

The Senate Committee on Government Oversight offered the following substitute to SB 23:

A BILL TO BE ENTITLED
AN ACT

1 To amend various titles of the Official Code of Georgia Annotated so as to revise committee
2 names; 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:

PART I

Senate Appropriations Subcommittee Name Correction

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

Senate Committee Name Correction

SECTION 2-1.

19 Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, is
20 amended by revising Code Section 10-9-20, relating to Geo. L. Smith II Georgia World
21 Congress Center Authority Overview Committee created, composition, officers, and duties,
22 as follows:

23 "10-9-20.

24 There is created as a joint committee of the General Assembly the Geo. L. Smith II Georgia
25 World Congress Center Authority Overview Committee to be composed of five members
26 of the House of Representatives appointed by the Speaker of the House, one of whom shall
27 be a member of the minority party, five members of the Senate appointed by the Senate
28 Committee on Assignments, one of whom shall be a member of the minority party, the
29 chairperson of the House Committee on Economic Development and Tourism or his or her
30 designee, and the chairperson of the Senate Committee on Economic Development and
31 Tourism ~~Senate Economic Development Committee~~ or his or her designee. The members
32 of the committee shall serve two-year terms concurrent with their terms as members of the
33 General Assembly. The chairperson of the committee shall be appointed by the Senate
34 Committee on Assignments from the membership of the committee, and the vice
35 chairperson of the committee shall be appointed by the Speaker of the House from the
36 membership of the committee. The chairperson and vice chairperson shall serve terms of
37 two years concurrent with their terms as members of the General Assembly. Vacancies in
38 an appointed member's position or in the offices of chairperson or vice chairperson of the
39 committee shall be filled for the unexpired term in the same manner as the original
40 appointment. The committee shall periodically inquire into and review the operations of
41 the Geo. L. Smith II Georgia World Congress Center Authority, as well as periodically

42 review and evaluate the success with which the authority is accomplishing its statutory
 43 duties and functions as provided in this chapter."

44

PART III

45

Georgia Education Authority (Schools)

46

SECTION 3-1.

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

50

SECTION 3-2.

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

55 "(b) The authority shall elect one of its members as ~~chairman~~ chairperson and another as
 56 ~~vice-chairman~~ vice-chairperson and a secretary and treasurer, who need not necessarily be
 57 a member of the authority ~~but who shall be the same as the secretary and treasurer of the~~
 58 ~~Georgia Education Authority (Schools)~~. The majority of the members of the authority shall
 59 constitute a quorum. No vacancy on the authority shall impair the right of the quorum to
 60 exercise all the rights and perform all the duties of the authority. The members of the
 61 authority shall not be entitled to compensation for their services but shall be entitled to and
 62 shall be reimbursed for their actual expenses necessarily incurred in the performance of
 63 their duties. ~~The staff of the authority shall be the same as the staff of the Georgia~~
 64 ~~Education Authority (Schools)~~. The authority shall make rules and regulations for its own
 65 government. It shall have perpetual existence. Any change in name or composition of the

66 authority shall in no way affect the vested rights of any person under the provisions of this
67 article or impair the obligations of any contracts existing under this article."

68 **SECTION 3-3.**

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

72 **SECTION 3-4.**

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

75 **SECTION 3-5.**

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

79 "45-15-13.

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

86 **SECTION 3-6.**

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

89 "(9) 'State authorities' means the following instrumentalities of the state: Georgia
90 Building Authority, ~~Georgia Education Authority (Schools)~~, Georgia Education Authority
91 (University), Georgia Highway Authority, State Road and Tollway Authority, Georgia
92 Ports Authority, Georgia Development Authority, Jekyll Island—State Park Authority,
93 Stone Mountain Memorial Association, North Georgia Mountains Authority, Lake Lanier
94 Islands Development Authority, Groveland Lake Development Authority, Georgia
95 Higher Education Assistance Authority, the Georgia Housing and Finance Authority, and
96 other instrumentalities of the state created by the General Assembly and authorized to
97 issue debt and not specifically exempt from this article."

98

SECTION 3-7.

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

101 "(2) There shall be a construction division of the commission administered by a director
102 who shall not be a member of the commission and who shall also serve as the executive
103 secretary for the commission. The director and the staff of the construction division shall
104 be appointed by and serve at the pleasure of the commission, shall provide administrative
105 support for all personnel of the commission, and shall account for and keep all records
106 pertaining to the operation and administration of the commission and its staff. The
107 director, as executive secretary, shall prepare agendas and keep minutes of all meetings
108 of the commission. In construction and construction related matters, the construction
109 division shall act in accordance with the policies, resolutions, and directives of the
110 ~~Georgia Education Authority (Schools)~~ and the Georgia Education Authority (University)
111 until such time as such policies, resolutions, or directives are changed or modified by the
112 commission. In carrying out its responsibilities in connection with the application of any
113 funds under its control, including the proceeds of any debt or any appropriation made
114 directly to it for construction purposes, the commission is specifically authorized to

115 acquire and construct projects for the benefit of any department or agency of the state or
116 to contract with any such department or agency for the acquisition or construction of
117 projects under policies, standards, and operating procedures to be established by the
118 commission; provided, however, that the commission shall contract with the Department
119 of Transportation or the Georgia Highway Authority or the State Road and Tollway
120 Authority or any combination of the foregoing for the supervision of and contracting for
121 design, planning, building, rebuilding, constructing, reconstructing, surfacing,
122 resurfacing, laying out, grading, repairing, improving, widening, straightening, operating,
123 owning, maintaining, leasing, and managing any public roads and bridges for which
124 general obligation debt has been authorized. The construction division also shall perform
125 such construction related services and grant administration services for state agencies and
126 instrumentalities and for local governments, instrumentalities of local governments, and
127 other political subdivisions as may be assigned to the commission or to the construction
128 division by executive order of the Governor."

129

SECTION 3-8.

130 Any assets of the Georgia Education Authority (Schools) existing as of June 30, 2023, shall
131 devolve by operation of law and without further action to the State of Georgia on July 1,
132 2023. Any liabilities and obligations of the Georgia Education Authority (Schools) existing
133 as of June 30, 2023, shall be transferred and assumed by the State of Georgia, by such
134 instruments as may be required to maintain the same.

135

PART IV

136

Georgia Rail Passenger Authority Overview Committee

137

SECTION 4-1.

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

141

SECTION 4-2.

142 Any assets of the Georgia Rail Passenger Authority Overview Committee existing as of June
143 30, 2023, shall devolve by operation of law and without further action to the State of Georgia
144 on July 1, 2023. Any liabilities and obligations of the Georgia Rail Passenger Authority
145 Overview Committee existing as of June 30, 2023, shall be transferred and assumed by the
146 State of Georgia, by such instruments as may be required to maintain the same.

147

PART V

148

Georgia Palliative Care and Quality of Life Advisory Council

149

SECTION 5-1.

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

153 "31-7-191.

154 As used in this article, the term:

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

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

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

159 ~~(4)~~(3) 'Health care facility' means hospitals; other special care units, including but not
 160 limited to podiatric facilities; skilled nursing facilities; intermediate care facilities;
 161 assisted living communities; personal care homes; ambulatory surgical or obstetrical
 162 facilities; health maintenance organizations; home health agencies; and diagnostic,
 163 treatment, or rehabilitation centers.

164 ~~(5)~~(4) 'Palliative care' means those interventions which are intended to alleviate suffering
 165 and to achieve relief from, reduction of, or elimination of pain and of other physical,
 166 emotional, social, or spiritual symptoms of distress to achieve the best quality of life for
 167 the patients and their families."

168 **SECTION 5-2.**

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

172 **SECTION 5-3.**

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

175 **SECTION 5-4.**

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

178 "31-53-6.

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

182 (1) The Maternal Mortality Review Committee;

183 ~~(2) The Office of Women's Health;~~

184 ~~(3) The Kidney Disease Advisory Committee;~~

185 ~~(4)~~(2) The Hemophilia Advisory Board;

186 ~~(5)~~(3) The Georgia Council on Lupus Education and Awareness;

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

188 ~~(7)~~(4) The Georgia Trauma Care Network Commission;

189 ~~(8)~~(5) The Behavioral Health Coordinating Council;

190 ~~(9)~~(6) The Department of Public Health on behalf of the Georgia Coverdell Acute Stroke
191 Registry;

192 ~~(10)~~(7) The Office of Cardiac Care; and

193 ~~(11)~~(8) The Brain and Spinal Injury Trust Fund Commission.

194 (b) The office shall maintain a website that permits public dissemination of data compiled
195 by the boards, commissions, committees, councils, and offices listed in subsection (a) of
196 this Code section."

197

PART VI

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

199

SECTION 6-1.

200 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended
201 by repealing Code Section 36-91-111, relating to the creation and administration of the

202 Partnership for Public Facilities and Infrastructure Act Guidelines Committee, and
203 designating said Code section as reserved.

204 **SECTION 6-2.**

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

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

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

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

214 **PART VII**

215 *Georgia World War I Centennial Commission*

216 **SECTION 7-1.**

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

220 **SECTION 7-2.**

221 Any assets of the Georgia World War I Centennial Commission existing as of June 30, 2023,
222 shall devolve by operation of law and without further action to the State of Georgia on July
223 1, 2023. Any liabilities and obligations of the Georgia World War I Centennial Commission

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

226

PART VIII

227

State Personnel Oversight Commission

228

SECTION 8-1.

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

232

SECTION 8-2.

233 Any assets of the State Personnel Oversight Commission existing as of June 30, 2023, shall
234 devolve by operation of law and without further action to the State of Georgia on July 1,
235 2023. Any liabilities and obligations of the State Personnel Oversight Commission existing
236 as of June 30, 2023, shall be transferred and assumed by the State of Georgia, by such
237 instruments as may be required to maintain the same.

238

PART IX

239

Small Business Assistance Advisory Council

240

SECTION 9-1.

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

244

PART X

245

Commission on Regional Planning

246

SECTION 10-1.

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

249

SECTION 10-2.

250 Any assets of the Commission on Regional Planning existing as of June 30, 2023, shall
251 devolve by operation of law and without further action to the State of Georgia on July 1,
252 2023. Any liabilities and obligations of the Commission on Regional Planning existing as
253 of June 30, 2023, shall be transferred and assumed by the State of Georgia, by such
254 instruments as may be required to maintain the same.

255

PART XI

256

Commission on the Preservation of the State Capitol

257

SECTION 11-1.

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

261

SECTION 11-2.

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

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

274 **SECTION 11-3.**

275 Any assets of the Commission on the Preservation of the State Capitol existing as of June 30,
 276 2023, shall devolve by operation of law and without further action to the State of Georgia on
 277 July 1, 2023. Any liabilities and obligations of the Commission on the Preservation of the
 278 State Capitol existing as of June 30, 2023, shall be transferred and assumed by the State of
 279 Georgia, by such instruments as may be required to maintain the same.

280 **PART XII**

281 *Senate Committee Name Correction*

282 **SECTION 12-1.**

283 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
 284 by revising subsection (a) of Code Section 50-27-34, relating to the Georgia Lottery
 285 Corporation Legislative Oversight Committee, as follows:

286 "(a) There is created as a joint committee of the General Assembly, the Georgia Lottery
 287 Corporation Legislative Oversight Committee, to be composed of the members of the
 288 House Committee on Regulated Industries and the Senate Committee on Economic
 289 Development and Tourism ~~Senate Economic Development Committee~~. The chairpersons

290 of such committees shall serve as cochairpersons of the oversight committee. The
291 oversight committee shall periodically inquire into and review the operations of the
292 Georgia Lottery Corporation, as well as periodically review and evaluate the success with
293 which the authority corporation is accomplishing its statutory duties and functions as
294 provided in this chapter. The oversight committee may conduct any independent audit or
295 investigation of the authority corporation it deems necessary."

296

PART XIII

297

General Repealer

298

SECTION 13-1.

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