revision Commission notes; research references; notes on law review articles; opinions of the Attorney General of Georgia; indexes; analyses; title, chapter, article, part, and subpart captions or headings, except as otherwise provided in the Code; catchlines of Code sections or portions thereof, except as otherwise provided in the Code; and rules and regulations of state agencies, departments, boards, commissions, or other entities which are contained in the Official Code of Georgia Annotated are not enacted as statutes by the provisions of this Act. Material which has been added in brackets or parentheses and editorial, delayed effective date, effect of amendment, or other similar notes within the text of a Code section by the editorial staff of the publisher in order to explain or to prevent a misapprehension concerning the contents of the Code section and which is explained in an editorial note is not enacted by the provisions of this section and shall not be considered a part of the Official Code of Georgia Annotated. The reenactment of the statutory portion of the Official Code of Georgia Annotated by this Act shall not affect, supersede, or repeal any Act of the General Assembly, or portion thereof, which is not

contained in the Official Code of Georgia Annotated and which was not repealed by Code Section 1-1-10, specifically including those Acts which have not yet been included in the text of the Official Code of Georgia Annotated because of effective dates which extend beyond the effective date of the Code or the publication date of the Code or its supplements. The provisions contained in other sections of this Act and in the other Acts enacted at the 2006 regular session of the General Assembly of Georgia shall supersede the provisions of the Official Code of Georgia Annotated reenacted by this section.

#### **SECTION 55.**

(a) This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval, except as otherwise provided in subsection (b) of this section.

(b)(1) Paragraph (2) of Section 15 of this Act shall become effective on January 1, 2007.

(2) Paragraph (1) of Section 19 of this Act shall become effective on July 1, 2006.

(3) Paragraph (6) of Section 40 of this Act shall become effective on July 1, 2006.

#### **SECTION 56.**

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