

Senate Bill 23

By: Senators Kirkpatrick of the 32nd, Dolezal of the 27th, Beach of the 21st, Tillery of the 19th, Hufstetler of the 52nd and others

A BILL TO BE ENTITLED
AN ACT

1 To amend various titles of the Official Code of Georgia Annotated so as to revise a
2 committee name; to repeal provisions relating to inactive boards, panels, authorities, centers,
3 commissions, committees, councils, task forces, and other such bodies; to make conforming
4 changes throughout the Code; to provide for related matters; to repeal conflicting laws; and
5 for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **PART I**

8 *Senate Appropriations Subcommittee Name Correction*

9 **SECTION 1-1.**

10 Title 2 of the Official Code of Georgia Annotated, relating to agriculture, is amended by
11 revising paragraph (1) of subsection (a) of Code Section 2-10-53.1, relating to oversight by
12 legislative advisory committee, membership, duties, and expiration, as follows:

13 "(1) The chairpersons of the House Appropriations Subcommittee for Economic
14 Development and Tourism and the Senate Appropriations Subcommittee for Agriculture
15 and ~~Consumer Affairs~~ Natural Resources or their designees, ex officio;"

16
17
18

PART II

Georgia Education Authority (Schools)

SECTION 2-1.

19 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in
20 Article 11 of Chapter 2, relating to public school property and facilities, by repealing Part 3,
21 relating to the Georgia Education Authority (Schools), and designating said part as reserved.

22

SECTION 2-2.

23 Said title is further amended in Code Section 20-3-152, relating to the Georgia Education
24 Authority (University) creation, members, officers, and staff, quorum, procedural rules and
25 regulations, and assignment to Department of Administrative Services, by revising
26 subsection (b) as follows:

27 "(b) The authority shall elect one of its members as ~~chairman~~ chairperson and another as
28 ~~vice-chairman~~ vice-chairperson and a secretary and treasurer, who need not necessarily be
29 a member of the authority ~~but who shall be the same as the secretary and treasurer of the~~
30 ~~Georgia Education Authority (Schools)~~. The majority of the members of the authority shall
31 constitute a quorum. No vacancy on the authority shall impair the right of the quorum to
32 exercise all the rights and perform all the duties of the authority. The members of the
33 authority shall not be entitled to compensation for their services but shall be entitled to and
34 shall be reimbursed for their actual expenses necessarily incurred in the performance of
35 their duties. ~~The staff of the authority shall be the same as the staff of the Georgia~~
36 ~~Education Authority (Schools)~~. The authority shall make rules and regulations for its own
37 government. It shall have perpetual existence. Any change in name or composition of the
38 authority shall in no way affect the vested rights of any person under the provisions of this
39 article or impair the obligations of any contracts existing under this article."

40 **SECTION 2-3.**

41 Title 29 of the Official Code of Georgia Annotated, relating to guardian and ward, is
42 amended in Code Section 29-3-32, relating to investment of funds, by repealing paragraph
43 (8) and designating said paragraph as reserved.

44 **SECTION 2-4.**

45 Said title is further amended in Code Section 29-5-32, relating to investment of estate funds
46 by conservator, by repealing paragraph (8) and designating said paragraph as reserved.

47 **SECTION 2-5.**

48 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,
49 is amended by revising Code Section 45-15-13, relating to representation of state authorities
50 by Attorney General, as follows:

51 "45-15-13.

52 As used in Code Sections 45-15-14 through 45-15-16, the term 'state authorities' means the
53 following instrumentalities of the state: Georgia Building Authority, ~~Georgia Education~~
54 ~~Authority (Schools)~~, Georgia Education Authority (University), Georgia Highway
55 Authority, Georgia Ports Authority, State Road and Tollway Authority, Jekyll
56 Island—State Park Authority, Stone Mountain Memorial Association, Georgia Emergency
57 Communications Authority, and Savannah-Georgia Convention Center Authority."

58 **SECTION 2-6.**

59 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
60 in Code Section 50-17-21, relating to definitions, by revising paragraph (9) as follows:

61 "(9) 'State authorities' means the following instrumentalities of the state: Georgia
62 Building Authority, ~~Georgia Education Authority (Schools)~~, Georgia Education Authority
63 (University), Georgia Highway Authority, State Road and Tollway Authority, Georgia

64 Ports Authority, Georgia Development Authority, Jekyll Island—State Park Authority,
65 Stone Mountain Memorial Association, North Georgia Mountains Authority, Lake Lanier
66 Islands Development Authority, Groveland Lake Development Authority, Georgia
67 Higher Education Assistance Authority, the Georgia Housing and Finance Authority, and
68 other instrumentalities of the state created by the General Assembly and authorized to
69 issue debt and not specifically exempt from this article.”

70

SECTION 2-7.

71 Said title is further amended in Code Section 50-17-22, relating to State Financing and
72 Investment Commission, by revising paragraph (2) of subsection (b) as follows:

73 “(2) There shall be a construction division of the commission administered by a director
74 who shall not be a member of the commission and who shall also serve as the executive
75 secretary for the commission. The director and the staff of the construction division shall
76 be appointed by and serve at the pleasure of the commission, shall provide administrative
77 support for all personnel of the commission, and shall account for and keep all records
78 pertaining to the operation and administration of the commission and its staff. The
79 director, as executive secretary, shall prepare agendas and keep minutes of all meetings
80 of the commission. In construction and construction related matters, the construction
81 division shall act in accordance with the policies, resolutions, and directives of the
82 ~~Georgia Education Authority (Schools) and the Georgia Education Authority (University)~~
83 until such time as such policies, resolutions, or directives are changed or modified by the
84 commission. In carrying out its responsibilities in connection with the application of any
85 funds under its control, including the proceeds of any debt or any appropriation made
86 directly to it for construction purposes, the commission is specifically authorized to
87 acquire and construct projects for the benefit of any department or agency of the state or
88 to contract with any such department or agency for the acquisition or construction of
89 projects under policies, standards, and operating procedures to be established by the

90 commission; provided, however, that the commission shall contract with the Department
91 of Transportation or the Georgia Highway Authority or the State Road and Tollway
92 Authority or any combination of the foregoing for the supervision of and contracting for
93 design, planning, building, rebuilding, constructing, reconstructing, surfacing,
94 resurfacing, laying out, grading, repairing, improving, widening, straightening, operating,
95 owning, maintaining, leasing, and managing any public roads and bridges for which
96 general obligation debt has been authorized. The construction division also shall perform
97 such construction related services and grant administration services for state agencies and
98 instrumentalities and for local governments, instrumentalities of local governments, and
99 other political subdivisions as may be assigned to the commission or to the construction
100 division by executive order of the Governor."

101 **SECTION 2-8.**

102 Any assets of the Georgia Education Authority (Schools) existing as of June 30, 2023, shall
103 devolve by operation of law and without further action to the State of Georgia on July 1,
104 2023. Any liabilities and obligations of the Georgia Education Authority (Schools) existing
105 as of June 30, 2023, shall be transferred and assumed by the State of Georgia, by such
106 instruments as may be required to maintain the same.

107 **PART III**

108 *Georgia Rail Passenger Authority Overview Committee*

109 **SECTION 3-1.**

110 Title 28 of the Official Code of Georgia Annotated, relating to the General Assembly, is
111 amended by repealing Chapter 10, relating to the Georgia Rail Passenger Authority
112 Overview Committee, and designating said chapter as reserved.

113 **SECTION 3-2.**

114 Any assets of the Georgia Rail Passenger Authority Overview Committee existing as of June
 115 30, 2023, shall devolve by operation of law and without further action to the State of Georgia
 116 on July 1, 2023. Any liabilities and obligations of the Georgia Rail Passenger Authority
 117 Overview Committee existing as of June 30, 2023, shall be transferred and assumed by the
 118 State of Georgia, by such instruments as may be required to maintain the same.

119 **PART IV**120 *Georgia Palliative Care and Quality of Life Advisory Council*121 **SECTION 4-1.**

122 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by revising
 123 Code Section 31-7-191, relating to definitions regarding patient centered and family focused
 124 palliative care, as follows:

125 "31-7-191.

126 As used in this article, the term:

127 (1) 'Commissioner' means the commissioner of community health.

128 (2) 'Department' means the Department of Community Health.

129 ~~(3) 'Georgia Palliative Care and Quality of Life Advisory Council' or 'council' means the~~
 130 ~~advisory council created pursuant to Code Section 31-7-192.~~

131 ~~(4)~~(3) 'Health care facility' means hospitals; other special care units, including but not
 132 limited to podiatric facilities; skilled nursing facilities; intermediate care facilities;
 133 assisted living communities; personal care homes; ambulatory surgical or obstetrical
 134 facilities; health maintenance organizations; home health agencies; and diagnostic,
 135 treatment, or rehabilitation centers.

136 ~~(5)~~(4) 'Palliative care' means those interventions which are intended to alleviate suffering
 137 and to achieve relief from, reduction of, or elimination of pain and of other physical,

138 emotional, social, or spiritual symptoms of distress to achieve the best quality of life for
 139 the patients and their families."

140 **SECTION 4-2.**

141 Said title is further amended in Code Section 31-7-192, relating to the Georgia Palliative
 142 Care and Quality of Life Advisory Council, by repealing and designating said Code section
 143 as reserved.

144 **SECTION 4-3.**

145 Said title is further amended in Code Section 31-7-193, relating to the Palliative Care
 146 Consumer and Professional Information and Education Program, by repealing subsection (d).

147 **SECTION 4-4.**

148 Said title is further amended by revising Code Section 31-53-6, relating to the compiling of
 149 reports and public dissemination of data, as follows:

150 "31-53-6.

151 (a) The office shall compile reports received from the following boards, commissions,
 152 committees, councils, and offices pursuant to each such entity's respective statutory
 153 reporting requirements:

154 (1) The Maternal Mortality Review Committee;

155 (2) The Office of Women's Health;

156 (3) The Kidney Disease Advisory Committee;

157 (4) The Hemophilia Advisory Board;

158 (5) The Georgia Council on Lupus Education and Awareness;

159 ~~(6) The Georgia Palliative Care and Quality of Life Advisory Council;~~

160 ~~(7)~~(6) The Georgia Trauma Care Network Commission;

161 ~~(8)~~(7) The Behavioral Health Coordinating Council;

162 ~~(9)~~(8) The Department of Public Health on behalf of the Georgia Coverdell Acute Stroke
 163 Registry;
 164 ~~(10)~~(9) The Office of Cardiac Care; and
 165 ~~(11)~~(10) The Brain and Spinal Injury Trust Fund Commission.
 166 (b) The office shall maintain a website that permits public dissemination of data compiled
 167 by the boards, commissions, committees, councils, and offices listed in subsection (a) of
 168 this Code section."

169

PART V

170 *Partnership for Public Facilities and Infrastructure Act Guidelines Committee*

171

SECTION 5-1.

172 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended
 173 by repealing Code Section 36-91-111, relating to the creation and administration of the
 174 Partnership for Public Facilities and Infrastructure Act Guidelines Committee, and
 175 designating said Code section as reserved.

176

SECTION 5-2.

177 Said title is further amended in Code Section 36-91-112, relating to model guidelines, by
 178 revising subsection (a) as follows:

179 "(a) Prior to executing any comprehensive agreement for the development or operation of
 180 a qualifying project pursuant to an unsolicited proposal received by a local government
 181 under this article, the local government shall adopt ~~either:~~

182 ~~(1) The model guidelines from the Partnership for Public Facilities and Infrastructure Act~~
 183 ~~Guidelines Committee; or~~

184 ~~(2) Its~~ its own guidelines as a policy, rule, regulation, or ordinance, which shall contain
 185 each of the factors identified in subsection (b) of this Code section."

186

PART VI

187

Georgia World War I Centennial Commission

188

SECTION 6-1.

189 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,
190 is amended by repealing Article 3 of Chapter 13, relating to the Georgia World War I
191 Centennial Commission, and designating said article as reserved.

192

SECTION 6-2.

193 Any assets of the Georgia World War I Centennial Commission existing as of June 30, 2023,
194 shall devolve by operation of law and without further action to the State of Georgia on July
195 1, 2023. Any liabilities and obligations of the Georgia World War I Centennial Commission
196 existing as of June 30, 2023, shall be transferred and assumed by the State of Georgia, by
197 such instruments as may be required to maintain the same.

198

PART VII

199

State Personnel Oversight Commission

200

SECTION 7-1.

201 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,
202 is amended by repealing Chapter 24, relating to the "Governmental Reorganization and
203 Termination from Employment Reform Act of 1977."

204

SECTION 7-2.

205 Any assets of the State Personnel Oversight Commission existing as of June 30, 2023, shall
206 devolve by operation of law and without further action to the State of Georgia on July 1,
207 2023. Any liabilities and obligations of the State Personnel Oversight Commission existing

208 as of June 30, 2023, shall be transferred and assumed by the State of Georgia, by such
209 instruments as may be required to maintain the same.

210

PART VIII

211

Small Business Assistance Advisory Council

212

SECTION 8-1.

213 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
214 by repealing Part 3 of Article 3 of Chapter 5, relating to small business assistance, and
215 designating said part as reserved.

216

PART IX

217

Commission on Regional Planning

218

SECTION 9-1.

219 Said title is further amended by repealing Part 2 of Article 2 of Chapter 8, relating to the
220 Commission on Regional Planning.

221

SECTION 9-2.

222 Any assets of the Commission on Regional Planning existing as of June 30, 2023, shall
223 devolve by operation of law and without further action to the State of Georgia on July 1,
224 2023. Any liabilities and obligations of the Commission on Regional Planning existing as
225 of June 30, 2023, shall be transferred and assumed by the State of Georgia, by such
226 instruments as may be required to maintain the same.

227

PART X

228

Commission on the Preservation of the State Capitol

229

SECTION 10-1.

230 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
231 by repealing Code Section 50-16-5.1, relating to the Commission on the Preservation of the
232 State Capitol.

233

SECTION 10-2.

234 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,
235 is amended in Code Section 45-13-72, relating to submission of recommendations to achieve
236 highest museum standards, and designation of area as Georgia Capitol Agricultural History
237 Museum, by revising subsection (b) as follows:

238 "(b) The Capitol Art Standards Commission, in cooperation with the Board of Regents of
239 the University System of Georgia ~~and the Commission on the Preservation of the State~~
240 ~~Capitol~~, shall designate areas within the capitol museum as the Georgia Capitol
241 Agricultural History Museum areas. Such areas shall include information, artifacts,
242 photographs, monuments, or other related items which tell the history and importance of
243 agriculture to this state's economic growth. Except as provided for in this part, the Georgia
244 Capitol Agricultural History Museum areas of the capitol museum shall be maintained,
245 operated, and managed in the same manner as the other areas of the capitol museum."

246

SECTION 10-3.

247 Any assets of the Commission on the Preservation of the State Capitol existing as of June 30,
248 2023, shall devolve by operation of law and without further action to the State of Georgia on
249 July 1, 2023. Any liabilities and obligations of the Commission on the Preservation of the

250 State Capitol existing as of June 30, 2023, shall be transferred and assumed by the State of
251 Georgia, by such instruments as may be required to maintain the same.

252

PART XI

253

General Repealer

254

SECTION 11-1.

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