

House Bill 1318 (COMMITTEE SUBSTITUTE)

By: Representative Holcomb of the 81st

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 and certain procedures
4 of the General Assembly; to make conforming changes throughout the Code; to provide for
5 related matters; to provide for an effective date; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **PART I**

9 *Senate Appropriations Subcommittee Name Correction*

10 **SECTION 1-1.**

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

H. B. 1318 (SUB)

- 1 -

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

PART II

Senate Committee Name Correction

SECTION 2-1.

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

"10-9-20.

There is created as a joint committee of the General Assembly the Geo. L. Smith II Georgia World Congress Center Authority Overview Committee to be composed of five members of the House of Representatives appointed by the Speaker of the House, one of whom shall be a member of the minority party, five members of the Senate appointed by the Senate Committee on Assignments, one of whom shall be a member of the minority party, the chairperson of the House Committee on Economic Development and Tourism or his or her designee, and the chairperson of the ~~Senate Economic Development Committee~~ Senate Committee on Economic Development and Tourism or his or her designee. The members of the committee shall serve two-year terms concurrent with their terms as members of the General Assembly. The chairperson of the committee shall be appointed by the Senate Committee on Assignments from the membership of the committee, and the vice chairperson of the committee shall be appointed by the Speaker of the House from the membership of the committee. The chairperson and vice chairperson shall serve terms of two years concurrent with their terms as members of the General Assembly. Vacancies in

an appointed member's position or in the offices of chairperson or vice chairperson of the committee shall be filled for the unexpired term in the same manner as the original appointment. The committee shall periodically inquire into and review the operations of the Geo. L. Smith II Georgia World Congress Center Authority, as well as periodically review and evaluate the success with which the authority is accomplishing its statutory duties and functions as provided in this chapter."

PART III

Georgia Education Authority (Schools)

SECTION 3-1.

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

SECTION 3-2.

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

"(b) The authority shall elect one of its members as ~~chairman~~ chairperson and another as ~~vice-chairman~~ vice chairperson and a secretary and treasurer, who need not necessarily be a member of the authority ~~but who shall be the same as the secretary and treasurer of the Georgia Education Authority (Schools).~~ The majority of the members of the authority shall constitute a quorum. No vacancy on the authority shall impair the right of the quorum to exercise all the rights and perform all the duties of the authority. The members of the authority shall not be entitled to compensation for their services but shall be entitled to and

shall be reimbursed for their actual expenses necessarily incurred in the performance of their duties. ~~The staff of the authority shall be the same as the staff of the Georgia Education Authority (Schools).~~ The authority shall make rules and regulations for its own government. It shall have perpetual existence. Any change in name or composition of the authority shall in no way affect the vested rights of any person under the provisions of this article or impair the obligations of any contracts existing under this article."

SECTION 3-3.

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

SECTION 3-4.

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

SECTION 3-5.

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

"45-15-13.

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

SECTION 3-6.

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

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

SECTION 3-7.

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

"(2) There shall be a construction division of the commission administered by a director who shall not be a member of the commission and who shall also serve as the executive secretary for the commission. The director and the staff of the construction division shall be appointed by and serve at the pleasure of the commission, shall provide administrative support for all personnel of the commission, and shall account for and keep all records pertaining to the operation and administration of the commission and its staff. The director, as executive secretary, shall prepare agendas and keep minutes of all meetings of the commission. In construction and construction related matters, the construction division shall act in accordance with the policies, resolutions, and directives of the ~~Georgia Education Authority (Schools)~~ and the Georgia Education Authority (University) until such time as such policies, resolutions, or directives are changed or modified by the

commission. In carrying out its responsibilities in connection with the application of any funds under its control, including the proceeds of any debt or any appropriation made directly to it for construction purposes, the commission is specifically authorized to acquire and construct projects for the benefit of any department or agency of the state or to contract with any such department or agency for the acquisition or construction of projects under policies, standards, and operating procedures to be established by the commission; provided, however, that the commission shall contract with the Department of Transportation or the Georgia Highway Authority or the State Road and Tollway Authority or any combination of the foregoing for the supervision of and contracting for design, planning, building, rebuilding, constructing, reconstructing, surfacing, resurfacing, laying out, grading, repairing, improving, widening, straightening, operating, owning, maintaining, leasing, and managing any public roads and bridges for which general obligation debt has been authorized. The construction division also shall perform such construction related services and grant administration services for state agencies and instrumentalities and for local governments, instrumentalities of local governments, and other political subdivisions as may be assigned to the commission or to the construction division by executive order of the Governor."

SECTION 3-8.

Any assets of the Georgia Education Authority (Schools) existing as of June 30, 2024, shall devolve by operation of law and without further action to the State of Georgia on July 1, 2024. Any liabilities and obligations of the Georgia Education Authority (Schools) existing as of June 30, 2024, shall be transferred and assumed by the State of Georgia, by such instruments as may be required to maintain the same.

PART IV*Georgia Rail Passenger Authority Overview Committee***SECTION 4-1.**

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

SECTION 4-2.

Any assets of the Georgia Rail Passenger Authority Overview Committee existing as of June 30, 2024, shall devolve by operation of law and without further action to the State of Georgia on July 1, 2024. Any liabilities and obligations of the Georgia Rail Passenger Authority Overview Committee existing as of June 30, 2024, shall be transferred and assumed by the State of Georgia, by such instruments as may be required to maintain the same.

PART V*Reports of the Office of Health Strategy and Coordination***SECTION 5-1.**

Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by revising Code Section 31-53-6, relating to the compiling of reports and public dissemination of data, as follows:

"31-53-6.

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

(1) The Maternal Mortality Review Committee;

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

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

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

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

~~(6)~~(4) The Georgia Palliative Care and Quality of Life Advisory Council;

~~(7)~~(5) The Georgia Trauma Care Network Commission;

~~(8)~~(6) The Behavioral Health Coordinating Council;

~~(9)~~(7) The Department of Public Health on behalf of the Georgia Coverdell Acute Stroke Registry;

~~(10)~~(8) The Office of Cardiac Care; and

~~(11)~~(9) The Brain and Spinal Injury Trust Fund Commission.

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

PART VI

Partnership for Public Facilities and Infrastructure Act Guidelines Committee

SECTION 6-1.

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

SECTION 6-2.

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

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

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

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

PART VII

Georgia World War I Centennial Commission

SECTION 7-1.

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

SECTION 7-2.

Any assets of the Georgia World War I Centennial Commission existing as of June 30, 2024, shall devolve by operation of law and without further action to the State of Georgia on July 1, 2024. Any liabilities and obligations of the Georgia World War I Centennial Commission existing as of June 30, 2024, shall be transferred and assumed by the State of Georgia, by such instruments as may be required to maintain the same.

PART VIII*State Personnel Oversight Commission***SECTION 8-1.**

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

SECTION 8-2.

Any assets of the State Personnel Oversight Commission existing as of June 30, 2024, shall devolve by operation of law and without further action to the State of Georgia on July 1, 2024. Any liabilities and obligations of the State Personnel Oversight Commission existing as of June 30, 2024, shall be transferred and assumed by the State of Georgia, by such instruments as may be required to maintain the same.

PART IX*Small Business Assistance Advisory Council***SECTION 9-1.**

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

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PART X

221

Commission on Regional Planning

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SECTION 10-1.

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

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SECTION 10-2.

226 Any assets of the Commission on Regional Planning existing as of June 30, 2024, shall
227 devolve by operation of law and without further action to the State of Georgia on July 1,
228 2024. Any liabilities and obligations of the Commission on Regional Planning existing as
229 of June 30, 2024, shall be transferred and assumed by the State of Georgia, by such
230 instruments as may be required to maintain the same.

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PART XI

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Commission on the Preservation of the State Capitol

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SECTION 11-1.

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

237

SECTION 11-2.

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

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

SECTION 11-3.

Any assets of the Commission on the Preservation of the State Capitol existing as of June 30, 2024, shall devolve by operation of law and without further action to the State of Georgia on July 1, 2024. Any liabilities and obligations of the Commission on the Preservation of the State Capitol existing as of June 30, 2024, shall be transferred and assumed by the State of Georgia, by such instruments as may be required to maintain the same.

PART XII

Senate Committee Name Correction

SECTION 12-1.

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

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

266 of such committees shall serve as cochairpersons of the oversight committee. The
267 oversight committee shall periodically inquire into and review the operations of the
268 Georgia Lottery Corporation, as well as periodically review and evaluate the success with
269 which the ~~authority~~ corporation is accomplishing its statutory duties and functions as
270 provided in this chapter. The oversight committee may conduct any independent audit or
271 investigation of the ~~authority~~ corporation it deems necessary."

272 **PART XIII**

273 *Effective Date*

274 **SECTION 13-1.**

275 This Act shall become effective upon its approval by the Governor or upon its becoming law
276 without such approval.

277 **PART XIV**

278 *General Repealer*

279 **SECTION 14-1.**

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