House Bill 832 (AS PASSED HOUSE AND SENATE)

By: Representatives Buckner of the 82nd, Beasley-Teague of the 48th, Post 2, Barnes of the 84th, Post 2, Dodson of the 84th, Post 1, Mosby of the 59th, Post 3, and others

A BILL TO BE ENTITLED

AN ACT

To establish the "Clayton County Commission on Children and Youth"; to provide for matters relative thereto; to provide an effective date; to provide for automatic repeal of this Act; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

The General Assembly finds that appropriate services to children and youth are vitally important and the establishment in Clayton County of a Commission on Children and Youth recognizes the importance of this service. The intent of this Act is to provide for the effective coordination and communication between the providers of children and youth services in Clayton County, including pediatrics, health, mental health, business, and industry, and all components of the social service delivery system, education, employment, and juvenile justice and community efforts tangent thereto.

SECTION 2.

(a) There is established the "Clayton County Commission on Children and Youth" which shall be composed of the following members:

(1) Fifteen voting members selected by the concerted action of the director of the Clayton County Department of Family and Children Services, the chairperson of the Clayton County Board of Commissioners and the judges of the Juvenile Court of Clayton County. Voting members shall consist of individuals who are business and community leaders and who by their interest, training, or experience are knowledgeable of the issues affecting children and youth; individuals who are in the field of education; individuals who are part of local government, including law enforcement officials; and individuals who by their training and experience are knowledgeable in pediatrics, health, mental health, or social services. Voting members shall have the authority to vote on all issues before the commission; and voting members shall serve at the pleasure of their selectors.

In selection and discharge of the voting members, the votes of two members of the selection and discharge group shall control; and

(2) Ten ex officio members. Ex officio members shall consist of a member of the Clayton County legislative delegation, the sheriff of Clayton County, the chairperson of the Clayton County Board of Commissioners, the Clayton County Director of Police Services, the Presiding Judge of the Clayton County Juvenile Court, the Clayton County Superintendent of Schools, a physician appointed by the Director of Public Health, the Director of the Department of Family and Children Services, the Director of Mental Health, and a clergyman selected by vote of the designated ex officio members. Ex officio members shall not have the authority to vote on the administration of grants or grant requests or other such issues prohibited by law or as set forth in the commission´s bylaws.

(b) All appointments to the commission shall become effective on the first day of the month following the month in which this Act becomes law. In the event of death, resignation, disqualification, or removal for any reason of any member of the commission, the vacancy shall be filled prior to the next regular meeting in the same manner as the original appointment and the successor shall serve for the unexpired term.

(c) Membership on the commission does not constitute public office and no member shall be disqualified from holding public office by reason of his or her membership on the commission.

(d) Members of the commission shall serve without compensation, except that each member may be reimbursed out of the funds of the commission as funds are available for expenses incurred as a result of his or her duties as a commission member in accordance with the State of Georgia mileage reimbursement allowance.

(e) The commission shall elect a chairperson and such other officers from among their number and make such bylaws for its operation as may be necessary or appropriate.

(f) The commission may establish advisory committees. All members of the advisory committee shall be knowledgeable about children and youth issues.

SECTION 3.

(a) The chairperson of the commission may contract with other agencies, public or private, or persons as the chairperson deems necessary for the rendering and affording of such services, facilities, studies, research, and reports to the commission as will best assist it to carry out its duties and responsibilities.

(b) The chairperson may employ such other professional, technical, and clerical personnel as deemed necessary to carry out the purposes of this Act, given funds available.

SECTION 4.

The commission is vested with the following functions and authorities:

(1) To cooperate with and seek cooperation from every department, agency, or instrumentality in furtherance of the purposes of this Act;

(2) To convene periodically, but at least three times a year, at a place and time designated by the chairperson of the commission;

(3) To develop, in coordination and cooperation with all components of the various children and youth systems of this state, and agencies of Clayton County, public or private, legislative proposals and executive policy proposals to better meet the needs of children and youth and improve the quality of services available to them;

(4) To review and develop an integrated county plan for services provided to children and youth through whatever available federal, state, and local programs;

(5) To provide technical assistance and consultation to members of the commission and officers of Clayton County government, particularly those involved in providing services to children and youth;

(6) To review existing statutes, administrative rules, regulations, ordinances, and policies of those agencies having a member on the commission relating to children and youth and make recommendations which will encourage greater interagency coordination and cooperation, for effective utilization of existing resources;

(7) To facilitate the elimination of unnecessary duplicative efforts, programs, and services;

(8) To administer assistance funds for the purposes mentioned herein or as assigned by law or executive order; and

(9) Notwithstanding any provision in this Act to the contrary, the commission shall not exercise any power, undertake any duty, or perform any function otherwise assigned by law.

SECTION 5.

(a) The commission is authorized to accept and use property, both real and personal, and services for the purpose of carrying out this Act. The commission is authorized to accept and use gifts, grants, and donations for the purpose of carrying out this Act. Any funds, property, or services received by gifts, grants, or donations shall be kept separate and apart from any funds received from any governmental agency, and such funds, property, or services so received by gifts, grants, or donations shall be the property and the funds of the commission and, as such, shall not lapse at the end of each fiscal year but shall remain under the control of and subject to the direction of the commission to carry out the provisions of this Act.

(b) The commission may solicit funds from the federal government, state government, county government, and municipalities, and any public funds donated by government are authorized, provided that the commission accounts for the spending of such funds on an annual basis.

(c) The commission shall make an annual report on September 1 of each year of its findings and recommendations to the members of the Clayton County legislative delegation, the Board of Commissioners of Clayton County, and the judicial officers of Clayton County.

SECTION 6.

This Act shall become effective on July 1, 2003.

SECTION 7.

The commission shall stand abolished on July 1, 2005.

SECTION 8.

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