

The Senate Committee on Public Safety offered the following substitute to SB 264:

**MOOT**

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to  
2 emergency management, so as to provide for the creation of the Georgia Resilience Office  
3 under the Georgia Emergency Management and Homeland Security Agency; to provide for  
4 a board of directors; to provide for the purpose, membership, and duties of such board; to  
5 provide for reports; to provide for the hiring of staff; to provide for compensation and  
6 funding; to provide for definitions; to provide for related matters; to provide for a short title;  
7 to provide for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to emergency  
11 management, is amended by adding a new article to read as follows:

12 "ARTICLE 13

13 38-3-200.

14 This article shall be known and may be cited as the 'Georgia Resilience Act.'

15 38-3-201.

16 As used in this article, the term:

17 (1) 'Board of directors' or 'board' means the governing body of the office.

18 (2) 'Critical infrastructure' means publicly or privately owned facilities, systems,  
19 functions, or assets, whether physical or virtual, providing or distributing services for the  
20 benefit of the public, including, but not limited to, energy, fuel, water, agriculture,  
21 healthcare, finance, communication, or any other vital public service.

22 (3) 'Office' means the Georgia Resilience Office established pursuant to Code  
23 Section 38-3-202.

24 38-3-202.

25 (a) There is established the Georgia Resilience Office. The office shall be an entity within  
26 the Georgia Emergency Management and Homeland Security Agency and attached to such  
27 agency for all operational purposes.

28 (b) The primary purpose of the office shall be to plan for and coordinate state-wide  
29 resilience and disaster recovery efforts, including coordination with federal, state, and local  
30 governmental agencies, stakeholders, and nongovernmental entities. Responsibilities shall  
31 include, but are not limited to, the following:

32 (1) To establish mechanisms to coordinate, integrate, and expand disaster recovery,  
33 hazard mitigation, and resilience related programs and activities among state agencies and  
34 to encourage intergovernmental as well as cross-sector coordination and collaboration;

35 (2) To develop, implement, and maintain a state-wide resilience plan as a framework to  
36 guide state investments in disaster mitigation projects and the adoption of programs and  
37 policies to protect the people and property of Georgia from the damage and destruction  
38 of extreme weather events. The state-wide resilience plan shall be reviewed and revised  
39 by December 31 in even-numbered years to ensure that it continues to serve the health,  
40 safety, and welfare of the citizens of Georgia. The first version of the resilience plan

41 shall be completed by December 31, 2026, and shall, at minimum, include provisions  
42 that:

43 (A) Describe known risks in each of the regional commissions established in Code  
44 Section 50-8-32 and examine present and potential losses associated with the  
45 occurrence of disaster events in this state and land management practices that potentiate  
46 extreme weather events, resulting in increased flooding, wildfire, drought, and extreme  
47 heat conditions. The risk assessment shall use best available scientific data to consider  
48 present and potential state-wide impacts across a wide spectrum of hazards;

49 (B) Assess the vulnerability of infrastructure systems including transportation and  
50 energy distribution systems and critical infrastructure at the state and municipal levels,  
51 including, but not limited to, hospitals, schools, fire stations, comparable facilities, and  
52 historical and cultural resources;

53 (C) Identify data and information gaps that affect the capacity of state agencies or local  
54 governments to adequately evaluate and address the factors that increase disaster risk,  
55 and recommend strategies to overcome such gaps;

56 (D) Develop a prioritized list of specific policies, programs, and resilience actions to  
57 decrease vulnerabilities and adverse impacts associated with extreme weather and  
58 disasters. Descriptions of proposed resilience actions shall include intended benefits,  
59 potential costs, and an anticipated timeline for implementation. In developing these  
60 actions, the office shall, at a minimum, consider:

61 (i) Economic impacts attributed to current and best available projections of future  
62 risk from extreme weather events in this state, including, but not limited to, impacts  
63 on forestry, agriculture, water and other natural resources, food systems, housing  
64 stock, economic activity, wildlife, critical infrastructure, economic development  
65 potential and security, education, and public health;

66 (ii) The long-term costs, including ongoing operation and maintenance costs of  
67 specific projects, suites, and approaches of hazard mitigation;

- 68 (iii) Opportunities to prioritize the role of nature based solutions and other methods  
69 to restore the resilience functions of natural systems and reduce disaster risk;  
70 (iv) Potential co-benefits that may be achieved beyond risk mitigation, including, but  
71 not limited to, enhanced water supply, improvements in water quality, tourism and  
72 recreational opportunities, or protection of wildlife and aquatic resources;  
73 (v) Statutory or regulatory remedies for consideration by the General Assembly;  
74 (vi) State policies or responses, including alterations to state building codes and land  
75 use management;  
76 (vii) Potential benefits of additional programs or offices;  
77 (viii) How the action may complement or operate concurrently to any relevant  
78 existing activities undertaken by any state agency, unit of local government, or other  
79 relevant public or private entity, or any activity included in the state-wide resilience  
80 plan;  
81 (ix) Practical steps that can be taken to improve efficiencies and to pool and leverage  
82 resources to improve disaster recovery and resilience; and  
83 (x) Potential financial resources available for increasing resilience throughout this  
84 state;  
85 (E) Provide for the provision of resources, technical assistance, and other support to  
86 local governments to develop resilience plans or incorporate resilience planning into  
87 local and regional plans, and propose and implement resilience projects;  
88 (F) Identify metrics and measure progress and success toward state-wide resilience  
89 goals;  
90 (G) Integrate recommended approaches to risk reduction into existing state strategies  
91 for hazard mitigation, environmental protection, and economic opportunity and  
92 development; and  
93 (H) Incorporate stakeholder and community input from citizens across this state;

94 (3) To lead long-term recovery planning efforts on behalf of the state in the event of the  
95 proclamation of the existence of a state of emergency due to a natural disaster, or upon  
96 a presidential declaration of a major disaster under Section 406 of the federal Robert T.  
97 Stafford Disaster Relief and Emergency Assistance Act;

98 (4) To provide education and outreach on issues of disaster risk to the citizens of this  
99 state;

100 (5) To collect, pursue, and expend additional funds and resources to assist not only with  
101 long-term recovery efforts but also long-term community and state-wide resiliency  
102 efforts, including to:

103 (A) Accept and use funds from the federal government and its agencies and  
104 instrumentalities, private corporations, partnerships, associations, and individuals for  
105 the purposes of the development and implementation of the state-wide resilience plan,  
106 improved coordination of resilience activities, disaster recovery, hazard mitigation, risk  
107 mitigation, and disaster response programs;

108 (B) Monitor federal funds and initiatives that become available for disaster recovery  
109 and economic and community resiliency or other flood or hazard mitigation; and

110 (C) Use funds administered by the office for the maintenance, construction, or  
111 reconstruction of capital repair and replacement items as necessary to effectuate the  
112 purposes of this article; and

113 (6) To provide grants to institutions of higher education and other state and local  
114 governmental entities to conduct research related to resilience concerns specific to  
115 Georgia and consult with qualified nonpartisan experts from the scientific and disaster  
116 resilience community.

117 (c) Control and management of the office shall be vested in a board of directors which  
118 shall consist of 14 members as follows:

119 (1) The director of the Georgia Emergency Management and Homeland Security Agency  
120 or his or her designee;

- 121 (2) The commissioner of community affairs or his or her designee;  
122 (3) The commissioner of transportation or his or her designee;  
123 (4) The commissioner of natural resources or his or her designee;  
124 (5) The director of the State Forestry Commission or his or her designee;  
125 (6) The state hazard mitigation officer or his or her designee;  
126 (7) One member shall be a representative of county-level government and appointed by  
127 the Governor;  
128 (8) One member shall be a representative from a municipal government and appointed  
129 by the Governor;  
130 (9) Two members shall be from the House of Representatives and appointed by the  
131 Speaker of the House of Representatives;  
132 (10) Two members shall be from the Senate and appointed by the President of the  
133 Senate;  
134 (11) The Commissioner of Agriculture or his or her designee; and  
135 (12) One member shall be a representative from the electric utility industry and  
136 appointed by the Governor.
- 137 (d) The initial term for appointments shall be two years and shall be made by July 1, 2026.  
138 All subsequent terms shall be for four years. Any vacancies that occur prior to the end of  
139 a term shall be filled by appointment in the same manner as the original appointment and  
140 shall be for the remainder of the unexpired term. Members shall be eligible for  
141 reappointment so long as they continue to meet the requirements for appointment. A  
142 member who becomes ineligible for reappointment to his or her seat during his or her term  
143 may serve out the remainder of such term.
- 144 (e) The board may appoint additional persons, such as representatives from educational  
145 institutions and nongovernmental organizations with specific expertise in disaster  
146 resilience, to serve in an advisory role to the board. Such advisers shall be nonvoting and  
147 shall not be counted toward a quorum.

148 (f) A majority of the board shall constitute a quorum, and the concurrence of a majority  
149 shall be required for the determination of any matter within its duties.

150 (g) The chairperson of the board shall be the director of the Georgia Emergency  
151 Management and Homeland Security Agency or his or her designee. At the initial meeting  
152 of the board, the board shall elect from its membership a vice chairperson and a secretary  
153 and a treasurer. The board may combine the two latter offices and designate the combined  
154 office as secretary-treasurer.

155 (h) The board of directors shall promulgate bylaws and may adopt other procedures for  
156 governing its affairs and for discharging its duties as may be permitted or required by law  
157 or applicable rules and regulations.

158 (i) The board shall meet no less than once each calendar quarter at a time and place  
159 designated by the chairperson.

160 38-3-203.

161 (a) There is established the position of chief resilience officer who shall be the  
162 administrative head of the office.

163 (b) The chairperson of the board shall nominate a chief resilience officer, subject to  
164 approval by the board.

165 (c) The chairperson of the board shall establish the salary of the chief resilience officer,  
166 subject to approval by the board, and the salary of such officer shall be drawn from the  
167 general budget of the office.

168 (d) The chief resilience officer shall serve at the pleasure of the board. The chief resilience  
169 officer, with the concurrence and approval of the chairperson of the board, shall:

170 (1) Serve as coordinator of all economic and community resilience planning and  
171 implementation efforts, including, but not limited to, resilience programs and activities  
172 in this state;

- 173 (2) Hire officers, agents, and employees; prescribe their duties, responsibilities, and  
174 qualifications; set their salaries; and perform such other duties as may be prescribed by  
175 the office. Such officers, agents, and employees shall serve at the pleasure of the chief  
176 resilience officer;
- 177 (3) Coordinate an annual review of the state-wide resilience plan and update the plan no  
178 less than biennially, with updates due to the board no later than September 30 in  
179 even-numbered years;
- 180 (4) Report to the General Assembly at least annually regarding progress developing and  
181 implementing a state-wide resilience plan and improving interagency coordination;
- 182 (5) Coordinate planning of resilience projects with federal agencies;
- 183 (6) Establish a public website, which shall be the public dissemination of relevant  
184 information relevant to state-wide resilience efforts;
- 185 (7) Establish and facilitate regular communication between federal, state, local, and  
186 private sector agencies and organizations to further economic and disaster resilience;
- 187 (8) Execute cooperative agreements, where appropriate, between the office and the  
188 federal and state governments; and
- 189 (9) Contract, where appropriate, on behalf of the office, with the federal government and  
190 its instrumentalities and agencies; any state or territory or the District of Columbia and  
191 instrumentalities or agencies thereof; municipalities; foreign governments; public bodies;  
192 private corporations; partnerships; associations; and individuals."

193

**SECTION 2.**

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