

Senate Bill 222

By: Senators Davenport of the 17th, Sims of the 12th, Anderson of the 43rd, Jones II of the 22nd, Mallow of the 2nd and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 30 of the Official Code of Georgia Annotated, relating to handicapped  
2 persons, so as to create the Commission for the Blind and the Visually Impaired; to transfer  
3 the direction and supervision of the Georgia Industries for the Blind from the Georgia  
4 Vocational Rehabilitation Agency to the commission; to provide for a short title; to provide  
5 for definitions; to provide for legislative intent; to provide for the transfer of functions to the  
6 commission; to provide for the composition and appointment of commission members; to  
7 provide for an executive director; to provide for duties and powers of the commission; to  
8 authorize the commission to license blind persons to operate vending facilities; to transfer  
9 the oversight of the delivery of deaf-blind services and techniques that lead to maximum  
10 independence and employment for individuals with both a hearing and a vision loss to the  
11 commission; to provide for an annual report; to provide for a complaint process; to amend  
12 Chapter 9 of Title 49 of the Official Code of Georgia Annotated, relating to the Georgia  
13 Vocational Rehabilitation Agency, so as to establish the role of the commission in facilitating  
14 the operation by blind persons and other persons with disabilities of vending facilities on  
15 state property; to provide for related matters; to repeal conflicting laws; and for other  
16 purposes.

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

S. B. 222

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18

**SECTION 1.**

19 Title 30 of the Official Code of Georgia Annotated, relating to handicapped persons, is  
20 amended by revising Code Section 30-2-3, relating to supervision of Georgia Industries for  
21 the Blind by Georgia Vocational Rehabilitation Agency and acquisition of property, as  
22 follows:

23 "30-2-3.

24 (a) The industries shall be state institutions under the direction and supervision of the  
25 ~~Georgia Vocational Rehabilitation Agency~~ Commission for the Blind and the Visually  
26 Impaired.

27 (b) The ~~Georgia Vocational Rehabilitation Agency~~ Commission for the Blind and the  
28 Visually Impaired is authorized to provide the property necessary for the industries. The  
29 ~~Georgia Vocational Rehabilitation Agency~~ Commission for the Blind and the Visually  
30 Impaired may acquire real property through the State Properties Commission pursuant to  
31 Code Section 50-16-38 or the ~~agency~~ commission may enter into rental agreements in order  
32 to acquire the needed space."

33

**SECTION 2.**

34 Said title is further amended by revising Code Section 30-2-4, relating to superintendents for  
35 industries, operation of industries generally, and purchase of goods manufactured at  
36 industries by state institutions, as follows:

37 "30-2-4.

38 (a) There shall be superintendents for the industries. Preference shall be given to blind  
39 persons with the skill and experience to perform such jobs. The ~~department~~ Commission  
40 for the Blind and the Visually Impaired shall provide for the equipment, maintenance, and  
41 management of the industries; shall provide for the selection and eligibility of applicants  
42 for admission to an industry; shall provide for the sale of supplies manufactured at the  
43 industries to the departments of the state, its subdivisions, and institutions, and to the

44 federal government and other states and to individual and corporate dealers in such  
45 supplies; shall provide for housing, rationing, hours of labor, scale of pay, or division of  
46 profits, subject to this chapter; and shall provide all other rules for the proper management  
47 of the industries not in conflict with this chapter. The ~~department~~ Commission for the  
48 Blind and the Visually Impaired shall procure necessary machinery, equipment, and  
49 furnishings for the industries; shall make contracts for power, lighting, and heating; and  
50 shall arrange for all other things necessary and proper for the conduct of the industries.

51 (b) All departments, subdivisions, and institutions of the State of Georgia are directed to  
52 give preference in purchases to goods manufactured at the industries, provided that said  
53 goods are of equal quality and competitive in price."

54

### SECTION 3.

55 Said title is further amended by revising Code Section 30-2-7, relating to compensation of  
56 workers and observance of and payment for state holidays, as follows:

57 "30-2-7.

58 (a) Each worker in an industry who is otherwise entitled to share in the benefits provided  
59 for blind persons under Articles 1 and 3 of Chapter 4 of Title 49 shall, in addition to the  
60 amount received as compensation for his or her services in the industry, receive from the  
61 Department of Human Services such amount of public assistance as shall be determined  
62 in accordance with the regulations approved by the commissioner of human services.

63 (b) All workers in the industries shall observe all holidays observed by other departments  
64 and agencies of the state government and shall receive their proportionate compensation  
65 for each holiday so observed. If any worker shall be compensated in such a manner that  
66 his or her daily compensation is not fixed, but rather is based upon a production basis, he  
67 or she shall receive by way of compensation for such observance of state holidays the  
68 average daily production compensation received by him or her during the immediately  
69 preceding 30 day period, holidays and Sundays excluded. The ~~Georgia Vocational~~

70 ~~Rehabilitation Agency~~ Commission for the Blind and the Visually Impaired is authorized  
71 and directed to pay such compensation from the funds appropriated to and available for the  
72 agency commission."

73 **SECTION 4.**

74 Said title is further amended by adding a new chapter to read as follows:

75 "CHAPTER 11

76 30-11-1.

77 This chapter shall be known and may be cited as the 'Commission for the Blind and the  
78 Visually Impaired Act.'

79 30-11-2.

80 As used in this chapter, the term:

81 (1) 'Blind or visually impaired' means a person:

82 (A) Having a central visual acuity of 20/200 in the better eye with the best corrective  
83 lens, or a visual field of 20 degrees or less; or

84 (B) With a severe visual disability resulting in legal blindness verified by an eye  
85 examination.

86 (2) 'Commission' means the Commission for the Blind and the Visually Impaired.

87 30-11-3.

88 (a) The purpose for the establishment of the commission is to ensure that people who are  
89 blind or visually impaired or deaf-blind have access, throughout their lifetimes, to quality  
90 services throughout the State of Georgia so that they may attain independent living skills,  
91 maximize successful career opportunities, and increase independence and self-sufficiency

92 to promote the upward mobility of the consumer as a viable member of the community and  
93 to do whatever is deemed necessary to achieve the most positive outcome for the consumer.

94 (b) It is the policy of this state that all programs, projects, and activities of the commission  
95 shall be carried out in a manner consistent with the following principles:

96 (1) Respect for individual dignity, personal responsibility, self-determination, and pursuit  
97 of meaningful careers, based on informed choice;

98 (2) Support for the involvement of an individual's representative if an individual  
99 requests, desires, or needs such support;

100 (3) Respect for the individual's privacy and equal access, including the use of  
101 information in accessible formats; and

102 (4) Integration and full participation of individuals who are blind or visually impaired  
103 in society on equal terms with others.

104 30-11-4.

105 (a) The Commission for the Blind and the Visually Impaired is hereby created and  
106 established to perform the functions and duties set out in this chapter and to assume the  
107 duties, powers, and authority exercised on June 30, 2025, by the Georgia Vocational  
108 Rehabilitation Agency with respect to blind or visually impaired persons.

109 (b) On and after July 1, 2025, the powers, functions, duties, programs, and authority of the  
110 Georgia Vocational Rehabilitation Agency relating to blind or visually impaired persons  
111 shall be performed and exercised by the commission. The commission shall take all  
112 necessary steps to ensure continuity of services for blind or visually impaired persons  
113 during such transfer.

114 (c) The commission shall be assigned to the Department of Human Services for  
115 administrative purposes only, as prescribed in Code Section 50-4-3.

116 30-11-5.

117 (a) The commission shall consist of a chairperson and seven members. The Governor  
118 shall appoint the chairperson and three members, the Speaker of the House of  
119 Representatives shall appoint two members, and the President of the Senate shall appoint  
120 two members. The chairperson and members shall be qualified to serve based on  
121 knowledge and experience in rehabilitation and related services for the blind or visually  
122 impaired. A majority of the members shall be blind or visually impaired and at least one  
123 member shall be deaf-blind. At least one of the members appointed by the Governor shall  
124 have participated in the Business Enterprise Program established under the federal  
125 Randolph-Sheppard Act of 1936, and at least one of the members appointed by the  
126 Governor shall have been employed by the Georgia Industries for the Blind. No member  
127 of the commission shall be employed by the commission during the term of such  
128 membership.

129 (b) The Governor, the Speaker of the House of Representatives, and the President of the  
130 Senate shall consult with consumer groups representing blind or visually impaired persons  
131 in this state to obtain their recommendations of individuals to be appointed.

132 (c) The appointment of each member and the chairperson shall be for a term of three years,  
133 except for the terms of the initially appointed members. One member appointed by each  
134 officer shall serve for an initial term of three years, one member appointed by each officer  
135 shall serve an initial term of two years, and the chairperson and the other member  
136 appointed by the Governor shall serve an initial term of one year. Thereafter, all members  
137 and the chairperson shall be appointed for terms of three years.

138 (d) The commission shall meet quarterly and at such other times as it shall determine. The  
139 chairperson and members of the commission shall receive no salary, but shall be allowed  
140 the usual mileage, subsistence, and per diem as authorized by law. A majority of the  
141 members of the commission shall constitute a quorum to transact business.

142 30-11-6.

143 (a) The commission shall appoint an executive director with knowledge and experience  
144 in rehabilitation and related services for the blind or visually impaired. The executive  
145 director shall serve as secretary to the commission and shall be the chief administrative  
146 officer of the commission. The executive director's appointment shall be for an indefinite  
147 period but may be terminated for cause as determined by a majority of the commission.  
148 Preference shall be given to employing an individual who is blind or visually impaired and  
149 meets the qualifications specified by the commission.

150 (b) The executive director shall employ such personnel as are needed and shall fix their  
151 compensation in a manner consistent with state law.

152 30-11-7.

153 (a) The commission shall:

154 (1) Develop and carry out a state plan for vocational rehabilitation services for  
155 individuals who are blind or visually impaired pursuant to Section 101 of the federal  
156 Rehabilitation Act of 1973, as amended;

157 (2) Provide independent living services for blind or visually impaired individuals,  
158 including services for older individuals who are blind or visually impaired, pursuant to  
159 Title VII of the federal Rehabilitation Act of 1973, as amended;

160 (3) Contract with private agencies that provide services for the blind or visually impaired  
161 to provide prevocational and other training such as, but not limited to, instruction in  
162 Braille, orientation and mobility for independent travel, homemaking and  
163 home-management skills, and communications skills, including the use of computer  
164 technology, to prepare blind and visually impaired persons for eventual vocational  
165 training, job placement, higher education, home skills such as reading of mail and letter  
166 writing, and independence;

- 167 (4) Establish and carry out a business enterprises program and serve as the state licensing  
168 agency for blind and visually impaired individuals pursuant to the federal  
169 Randolph-Sheppard Act;
- 170 (5) Establish and administer an industries for the blind program and serve as the state  
171 licensing agency;
- 172 (6) Purchase and distribute specialized equipment, devices, and technology, including  
173 low-vision aids, obtained directly from specialty vendors without state centralized  
174 purchasing procedures;
- 175 (7) Coordinate with the Georgia Library Service for the Blind and Print Disabled of the  
176 Office of Public Library Services of the Board of Regents of the University System of  
177 Georgia to ensure that all offerings of the program administered by the Georgia Library  
178 Service for the Blind and Print Disabled to provide library services to persons who are  
179 blind or visually impaired are actively and robustly utilized by as many blind and visually  
180 impaired persons as possible, including audiobooks, standard library services, Braille  
181 services, and other physical as well as electronic accommodation options;
- 182 (8) Create and maintain an instructional media center for the production, purchase,  
183 distribution, reallocation, and warehousing of accessible materials for blind or visually  
184 impaired children and adults;
- 185 (9) Provide technical assistance in cooperation with other appropriate agencies to assist  
186 the Department of Education and local boards of education in the provision of auxiliary  
187 aids and services to blind or visually impaired students and their parents by complying  
188 with the federal Americans with Disabilities Act, as amended, and the federal Individuals  
189 with Disabilities Education Act, as amended;
- 190 (10) Provide technical assistance to agencies within this state in order to ensure that  
191 information technology purchased or used by such agencies is accessible to and usable  
192 by individuals who are blind or visually impaired at the time the technology is purchased  
193 or used;

194 (11) Participate, through the designation of the executive director or an appropriate staff  
195 member of the commission, on boards, commissions, or bodies which may exist or be  
196 established within this state for the purpose of coordination and planning of services;

197 (12) Conduct a review of consumer satisfaction with programs of the commission and  
198 perform other functions of the state-wide rehabilitation council specified in  
199 Section 105(c) of the federal Rehabilitation Act of 1973, as amended;

200 (13) Apply for and receive money from any state or federal agency to support the  
201 programs of the commission and receive on behalf of this state any gifts, donations, or  
202 bequests from any source to be used in carrying out the commission's duties as described  
203 in this chapter; and

204 (14) Develop and administer any other program which will further the provision of  
205 services to the blind or visually impaired and is determined by the commission to fall  
206 within its scope of responsibility.

207 (b) The commission may carry out any of the powers and duties enumerated in this Code  
208 section by contract or cooperative agreement or by the direct administration of any  
209 program.

210 (c) The commission shall promulgate such rules and regulations as are necessary for the  
211 execution of its functions under this chapter.

212 30-11-8.

213 The commission is authorized to license blind persons to operate vending facilities under  
214 its supervision and control, subject to rules and regulations promulgated by the  
215 commission, on:

216 (1) State property;

217 (2) County or municipal property;

218 (3) Federal property, pursuant to delegation of authority under the federal  
219 Randolph-Sheppard Act, 20 U.S.C. Section 107(b), and any amendment thereto or any  
220 act of Congress relating to this subject; and

221 (4) Private property.

222 30-11-9.

223 (a) The commission shall oversee the delivery of deaf-blind services and techniques  
224 provided by an organization pursuant to subsection (c) of this Code section that lead to  
225 maximum independence and employment for individuals with both a hearing and a vision  
226 loss. These services shall include, but not be limited to, transition of deaf-blind youth from  
227 education to the work force; identification of deaf-blind individuals in Georgia;  
228 communication access for varying groups of individuals and their unique needs; training  
229 deaf-blind individuals in orientation and mobility, rehabilitation, and Braille; support and  
230 increase in the number of qualified sign language interpreters working with deaf-blind  
231 individuals; use of adaptive technologies, such as computers, telebrailers, and TTY  
232 devices; strategies and techniques to assist deaf-blind individuals in obtaining the highest  
233 level of independence possible; and peer support which provides access to information,  
234 people, and places.

235 (b) The commission shall, to the greatest extent possible, integrate the services and  
236 techniques required pursuant to subsection (a) of this Code section into its standard  
237 practices and procedures with the objective of providing appropriate services in an  
238 appropriate manner to individuals in the deaf-blind community.

239 (c) Subject to appropriations by the General Assembly, the commission shall retain an  
240 organization knowledgeable on deaf-blind issues to provide the services and techniques  
241 included in subsection (a) of this Code section to deaf-blind individuals and to provide  
242 comprehensive training to commission staff on such services and techniques required  
243 pursuant to subsection (a) of this Code section. Such organization shall be retained no later

244 than six months after funding from appropriations by the General Assembly has been made  
245 available for expenditure by the commission.

246 30-11-10.

247 The commission shall publish an annual report including a list of accomplishments,  
248 findings, and recommendations for improvement based on its activities and performance  
249 during the year. The report shall contain information needed to evaluate the progress of  
250 the commission in meeting the needs of blind or visually impaired individuals in this state.

251 30-11-11.

252 (a) Any applicant for or recipient of services from the commission who is dissatisfied with  
253 any action taken or decision made regarding such services may file a complaint, setting  
254 forth the basis for the dissatisfaction and the remedy sought. Upon receipt of the  
255 complaint, the executive director shall inform the individual of the voluntary process  
256 available for mediation of the dispute. The mediation, if chosen by the individual, shall be  
257 conducted by a qualified and impartial mediator, and the cost shall be paid by the  
258 commission.

259 (b) If the dispute cannot be resolved by mediation or other informal means, the executive  
260 director shall, upon request of the individual, convene an arbitration panel which shall give  
261 notice, conduct a hearing, and render a decision. The arbitration panel shall be composed  
262 of three members as follows:

263 (1) One individual designated by the individual filing the complaint;

264 (2) One individual designated by the executive director; and

265 (3) One individual who is an impartial hearing officer, as defined in Section 102 of the  
266 federal Rehabilitation Act of 1973, agreed upon jointly by the individuals designated  
267 pursuant to paragraphs (1) and (2) of this subsection. Such individual shall serve as  
268 chairperson of the arbitration panel and issue the decision.

269 (c) The commission shall promulgate rules and regulations sufficient to regulate all  
270 proceedings conducted pursuant to this Code section and to ensure the rights of all parties  
271 participating therein."

272

**SECTION 5.**

273 Chapter 9 of Title 49 of the Official Code of Georgia Annotated, relating to the Georgia  
274 Vocational Rehabilitation Agency, is amended by revising Code Section 49-9-5, relating to  
275 provision of services to persons with disabilities, as follows:

276 "49-9-5.

277 The agency shall provide the services authorized by this chapter to persons with disabilities  
278 determined to be eligible therefor; and, in carrying out the purposes of this chapter, the  
279 agency is authorized, among other things:

280 (1) To cooperate with other departments, agencies, and institutions, both public and  
281 private, in providing the services authorized by this chapter to persons with disabilities;  
282 in studying the problems involved therein; and in establishing, developing, and providing,  
283 in conformity with the purposes of this chapter, such programs, facilities, and services as  
284 may be necessary or desirable;

285 (2) To enter into reciprocal agreements with other states to provide for the services  
286 authorized by this chapter to residents of the state concerned;

287 (3) To conduct research and compile statistics relating to the provision of services or the  
288 need of services by persons with disabilities;

289 (4) To license ~~blind persons or other persons with disabilities,~~ other than blind persons,  
290 to operate vending facilities under its supervision and control, subject to the terms and  
291 conditions provided in regulations, policies, and procedures issued pursuant to Code  
292 Section 49-9-3, on:

293 (A) State property;

294 (B) County or municipal property;

295 (C) Federal property, pursuant to delegation of authority under the Randolph-Sheppard  
296 Act, 20 U.S.C. Section 107(b), and any amendment thereto or any act of Congress  
297 relating to this subject; and  
298 (D) Private property; and  
299 (5) To provide for the establishment, supervision, and control of suitable business  
300 enterprises to be operated by persons with disabilities."

301 **SECTION 6.**

302 Said chapter is further amended by repealing Code Section 49-9-21, relating to delivery of  
303 deaf-blind services and techniques leading to maximum independence and integration, in its  
304 entirety.

305 **SECTION 7.**

306 Said chapter is further amended by revising Article 2, relating to vending facilities on state  
307 property, as follows:

308 "ARTICLE 2

309 49-9-40.

310 As used in this article, the term:

311 (1) 'State property' means any building, land, or other real property owned, leased, or  
312 occupied by any department, commission, board, bureau, agency, public corporation, or  
313 other instrumentality of the state, including, but not limited to, the Georgia Building  
314 Authority, and any other real property in which the state has a legal or beneficial interest;  
315 provided, however, ~~the term 'state property'~~ that such term shall not include any property,  
316 real or personal, owned or leased or otherwise under the jurisdiction of the Board of

317 Regents of the University System of Georgia, the Georgia Education Authority  
318 (University), or any county or independent school system of this state.

319 (2) 'Vending facility' means vending stands, vending machines, snack bars, cart service,  
320 shelters, counters, and such other appropriate facilities and equipment as may be  
321 necessary for the sale of articles or services by ~~licensed~~ blind persons licensed by the  
322 Commission for the Blind and the Visually Impaired or other persons with disabilities  
323 licensed by the agency, as prescribed by rules and regulations adopted by the  
324 Commission for the Blind and the Visually Impaired and the agency, respectively.

325 49-9-41.

326 To effectuate the purposes of this article, it is declared to be public policy of the state that  
327 on any state property where the Commission for the Blind and the Visually Impaired or the  
328 board determines it to be feasible to establish a vending facility to be operated by a licensed  
329 operator as provided in this article and where the agency or department or custodian of  
330 such property determines that such facility can be established without undue inconvenience  
331 to the operation being carried on in such state building or property, the preference accorded  
332 in this article shall require that such vending facility site not be deemed available for letting  
333 to competitive bidders for revenue-producing purposes unless the Commission for the  
334 Blind and the Visually Impaired or the board declines to establish on such site a vending  
335 facility for blind persons or other persons with disabilities. The income to the agency or  
336 department or custodian controlling the space for such facility sites shall generally not be  
337 expected to exceed reimbursement for the cost of providing such facility site space and the  
338 services connected therewith; but in any case where such income exceeds those purposes,  
339 it shall be paid into the state treasury, subject to certification and audit.

340 49-9-42.  
341 For the purpose of providing blind persons or other persons with disabilities with  
342 remunerative employment, enlarging their economic opportunities, and stimulating them  
343 to greater effort in striving to make themselves self-supporting, such blind persons who are  
344 licensed by the Commission for the Blind and the Visually Impaired pursuant to Code  
345 Section 30-11-8 or other persons with disabilities who are licensed by the ~~Georgia~~  
346 ~~Vocational Rehabilitation Agency~~ agency pursuant to Code Section 49-9-5 shall be  
347 authorized to operate vending facilities on any state property where such vending facilities  
348 may be properly and satisfactorily operated by blind persons or other persons with  
349 disabilities. In authorizing the operation of vending facilities on state property, preference  
350 shall be given, so far as feasible, to blind persons licensed by the Commission for the Blind  
351 and the Visually Impaired or other persons with disabilities licensed by the ~~Georgia~~  
352 ~~Vocational Rehabilitation Agency~~ agency as provided in this article; and the head of each  
353 department or agency in control of the maintenance, operation, and protection of state  
354 property shall, after consultation with the Commission for the Blind and the Visually  
355 Impaired and the board and with the approval of the Governor, prescribe regulations  
356 designed to assure such preference (including assignment of vending machine income to  
357 achieve and protect such preference) for such licensed blind persons or other persons with  
358 disabilities without unduly inconveniencing such departments and agencies or adversely  
359 affecting the interests of the state."

360

**SECTION 8.**

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