

Senate Bill 340

By: Senators Stone of the 23rd and Hufstetler of the 52nd

**AS PASSED**

**A BILL TO BE ENTITLED  
AN ACT**

To amend the Official Code of Georgia Annotated, so as to revise, modernize, correct errors or omissions in, and reenact the statutory portion of said Code, as amended, in furtherance of the work of the Code Revision Commission; to repeal portions of said Code, or Acts in amendment thereof, which have become obsolete, have been declared to be unconstitutional, or have been preempted or superseded by subsequent laws; to provide for other matters relating to revision, reenactment, and publication of said Code; to provide for effect in event of conflicts; to provide for effective dates; to repeal conflicting laws; and for other purposes.

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

**SECTION 1.**

Reserved.

**SECTION 2.**

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

(1) Code Section 2-8-90, relating to definitions regarding the Agricultural Commodity Commission for Georgia Grown Products, by redesignating current paragraphs (5) and (6) as new paragraphs (6) and (5), respectively, and reordering such paragraphs so as to put definitions in alphabetical order.

(2) Code Section 2-8-93, relating to the composition and membership of the Agricultural Commodity Commission for Georgia Grown Products, in paragraph (4) of subsection (a), by replacing "House of Representatives Committee on Agriculture and Consumer Affairs" with "House Committee on Agriculture and Consumer Affairs" and in subsections (b) and (c) and paragraph (3) of subsection (d), by replacing "appointive" with "appointed".

(3) Code Section 2-8-98, relating to the recommendation of promulgation of a marketing order by the Agricultural Commodity Commission for Georgia Grown Products, in paragraph (1), by replacing "name; provided" with "name; and provided".

25 (4) Code Section 2-8-99, relating to amendments to marketing orders, notice, rules and  
26 regulations, and termination of orders by the Agricultural Commodity Commission for  
27 Georgia Grown Products, in paragraph (1) of subsection (a), by replacing "appointive" with  
28 "appointed".

29 **SECTION 3.**

30 Reserved.

31 **SECTION 4.**

32 Reserved.

33 **SECTION 5.**

34 Reserved.

35 **SECTION 6.**

36 Reserved.

37 **SECTION 7.**

38 Reserved.

39 **SECTION 8.**

40 Title 8 of the Official Code of Georgia Annotated, relating to buildings and housing, is  
41 amended in:

42 (1) Code Section 8-2-144, relating to reporting and accounting for fees by the Commissioner  
43 of Insurance, by replacing "Senate Budget Office" with "Senate Budget and Evaluation  
44 Office" and "House Budget Office" with "House Budget and Research Office".

45 **SECTION 9.**

46 Reserved.

47 **SECTION 10.**

48 Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, is  
49 amended in:

50 (1) Code Section 10-1-393, relating to unfair or deceptive practices in consumer transactions  
51 unlawful and examples, in subparagraph (b)(16)(N), by replacing "Chapter 17 of Title 48"  
52 with "Article 3 of Chapter 27 of Title 50".

**SECTION 11.**

Reserved.

**SECTION 12.**

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

(1) Code Section 12-3-50, relating to the powers and duties of the Department of Natural Resources as to historic preservation and promotion, by designating the introductory text as subsection (a) and by redesignating paragraph (7) as subsection (b).

**SECTION 13.**

Reserved.

**SECTION 14.**

Reserved.

**SECTION 15.**

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

(1) Code Section 15-1-16, relating to mental health court divisions, after paragraph (3) of subsection (a), by inserting a paragraph (4) designation preceding the subparagraph (A) designation.

(2) Code Section 15-3-4, relating to the election and term of office of Judges of the Court of Appeals, in the introductory text, by replacing "state election to be held on Tuesday after the first Monday in November of the even-numbered years" with "primary in each even-numbered year".

(3) Code Section 15-6-77.4, relating to an additional divorce case filing fee for the Children's Trust Fund, in subsection (a), by replacing "House Budget Office" with "House Budget and Research Office" and "Senate Budget Office" with "Senate Budget and Evaluation Office".

(4) Code Section 15-9-60.1, relating to an additional marriage license fee for the Children's Trust Fund, by replacing "House Budget Office" with "House Budget and Research Office" and "Senate Budget Office" with "Senate Budget and Evaluation Office".

(5) Code Section 15-11-282, relating to the service of a summons in regard to the termination of parental rights, at the end of subsection (c), by replacing "request" with "requested".

(6) Code Section 15-18-12, relating to travel expenses, provision of county vehicle, and budget request for state funds regarding district attorneys, in paragraph (3) of subsection (e),

by replacing "House Budget Office" with "House Budget and Research Office" and "Senate Budget Office" with "Senate Budget and Evaluation Office".

(7) Code Section 15-21-74, relating to the assessment and collection of penalties, transfer of payments to Georgia Superior Court Clerks' Cooperative Authority, and quarterly accounting regarding peace officer, prosecutor, and indigent defense funding, by replacing "House Budget Office" with "House Budget and Research Office" and "Senate Budget Office" with "Senate Budget and Evaluation Office".

(8) Code Section 15-21-113, relating to the assessment and collection of penalty, payment to the Georgia Superior Court Clerks' Cooperative Authority, and quarterly reports and accounting regarding compensation to victims of violators of driving under the influence statute, by replacing "House Budget Office" with "House Budget and Research Office" and "Senate Budget Office" with "Senate Budget and Evaluation Office".

(9) Code Section 15-21A-6.1, relating to the judicial operations fund fee and collection and reporting procedure, in subsection (c), by replacing "House Budget Office" with "House Budget and Research Office" and "Senate Budget Office" with "Senate Budget and Evaluation Office".

(10) Code Section 15-21A-6.2, relating to the exemption from judicial operations fund fee and collection and reporting procedures, in subsection (c), by replacing "House Budget Office" with "House Budget and Research Office" and "Senate Budget Office" with "Senate Budget and Evaluation Office".

(11) Code Section 15-21A-7, relating to judicial rules, regulations, reporting, and accounting by the Georgia Superior Court Clerks' Cooperative Authority, in subsection (c), by replacing "House Budget Office" with "House Budget and Research Office" and "Senate Budget Office" with "Senate Budget and Evaluation Office".

## **SECTION 16.**

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

(1) Code Section 16-13-21, relating to definitions regarding schedules, offenses, and penalties in the regulation of controlled substances, by redesignating and reordering current paragraph (29) as new paragraph (17.1), so as to put definitions in alphabetical order.

(2) Code Section 16-13-71, relating to the definitions of dangerous drugs, by redesignating current paragraphs (77.5) and (78) as new paragraphs (78) and (77.5), respectively, and reordering such paragraphs so as to put definitions in alphabetical order.

**SECTION 17.**

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

(1) Code Section 17-5-22, relating to the issuance of search warrants by judicial officers generally and maintenance of docket record of warrants issued, in the last sentence, by inserting "that" after "however," and by inserting a comma after "him".

(2) Code Section 17-5-32, relating to search and seizure of documentary evidence in the possession of an attorney and exclusion of illegally obtained evidence, in subsection (d), by replacing "case in chief" with "case-in-chief".

(3) Code Section 17-10-6.1, relating to punishment for serious violent offenders and authorization for reduction in mandatory minimum sentencing, in paragraph (4) of subsection (c), by replacing "however, during" with "however, that during".

(4) Code Section 17-12-7, relating to the Georgia Public Defender Standards Council councilmembers, responsibilities, voting, removal, quorum, meetings, officers, and expenses, in subsection (c), by replacing "council members" with "councilmembers".

(5) Code Section 17-15-8, relating to victim compensation and required findings, amount of award, rejection of claim, reductions, exemption from garnishment and execution, exemption from treatment as ordinary income, effective date for awards, psychological counseling for relatives of deceased, and memorials for victims of DUI homicide, in paragraph (1) of subsection (c), by replacing "with respect" with "that with respect" each time the term appears.

(6) Code Section 17-17-7, relating to the notification to a victim of an accused's arrest and proceedings where the accused's release is considered and the victim's right to express an opinion in pending proceedings and to file a written complaint in the event of release, in subsection (e), by designating the introductory text as paragraph (1) and by redesignating current paragraphs (1) and (2) as new paragraphs (2) and (3), respectively.

(7) Code Section 17-17-9, relating to the exclusion of a testifying victim from criminal proceedings and separate victims' waiting areas, in subsection (b), by replacing "Code Section 24-6-616" with "Code Section 24-6-615".

(8) Code Section 17-17-14, relating to a victim being required to provide a current address and phone number to notifying parties, in paragraph (2) of subsection (a), by deleting "and" after the semicolon at the end.

**SECTION 18.**

Reserved.

**SECTION 19.**

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

(1) Code Section 19-11-30.2, relating to definitions and information from financial institutions regarding the "Child Support Recovery Act," in paragraph (3) of subsection (a), by deleting "listed in paragraph (3) of this subsection".

(2) Code Section 19-11-32, relating to the process to collect delinquent support accounts and limitation regarding child support recovery actions, in subsection (c), by replacing "paragraph (3)" with "paragraph (2)".

**SECTION 20.**

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

(1) Code Section 20-1A-30, relating to definitions regarding background checks in the Department of Early Care and Learning, in subparagraph (C) of paragraph (3), by deleting ", relating to battery,".

(2) Code Section 20-2-54, which is repealed, by designating said Code section as reserved.

(3) Code Section 20-2-102, which is repealed, by designating said Code section as reserved.

(4) Code Section 20-2-105, which is repealed, by designating said Code section as reserved.

(5) Code Section 20-2-106, which is repealed, by designating said Code section as reserved.

(6) Code Section 20-2-107, which is repealed, by designating said Code section as reserved.

(7) Code Section 20-2-320, relating to the Education Information Steering Committee, identification of data to implement the Quality Basic Education Program, and the state-wide comprehensive educational information network, in subsection (c), by replacing "Senate Budget Office" with "Senate Budget and Evaluation Office", "House Budget Office" with "House Budget and Research Office", and "House and Senate Appropriations, Education, Education and Youth, and Higher Education committees" with "House and Senate Appropriation Committees, the House Committee on Education, the Senate Education and Youth Committee, the House Committee on Higher Education, and the Senate Higher Education Committee".

(8) Article 13 of Chapter 2 of Title 20, which is repealed, by designating said article as reserved.

(9) Article 24 of Chapter 2 of Title 20, which is repealed, by designating said article as reserved.

(10) Code Section 20-2-2062, relating to definitions regarding charter schools, in paragraph (3.1), by replacing "Code Section 20-2-2063.1" with "Code Section 20-2-2063.2".

187 (11) Code Section 20-2-2114, relating to qualifications for scholarship, financial  
188 responsibility, state-wide assessments, exception, and compliance, in paragraph (3) of  
189 subsection (a), by deleting "(IEP)" after "Individualized Education Program".

190 (12) Code Section 20-3-45.1, relating to the powers and duties of the Georgia Historical  
191 Records Advisory Council, in paragraph (10), by replacing "this part" with "this article".

192 (13) Code Section 20-3-133, relating to payments from the Board of Regents of the  
193 University System of Georgia to local operating authorities, local support from fees and  
194 taxes, and audits, by replacing "Senate Budget Office" with "Senate Budget and Evaluation  
195 Office" and "House Budget Office" with "House Budget and Research Office".

196 (14) Code Section 20-14-26.1, relating to the authority to incorporate nonprofit corporation  
197 as public foundation, requirements, Public Education Innovation Fund Foundation, and  
198 reporting regarding the Office of Student Achievement, in subsection (a), by replacing  
199 "department" with "office".

200 **SECTION 21.**

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

202 (1) Code Section 21-4-3, relating to definitions regarding the recall of public officers, in  
203 paragraph (10), by deleting "as defined in paragraph (4) of this Code section" and by  
204 redesignating and reordering said current paragraph (10) as new paragraph (3.1), so as to put  
205 definitions in alphabetical order.

206 **SECTION 22.**

207 Reserved.

208 **SECTION 23.**

209 Title 23 of the Official Code of Georgia Annotated, relating to equity, is amended in:

210 (1) Code Section 23-3-125, relating to civil investigative demands under taxpayer protection  
211 against false claims, in subsection (k), by inserting a paragraph (3) designation preceding the  
212 subparagraph (A) designation following subparagraph (k)(2)(B).

213 **SECTION 24.**

214 Reserved.

215 **SECTION 25.**

216 Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety, is  
217 amended in:

218 (1) Code Section 25-9-13, relating to penalties for violations of the chapter, bonds,  
219 enforcement, advisory committee, dispose of settlement recommendations regarding blasting  
220 or excavating near utility facilities, in subparagraph (h)(2)(A), by deleting the subsection (h)  
221 designation preceding the subparagraph (2)(A) designation.

222 **SECTION 26.**

223 Reserved.

224 **SECTION 27.**

225 Reserved.

226 **SECTION 28.**

227 Title 28 of the Official Code of Georgia Annotated, relating to the General Assembly, is  
228 amended in:

229 (1) Code Section 28-5-6, relating to the powers, duties, and responsibilities of the Senate  
230 Budget Office and the House Budget Office, by replacing "Senate Budget Office" with  
231 "Senate Budget and Evaluation Office" and "House Budget Office" with "House Budget and  
232 Research Office" each time those terms appear throughout said Code section and in  
233 subsection (c) by replacing "House Appropriations Committee" with "House Committee on  
234 Appropriations", "House Budget and Fiscal Affairs Oversight Committee" with "House  
235 Committee on Budget and Fiscal Affairs Oversight", and "Speaker of the House" with  
236 "Speaker of the House of Representatives".

237 (2) Code Section 28-5-42, relating to the introduction of bills having significant impact upon  
238 anticipated revenues or expenditures and furnishing of fiscal notes by the General Assembly,  
239 in paragraph (1) of subsection (c), by replacing "Senate Budget Office" with "Senate Budget  
240 and Evaluation Office" and "House Budget Office" with "House Budget and Research  
241 Office".

242 (3) Code Section 28-9-5, relating to the publication of the Official Code of Georgia  
243 Annotated, the authority to make corrections and editorial changes, the authority to introduce  
244 legislation, and the effect of corrections and changes, by:

245 (A) Redesignating current subsection (c) as new undesignated text at the end of  
246 subsection (a) and by replacing "subsection (a) of this Code section" with "this  
247 subsection" and "subsection (b)" with "subsection (c)" in said undesignated text;

248 (B) Redesignating current subsection (b) as new subsection (c);

249 (C) Codifying subsection (d) of Section 54 of an Act to amend the Official Code of  
250 Georgia Annotated, so as to revise, modernize, and correct errors or omissions in said

Code in furtherance of the work of the Code Revision Commission, approved April 24, 2013 (Ga. L. 2013, p. 141), as new subsection (b) to read as follows:

"(b) For purposes of publishing volumes, replacement volumes, and supplements to the Official Code of Georgia Annotated pursuant to this chapter: legislation enacted at the same session of the General Assembly and amending the same statutory provision shall be considered in pari materia, and full effect shall be given to each if that is possible; Acts enacted during the same session shall be treated as conflicting with each other only to the extent that they cannot be given effect simultaneously; in the event of such a conflict, the latest enactment, as determined by the order in which bills became law with or without the approval of the Governor, shall control to the extent of the conflict unless the latest enactment contains a provision expressly ceding control in such an event; and language carried forward unchanged in one amendatory Act shall not be read as conflicting with changed language contained in another Act passed during the same session."; and

(D) Adding to the end of new subsection (c) the following:

"Except as otherwise provided by law, such reenactment of the Official Code of Georgia Annotated shall have the effect of adopting and giving force and effect of law to all the statutory text and numbering as contained in such volumes, pocket parts, and supplements, including but not limited to provisions as published therein in accordance with subsections (a) and (b) of this Code section."

## SECTION 29.

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

(1) Code Section 29-5-32, relating to the investment of estate funds by a conservator, in paragraph (12), by repealing and reserving said paragraph, which refers to an obsolete entity.

## SECTION 30.

Reserved.

## SECTION 31.

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

(1) Code Section 31-8-179.2, relating to the Department of Community Health authorized to assess one or more provider payments on hospitals for the purpose of obtaining federal financial participation for Medicaid, in the introductory text of subsection (a), by replacing "42 CFR 433.68" with "42 C.F.R. 433.68" and in paragraph (2) of subsection (a), by inserting a comma after "2012".

284 (2) Article 10 of Chapter 8, relating to the Georgia Alzheimer's and Related Dementias State  
285 Plan Task Force, which task force stands abolished on March 31, 2014, is hereby repealed.

286 **SECTION 32.**

287 Reserved.

288 **SECTION 33.**

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

290 (1) Code Section 33-13-3.1, relating to the acquisition of insurer and effect on competition  
291 regarding insurance holding company systems, in subsection (f), by replacing "Paragraphs"  
292 with "Subsections".

293 (2) Code Section 33-23-12, relating to limited licenses regarding insurance agents, agencies,  
294 subagents, counselors, and adjusters, in subsection (a), by replacing "this Code Section" with  
295 "this Code section".

296 (3) Code Section 33-24-21.1, relating to group accident and sickness insurance contracts,  
297 conversion privilege and continuation right provisions, and impact of federal legislation, in  
298 subsection (n), by designating the introductory text as paragraph (1) and by redesignating  
299 current paragraphs (1) and (2) as new paragraphs (2) and (3), respectively.

300 (4) Code Section 33-29-22, relating to notice of individual accident and sickness insurance  
301 policy premium increase and notification of impact of the Patient Protection and Affordable  
302 Care Act, in subsection (b), by replacing "paragraph" with "subsection".

303 (5) Code Section 33-29A-9, relating to the discontinuance of state assignment of health care  
304 policies under the Georgia Health Insurance Assignment System and the Georgia Health  
305 Benefits Assignment System, by designating the introductory text as subsection (a), by  
306 redesignating paragraph (1) as subsection (b), and in paragraph (2), by replacing "paragraph"  
307 with "subsection" and by redesignating said paragraph as subsection (c).

308 (6) Code Section 33-30-13, relating to notices of group or blanket accident and sickness  
309 insurance premium increases to be mailed or delivered to group policyholder and notification  
310 of impact of federal Patient Protection and Affordable Care Act, in subsection (b), by  
311 replacing "paragraph" with "subsection".

312 **SECTION 34.**

313 Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations,  
314 is amended in:

315 (1) Code Section 34-14-20, relating to definitions regarding local workforce and the Georgia  
316 Workforce Investment Board, in division (5)(A)(i), by replacing "Army, Navy, Air Force,

317 Coast Guard, or Marine Corps of the United States" with "United States army, navy, air  
318 force, coast guard, or marine corps".

319 (2) Code Section 34-14-28, relating to the definition of supportive services and the payment  
320 cap as established by the Georgia Workforce Investment Board, in subsection (a), by  
321 replacing "needs-related" with "needs related".

322 **SECTION 35.**

323 Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and  
324 agencies, is amended in:

325 (1) Code Section 35-2-41.1, relating to the donation or conveyance of property, equipment,  
326 or services to the Department of Public Safety and procedure, in subsection (a), by replacing  
327 "Senate Budget Office" with "Senate Budget and Evaluation Office" and "House Budget  
328 Office" with "House Budget and Research Office".

329 **SECTION 36.**

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

332 (1) Code Section 36-80-21, relating to definitions and electronic transmission of budgets  
333 regarding general provisions applicable to counties, municipal corporations, and other  
334 governmental entities, in subparagraph (a)(2)(B), by replacing "paragraph (3) of subsection  
335 (a) of Code Section 20-2-167" with "Code Section 20-2-67".

336 **SECTION 37.**

337 Reserved.

338 **SECTION 38.**

339 Reserved.

340 **SECTION 39.**

341 Reserved.

342 **SECTION 40.**

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

345 (1) Code Section 40-1-161, relating to the revocation, alteration, or amendment of a  
346 limousine certificate, by inserting a comma between "Act" and the quotation mark.

(2) Code Section 40-2-152, relating to fees for apportionable vehicles and restricted license plates for vehicles, in subsection (d), by inserting a comma after "plates".

(3) Code Section 40-8-91, relating to marking and equipment of law enforcement vehicles and motorist allowed to continue to safe location before stopping for law enforcement officer vehicles, in subsection (b), by deleting the undesignated paragraph at the end of such subsection as such paragraph was automatically repealed on June 30, 2013.

#### **SECTION 41.**

Reserved.

#### **SECTION 42.**

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

(1) Code Section 42-8-1, relating to the creation, composition, selection of members, and terms of office regarding the Advisory Council for Probation, by replacing "council members" with "councilmembers".

#### **SECTION 43.**

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

(1) Code Section 43-11-1, relating to definitions relative to general provisions regarding dentists, dental hygienists, and dental assistants, in paragraph (8), by replacing "state board" with "board".

(2) Code Section 43-14-6, relating to the powers and duties of the divisions of electrical contractors, plumbers, conditioned air contractors, low-voltage contractors, and utility contractors, at the beginning of paragraph (1) of subsection (d), by replacing "With respect to Conditioned Air Contractor Class I and Class II licenses, the Division of Conditioned Air Contractors shall be authorized to require persons seeking renewal of licenses" with "The Division of Conditioned Air Contractors shall be authorized to require persons seeking renewal of Conditioned Air Contractor Class I and Class II licenses"; at the beginning of paragraph (1) of subsection (e), by replacing "With respect to Electrical Contractor Class I and Class II licenses, the Division of Electrical Contractors shall be authorized to require persons seeking renewal of licenses" with "The Division of Electrical Contractors shall be authorized to require persons seeking renewal of Electrical Contractor Class I and Class II licenses"; at the beginning of paragraph (1) of subsection (f), by replacing "With respect to utility foreman certificates and utility manager certificates issued under this chapter, the Division of Utility Contractors shall be authorized to require persons seeking renewal of such

certificates" with "The Division of Utility Contractors shall be authorized to require persons seeking renewal of utility foreman certificates and utility manager certificates issued under this chapter"; and at the beginning of paragraph (1) of subsection (g), by replacing "With respect to Journeyman Plumber, Master Plumber Class I, and Master Plumber Class II licenses, the Division of Master Plumbers and Journeyman Plumbers shall be authorized to require persons seeking renewal of such licenses" with "The Division of Master Plumbers and Journeyman Plumbers shall be authorized to require persons seeking renewal of Journeyman Plumber, Master Plumber Class I, and Master Plumber Class II licenses".

(3) Code Section 43-14-15, relating to certain military certifications that entitle persons to obtain certain professional licenses, in subsections (b) and (c), by replacing "meet or exceed" with "meets or exceeds".

(4) Code Section 43-26-50, relating to definitions relative to mandatory reporting requirements for nurses, by revising paragraph (1) as follows:

"(1) 'Board' means the Georgia Board of Nursing, ~~with respect to registered professional nurses and advanced practice registered nurses, and the Georgia Board of Examiners of Licensed Practical Nurses, with respect to licensed practical nurses.~~"

(5) Code Section 43-26-51, relating to the mandatory reporting requirement for violations of grounds for discipline and no reporting requirement for knowledge obtained via privileged communications for nurses, by replacing "applicable board" with "board" each time the term appears.

(6) Code Section 43-26-52, relating to institutional reporting requirements and voluntary suspension to alternative to discipline program not subject to reporting requirements for nurses, by replacing "applicable board" with "board", "such board" with "the board", and "Each board" with "The board" each time those terms appear.

(7) Code Section 43-26-53, relating to reportable incidents for nurses, by replacing "applicable board" with "board" each time the term appears.

(8) Code Section 43-26-54, relating to court orders and citation for civil contempt for nurses, by replacing "applicable board" with "board" each time the term appears.

(9) Code Section 43-26-55, relating to immunity from liability for good-faith reporting for nurses, by replacing "applicable board" with "board" each time the term appears.

(10) Code Section 43-34-5, relating to election of the Georgia Composite Medical Board officers, reimbursement of members, meetings, powers and duties, and no restriction on licenses, in paragraph (8), by replacing "limited, to" with "limited to,".

(11) Code Section 43-41-18, relating to certain military specialties or certifications that entitle persons to obtain certain professional licenses and definitions regarding residential and general contractors, in subsection (c), by replacing "meet or exceed" with "meets or exceeds".

418 **SECTION 44.**

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

420 (1) Code Section 44-14-361.5, relating to liens of persons without privity of contract in  
421 regard to mechanics and materialmen, in subsection (a), by replacing "Notice to Contractor"  
422 with "notice to contractor".

423 **SECTION 45.**

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

426 (1) Code Section 45-9-4, relating to the commissioner of administrative services to purchase  
427 insurance or indemnity contracts, self-insurance program, Hazardous Materials Liability  
428 Reserve Fund, insurer becoming insolvent, and provision of liability coverage to nonprofit  
429 agencies and employees contracting with certain state agencies, each time the term appears  
430 in subsection (e), by replacing "Georgia State Finance and Investment Commission" with  
431 "Georgia State Financing and Investment Commission".

432 (2) Code Section 45-11-4, relating to unprofessional conduct, misdemeanor, applicability,  
433 and indictment regarding miscellaneous offenses concerning public officers and employees,  
434 in paragraphs (1), (2), and (3) of subsection (a), by replacing "shall mean" with "means".

435 (3) Code Section 45-12-75.1, relating to zero-base budgeting, intent, and departmental  
436 priority lists regarding management of budgetary and financial affairs by the Office of  
437 Planning and Budget, in subsection (b), by replacing "House Budget Office and Senate  
438 Budget Office" with "House Budget and Research Office and Senate Budget and Evaluation  
439 Office" each time those terms appear.

440 (4) Code Section 45-12-82, relating to periodic work programs to be filed, funds not to be  
441 allotted until program approved, content and form of program, amendment of program, and  
442 filing of copies of program regarding management of budgetary and financial affairs by the  
443 Governor's Office of Planning and Budget, by replacing "Senate Budget Office, and the  
444 House Budget Office" with "Senate Budget and Evaluation Office, and the House Budget  
445 and Research Office".

446 (5) Code Section 45-12-85, relating to the examination and investigation of periodic work  
447 programs and requests for allotment of funds regarding management of budgetary and  
448 financial affairs by the Office of Planning and Budget, in subsection (b), by replacing "House  
449 Budget Office and the Senate Budget Office" with "House Budget and Research Office and  
450 the Senate Budget and Evaluation Office".

451 (6) Code Section 45-12-95, relating to the duty of Office of Planning and Budget to  
452 encourage state agencies to identify and implement cost-saving measures and to decentralize  
453 state government, in subsection (d), by replacing "House Budget Office and the Senate

454 Budget Office" with "House Budget and Research Office and the Senate Budget and  
455 Evaluation Office".

456 (7) Code Section 45-12-110, relating to notification of intention to apply for federal  
457 assistance and adoption and promulgation of rules and regulations and forms by House  
458 Budget Office, Senate Budget Office, and director of Office of Planning and Budget, in  
459 subsections (a) and (b), by replacing "House Budget Office, the Senate Budget Office" with  
460 "House Budget and Research Office, the Senate Budget and Evaluation Office".

461 (8) Code Section 45-13-22, relating to the distribution of Georgia Laws and journals of  
462 House and Senate and pricing as part of the powers and duties of the Secretary of State, in  
463 paragraph (21) of subsection (c), by replacing "House Budget Office and Senate Budget  
464 Office" with "House Budget and Research Office and Senate Budget and Evaluation Office".

465 (9) Article 3 of Chapter 13 of Title 45, which is redesignated and repealed, by designating  
466 said article as reserved.

467 (10) Code Section 45-15-13, relating to representation of state authorities by the Attorney  
468 General, by deleting "Georgia Building Authority (Hospital), Georgia Building Authority  
469 (Markets)," which refers to obsolete entities.

470 (11) Code Section 45-16-27, relating to death investigations by coroners and when inquest  
471 is to be held, special situations, coroner's fee, issuance of subpoenas for books, records, or  
472 papers, cost of copying, and limited disclosure of photographs, in subsection (b.1), by  
473 replacing "coroner may, elect" with "coroner may elect".

474 **SECTION 46.**

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

477 (1) Code Section 46-2-26.3, relating to recovery of costs of conversion from oil-burning to  
478 coal-burning generating facility, filing of request, public hearing, determination of rate, and  
479 adjustments regarding the jurisdiction, powers, and duties generally of the Public Service  
480 Commission, in subparagraph (b)(3)(A), by deleting the subsection (b) designation preceding  
481 the subparagraph (3)(A) designation.

482 (2) Code Section 46-3-128, relating to the Municipal Electric Authority of Georgia and the  
483 declaration of authority property as public property, payments by authority in lieu of taxes,  
484 and tax exemption for authority property, income, obligations, and debt interest, in  
485 subparagraph (b)(2)(A), by deleting the subsection (b) designation preceding the  
486 subparagraph (2)(A) designation.

487 (3) Code Section 46-5-1, relating to exercise of power of eminent domain by telephone  
488 companies, placement of posts and other fixtures, regulation of construction of fixtures,  
489 posts, and wires near railroad tracks, liability of telephone companies for damages, required

490 information, and due compensation, in paragraph (7) of subsection (b), by replacing  
491 "subsection (b) of this Code section" with "this subsection".  
492 (4) Code Section 46-5-121, relating to legislative intent by the General Assembly regarding  
493 the emergency telephone number 9-1-1 system, in subsections (b) and (c), by replacing  
494 "life-saving" with "lifesaving".

#### 495 **SECTION 47.**

496 Reserved.

#### 497 **SECTION 48.**

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

500 (1) Code Section 48-5-7.6, relating to the definition of "brownfield property", related  
501 definitions, qualifying for preferential assessment, disqualification of property receiving  
502 preferential assessment, responsibilities of owners, transfers of property, costs, appeals,  
503 creation of lien against property, and extension of preferential assessment in regard to ad  
504 valorem taxation of property, in subparagraph (e)(1)(B), by replacing "Code section  
505 36-62-5.1" with "Code Section 36-62-5.1".

506 (2) Chapter 5B of Title 48, which is repealed, by designating said chapter as reserved.

507 (3) Code Section 48-8-2, relating to definitions regarding general provisions under the state  
508 sales and use tax, at the beginning of the second sentence of paragraph (7), by deleting the  
509 quotation marks around "Conference bridging service"; at the beginning of the second and  
510 third sentences of paragraph (12), by deleting the quotation marks around "Direct mail"; at  
511 the beginning of the second sentence of paragraph (16), by deleting the quotation marks  
512 around "Food and food ingredients"; at the beginning of the second and third sentences of  
513 the introductory text of paragraph (17), by deleting the quotation marks around "Lease or  
514 rental"; in the second sentence of the introductory text of paragraph (20.1), by deleting the  
515 quotation marks around "over-the-counter drug"; in the second sentence of paragraph (21),  
516 by deleting the quotation marks around "place of primary use"; in subparagraph (B) of  
517 paragraph (27), by deleting the quotation marks around "Prepared food"; in paragraph (28.1),  
518 by deleting the quotation marks around "computer software," and "computer software", by  
519 deleting in the second sentence the quotation marks around "prewritten computer software"  
520 and "prewritten computer software.", by deleting at the beginning of the third and fifth  
521 sentences the quotation marks around "Prewritten computer software", and by deleting in the  
522 fifth sentence the quotation marks around "prewritten computer software" and "prewritten  
523 computer software."; in the undesignated text at the end of paragraph (29), by deleting the  
524 quotation marks around "Prosthetic device"; in the introductory text of paragraph (31), by

525 replacing "shall himself be liable" with "shall be liable"; in the introductory text at the  
526 beginning of subparagraphs (B) and (C) of paragraph (34), by deleting the quotation marks  
527 around "Sales price"; in subdivision (34)(C)(iv)(II), by deleting the quotation marks around  
528 "preferred customer"; at the beginning of the second and third sentences of paragraph (37),  
529 by deleting the quotation marks around "Tangible personal property"; in the second sentence  
530 of the introductory text of paragraph (39), by deleting the quotation marks around  
531 "telecommunications service" and at the beginning of the third sentence, by deleting the  
532 quotation marks around "Telecommunications service"; and at the beginning of the second  
533 sentence of paragraph (43), by deleting the quotation marks around "Voice mail service".  
534 (4) Code Section 48-8-3, relating to exemptions regarding sales and use taxes, in  
535 subparagraph (B) of paragraph (80), by deleting the colon following "term" and in  
536 paragraph (81), by deleting the quotation marks around "Food and food ingredients".  
537 (5) Code Section 48-8-17, relating to the suspension of the collection of taxes on gasoline  
538 and aviation fuel and ratification of temporary suspension regarding state sales and use taxes,  
539 in paragraph (4) of subsection (a), by deleting "and" after the semicolon at the end.  
540 (6) Code Section 48-8-75, relating to a purchaser's immunity from liability for failure to pay  
541 correct sales tax under certain circumstances, in paragraph (4) of subsection (a), by replacing  
542 "databases" with "data bases".  
543 (7) Code Section 48-8-89, relating to distribution and use of proceeds, certificate specifying  
544 percentage of proceeds for each political subdivision, determination of proceeds for absent  
545 municipalities, procedure for filing certificates, effect of failure to file, and renegotiation of  
546 certificate regarding joint county and municipal sales and use tax, in paragraph (1) of  
547 subsection (a), by inserting "and" after the semicolon at the end.  
548 (8) Code Section 48-8-161, relating to definitions regarding uniform sales and use tax  
549 administration, in paragraph (7), by replacing "\$500 million dollars" with "\$500 million".

550 **SECTION 49.**

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

553 (1) Code Section 49-4-193, relating to established drug testing, ineligibility for benefits  
554 based upon positive tests, drug treatment, impact of drug use by parents on children,  
555 confidentiality, and exceptions, in subsection (a) by replacing "Mandatory Guidelines for  
556 Federal Workplace Drug Testing Programs (53 C.F.R. 11979, et seq., as amended)" with  
557 "Mandatory Guidelines for Federal Workplace Drug Testing Programs established by the  
558 United States Department of Health and Human Services".  
559 (2) Code Section 49-4A-2, relating to the creation of the Board of Juvenile Justice,  
560 appointments, terms, vacancies, chairperson, per diem and expenses, and responsibilities and

561 duties, in paragraph (5) of subsection (b), by replacing "Senate State Judiciary Committee"  
562 with "Senate Judiciary Committee".  
563 (3) Code Section 49-6-62, relating to the establishment of a community care unit, provision  
564 of services, annual service plan, implementation plan, annual progress report, fees and  
565 contributions, and funding regarding community care and services for the elderly, in  
566 subsection (g), by inserting a comma after "House Committee on Health and Human  
567 Services".

568 **SECTION 50.**

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

571 (1) Code Section 50-7-17, relating to the State-wide Tourism Marketing Program and the  
572 Georgia Tourism Foundation, in paragraph (2) of subsection (e), by replacing "Board of  
573 Development" with "Board of Economic Development".

574 (2) Code Section 50-8-18, relating to energy efficient construction of major state-funded  
575 facility projects, a short title, legislative findings, and "major facility project" defined, in the  
576 introductory language of subsection (d), by replacing "Georgia State Finance and Investment  
577 Commission" with "Georgia State Financing and Investment Commission".

578 (3) Code Section 50-17-21, relating to definitions regarding the Georgia State Financing and  
579 Investment Commission, in paragraph (9), by deleting "Georgia Building Authority  
580 (Markets)," which refers to an obsolete entity.

581 (4) Code Section 50-18-72, relating to when public disclosure not required regarding  
582 inspection of public records, in paragraph (26) of subsection (a), by replacing "paragraph (3)"  
583 with "paragraph (5)".

584 (5) Code Section 50-25-7.1, relating to the technology empowerment fund, appropriations,  
585 initiatives, and steering committee regarding the Georgia Technology Authority, by replacing  
586 "Senate Budget Office" with "Senate Budget and Evaluation Office" and "House Budget  
587 Office" with "House Budget and Research Office" each time those terms appear throughout  
588 said Code section and in subsection (d) by replacing "House Appropriations Committee"  
589 with "House Committee on Appropriations".

590 (6) Code Section 50-27-70, relating to legislative findings and definitions regarding general  
591 provisions of bona fide coin operated amusement machines, in the undesignated text at the  
592 end of subparagraph (b)(2)(A), by replacing "means machine" with "means a machine".

593 (7) Code Section 50-27-87, relating to master licensees and requirements and restrictions for  
594 licensees regarding bona fide coin operated amusement machines, in paragraph (3) of  
595 subsection (b), by replacing "location owner or location owner" with "location owner or  
596 location operator".

597 (8) Code Section 50-32-11, relating to the powers of the Georgia Regional Transportation  
598 Authority generally, in paragraph (26) of subsection (a), by inserting a comma after "state  
599 agencies".

600 (9) Code Section 50-34-17, relating to the establishment and duties of the OneGeorgia  
601 Authority Overview Committee, in subsection (a), by replacing "Senate Budget Office" with  
602 "Senate Budget and Evaluation Office" and "House Budget Office" with "House Budget and  
603 Research Office".

#### 604 **SECTION 51.**

605 Reserved.

#### 606 **SECTION 52.**

607 Title 52 of the Official Code of Georgia Annotated, relating to waters of the state, ports, and  
608 watercraft, is amended in:

609 (1) Code Section 52-7-8, regarding classification of vessels and required equipment  
610 regarding the registration, operation, and sale of watercraft, in subsection (k), by replacing  
611 "the words" with "the term".

612 (2) Code Section 52-7-12, relating to the operation of watercraft while under influence of  
613 alcohol, toxic vapors, or drugs, legal drug use not exempted, blood and other chemical tests,  
614 test refusal, owner's liability for allowing another to operate while intoxicated, civil and  
615 criminal actions, and child endangerment, in subparagraphs (m)(1)(D), (m)(2)(D), (m)(3)(D),  
616 and (m)(4)(D), by replacing "Department of Drivers Service's approval" with "Department  
617 of Driver Services' approval".

#### 618 **SECTION 53.**

619 Reserved.

#### 620 **SECTION 54.**

621 (a) Except for Title 47, the text of Code sections and title, chapter, article, part, subpart,  
622 Code section, subsection, paragraph, subparagraph, division, and subdivision numbers and  
623 designations as contained in the Official Code of Georgia Annotated published under  
624 authority of the state by The Michie Company in 1982 and contained in Volumes 3 through  
625 40 of such publication or replacement volumes thereto, as amended by the text and  
626 numbering of Code sections as contained in the 2013 supplements to the Official Code of  
627 Georgia Annotated published under authority of the state in 2013 by LEXIS Publishing, are  
628 hereby reenacted.

(b) 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.

(c) The reenactment of the statutory portion of the Official Code of Georgia Annotated by subsection (a) of this section 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.

(d) The provisions contained in Sections 1 through 53 of this Act and in the other Acts enacted at the 2014 regular session of the General Assembly of Georgia shall supersede the provisions of the Official Code of Georgia Annotated ratified and reenacted by subsection (a) of this section.

(e) In the event of a conflict between a provision in Sections 1 through 53 of this Act and a provision of another Act enacted at the 2014 regular session of the General Assembly, the provision of such other Act shall control over the conflicting provision in Sections 1 through 53 of this Act to the extent of the conflict.

#### **SECTION 55.**

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

(b) The amendments made by paragraphs (4) through (9) of Section 43 of this Act shall be effective the later of July 1, 2014, or when funds are specifically appropriated for purposes of Ga. L. 2013, p. 830, §4, in an Appropriations Act making specific reference to such Act.

#### **SECTION 56.**

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