

The House Committee on Code Revision offers the following substitute to SB 96:

A BILL TO BE ENTITLED

AN ACT

1 To amend various titles of the Official Code of Georgia Annotated so as to modernize and  
2 update provisions creating certain boards, panels, authorities, centers, commissions,  
3 committees, councils, task forces, and other such bodies; to revise certain provisions relating  
4 to the State Housing Trust Fund for the Homeless Commission; to repeal certain provisions  
5 relating to the Environmental Advisory Council; to repeal certain provisions relating to the  
6 Jekyll Island Citizens Resource Council; to revise certain provisions relating to the Erosion  
7 and Sediment Control Overview Council; to repeal certain provisions related to the  
8 Stakeholder Advisory Board; to repeal certain provisions relating to the Governor's Office  
9 for Children and Families; to revise certain provisions relating to the Georgia Firefighters  
10 Standards and Training Council; to repeal certain provisions relating to the Georgia  
11 Volunteer Fire Service Council; to repeal certain provisions relating to the Georgia Palliative  
12 Care and Quality of Life Advisory Council; to revise certain provisions relating to the Office  
13 of Health Strategy and Coordination; to revise and repeal certain provisions relating to the  
14 Georgia Council on Lupus Education and Awareness; to revise certain provisions relating  
15 to the Georgia Emergency Management and Homeland Security Agency; to repeal certain  
16 provisions relating to the Board of Homeland Security; to revise certain provisions relating  
17 to the Georgia Vocational Rehabilitation Services Board; to repeal certain provisions relating  
18 to the Employment First Georgia Council; to repeal certain provisions relating to the Georgia

S. B. 96 (SUB)

- 1 -

19 State Games Commission; to repeal certain provisions relating to the Lottery Retailer  
 20 Advisory Board; to make conforming changes throughout the Code; to provide for  
 21 definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

23 **PART I**

24 *State Housing Trust Fund for the Homeless Commission*

25 **SECTION 1-1.**

26 Title 8 of the Official Code of Georgia Annotated, relating to buildings and housing, is  
 27 amended by revising subsection (a) of Code Section 8-3-306, relating to commission  
 28 established and membership, as follows:

29 "(a)(1) There is established the State Housing Trust Fund for the Homeless Commission  
 30 which shall consist of ~~nine~~ eleven members. Two of the ~~nine~~ eleven members shall be  
 31 the commissioner of community affairs, or his or her designee, and either the chairperson  
 32 of the Board of Community Affairs or a member of the Board of Community Affairs  
 33 designated by the chairperson. The Governor shall appoint ~~three~~ five of the public  
 34 members and the ~~Lieutenant Governor~~ President of the Senate and the Speaker of the  
 35 House of Representatives shall each appoint two of the public members. The public  
 36 members shall be knowledgeable in the area of housing and, to the extent practicable,  
 37 shall represent diverse housing concerns.

38 ~~(2)(A)~~ Public members shall serve for a term of four years except ~~that initial~~  
 39 ~~appointments shall be staggered as follows: three of the appointees shall serve an initial~~  
 40 ~~term of four years and four of the appointees shall serve an initial term of two years as~~  
 41 ~~provided in subparagraphs (C) and (D) of this paragraph.~~ Public members shall  
 42 continue in office until their successors have been appointed and qualified. In the event

43 of a vacancy in the office of a public member by death, resignation, or otherwise, the  
 44 ~~Governor appointing authority~~ shall appoint a successor to serve the balance of the  
 45 unexpired term.

46 (B) The terms of the five public members appointed by the Governor pursuant to  
 47 paragraph (1) of this subsection shall begin on August 23, 2025.

48 (C) The terms of the two public members appointed by the President of the Senate  
 49 pursuant to paragraph (1) of this subsection shall begin on August 23, 2025. One of  
 50 such members and his or her successors shall serve terms of four years and one of such  
 51 members and his or her successors shall serve terms of two years.

52 (D) The terms of the two public members appointed by the Speaker of the House of  
 53 Representatives pursuant to paragraph (1) of this subsection shall begin on August 23,  
 54 2025. One of such members and his or her successors shall serve terms of four years  
 55 and one of such members and his or her successors shall serve terms of two years.

56 (3) Membership on the commission does not constitute public office, and no member  
 57 shall be disqualified from holding public office by reason of his or her membership."

## 58 PART II

### 59 *Environmental Advisory Council*

#### 60 SECTION 2-1.

61 Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural  
 62 resources, is amended by revising subsection (b) of Code Section 12-2-2, relating to  
 63 Environmental Protection Division, Environmental Advisory Council, duties of council and  
 64 its members and director, appeal procedures generally, permit applications, and inspections,  
 65 as follows:

66 "(b)(1) The division shall have a director who shall be both appointed and removed by  
 67 the Board of Natural Resources with the approval of the Governor. The director shall

68 appoint an assistant director of the division. The director and the assistant director shall  
69 be qualified professionals, competent in the field of environmental protection. The  
70 director and the assistant director shall be in the unclassified service. In the event of a  
71 vacancy in the office of the director or in his or her absence or if he or she is disabled, the  
72 assistant director shall perform all the duties of the director. The director shall be  
73 responsible for enforcing the environmental protection laws of Georgia. The director  
74 shall hire the personnel for the division and shall supervise, direct, account for, organize,  
75 plan, and execute the functions vested in the division.

76 ~~(2)(A) The Governor shall appoint an Environmental Advisory Council. The council~~  
77 ~~shall consist of 15 members who shall be representative of professional and lay~~  
78 ~~individuals, organizations, and governmental agencies associated or involved with~~  
79 ~~environmental matters. The term of each member of the council shall be for two years,~~  
80 ~~provided that of the members first appointed, seven shall be appointed for terms of one~~  
81 ~~year and eight for terms of two years. Vacancies shall be filled by similar appointment~~  
82 ~~for unexpired terms.~~

83 ~~(B) The council shall advise the Governor, the board, and the director as to the efficacy~~  
84 ~~of the state's environmental protection programs, the need for legislation relating to the~~  
85 ~~environment, the need for expansion or reduction of specific environmental programs,~~  
86 ~~and the need for specific changes in the state's environmental protection programs. The~~  
87 ~~council may review and prepare written comments on proposed state plans and on~~  
88 ~~standards, rules, and regulations proposed by the division. Such comments may be~~  
89 ~~submitted to the director, the board, and any other individual or agency deemed~~  
90 ~~appropriate.~~

91 ~~(C) Members of the council shall serve without compensation but shall receive the~~  
92 ~~same expense allowance as that received by members of the General Assembly and the~~  
93 ~~same mileage allowance for the use of a personal car or a travel allowance of actual~~

94 ~~transportation cost if traveling by public carrier as that received by all other state~~  
95 ~~officials and employees."~~

96 **SECTION 2-2.**

97 Any assets of the Environmental Advisory Council existing as of June 30, 2025, shall  
98 devolve by operation of law and without further action to the State of Georgia on July 1,  
99 2025. Any liabilities and obligations of the Environmental Advisory Council existing as of  
100 June 30, 2025, shall be transferred to and assumed by the State of Georgia, by such  
101 instruments as may be required to maintain the same.

102 **PART III**

103 *Jekyll Island Citizens Resource Council*

104 **SECTION 3-1.**

105 Said title is further amended by repealing Code Section 12-3-233.1, relating to Jekyll Island  
106 Citizens Resource Council, purpose, members, meetings, and reimbursement for expenses.

107 **SECTION 3-2.**

108 Any assets of the Jekyll Island Citizens Resource Council existing as of June 30, 2025, shall  
109 devolve by operation of law and without further action to the State of Georgia on July 1,  
110 2025. Any liabilities and obligations of the Jekyll Island Citizens Resource Council existing  
111 as of June 30, 2025, shall be transferred to and assumed by the State of Georgia, by such  
112 instruments as may be required to maintain the same.

113  
114  
115

**PART IV**

*Stakeholder Advisory Board*

**SECTION 4-1.**

116 Said title is further amended by revising subsection (f) of Code Section 12-7-7.1, relating to  
117 erosion and sediment control plan prepared, completion, and implementation, as follows:

118 "(f)(1) There shall be an Erosion and Sediment Control Overview Council which shall  
119 approve the Manual for Erosion and Sediment Control in Georgia prior to publication by  
120 the commission. In addition, the council shall provide guidance on the best management  
121 practices for implementing any erosion and sediment control plan for purposes of this  
122 Code section. The council shall be composed of nine members, including one member  
123 of the House of Representatives who shall be appointed by the Speaker of the House of  
124 Representatives and serve at the pleasure thereof; one member of the Senate who shall  
125 be appointed by the ~~Lieutenant Governor~~ President of the Senate and serve at the pleasure  
126 thereof; and seven members who shall be appointed by the Governor and serve at the  
127 pleasure thereof, including one employee each from the Department of Transportation,  
128 the Environmental Protection Division of the Department of Natural Resources, and the  
129 State Road and Tollway Authority, a professional engineer licensed to practice in this  
130 state from a private engineering consulting firm practicing environmental engineering,  
131 one representative of the highway contracting industry certified by the Department of  
132 Transportation, one representative of the electric utility industry, and a chairperson. The  
133 council shall meet ~~prior to December 1, 2015, to approve the most current version of the~~  
134 ~~manual and at all other times~~ as necessary to approve any subsequent changes or updates  
135 to the manual prior to its implementation. Such meetings shall be held at the call of the  
136 chairperson. Each council member shall receive a daily allowance in the amount  
137 specified in subsection (b) of Code Section 45-7-21; provided, however, that any  
138 full-time state employee serving on the council shall draw no compensation but shall

139 receive necessary expenses. The commissioner is authorized to pay such compensation  
140 and expenses from department funds.

141 (2) The ~~council~~ Erosion and Sediment Control Overview Council may develop  
142 recommendations governing the preparation of plans and the installation and maintenance  
143 of best management practices. If a dispute concerning the requirements of this Code  
144 section should arise, the Erosion and Sediment Control Overview Council shall mediate  
145 the dispute.

146 (3) The Erosion and Sediment Control Overview Council shall establish, evaluate, and  
147 maintain the education and training programs established pursuant to Code Section  
148 12-7-19, including, but not limited to, reviewing course curricula, educational materials,  
149 and exam and testing procedures; evaluating trainer and instructor qualifications; and  
150 reviewing audit results performed by the commission."

151 **SECTION 4-2.**

152 Said title is further amended by revising Code Section 12-7-19, relating to education and  
153 training requirements, required programs, instructor qualifications, and expiration of  
154 certification, as follows:

155 "12-7-19.

156 (a)(1) Persons involved in land development design, review, permitting, construction,  
157 monitoring, or inspection or any land-disturbing activity shall meet the education and  
158 training certification requirements, dependent on his or her level of involvement with the  
159 process, as developed by the commission in accordance with this Code section and in  
160 consultation with the division and the ~~Stakeholder Advisory Board~~ created pursuant to  
161 Code Section 12-7-20 Erosion and Sediment Control Overview Council created pursuant  
162 to Code Section 12-7-7.1.

163 (2) On or after May 14, 2007, for each site on which land-disturbing activity occurs, each  
164 entity or person acting as either a primary, secondary, or tertiary permittee, as defined in

165 the state general permit, shall have as a minimum one person who is in responsible charge  
166 of erosion and sedimentation control activities on behalf of said entity or person and  
167 meets the applicable education or training certification requirements developed by the  
168 commission present on site whenever land-disturbing activities are conducted on that site.  
169 A project site shall herein be defined as any land disturbance site or multiple sites within  
170 a larger common plan of development or sale permitted by an owner or operator for  
171 compliance with the state general permit.

172 (3) Persons or entities involved in projects not requiring a state general permit but  
173 otherwise requiring certified personnel on site may contract with certified persons to meet  
174 the requirements of this chapter.

175 (4) If a state general permittee who has operational control of land-disturbing activities  
176 for a site has met the certification requirements of paragraph (1) of subsection (b) of this  
177 Code section, then any person or entity involved in land-disturbing activity at that site  
178 and operating in a subcontractor capacity for such permittee shall have until  
179 December 31, 2007, to meet those educational requirements specified in paragraph (4)  
180 of subsection (b) of ~~Code Section 12-7-19~~ this Code section and shall not be required to  
181 meet any educational requirements that exceed those specified in said paragraph.

182 (b) No less than the following training programs shall be established:

183 (1) A fundamentals seminar (Level 1) will be established which provides sufficient  
184 training to all participants as to the applicable laws, requirements, processes, and latest  
185 means and methods recognized by this state to effectively control erosion and  
186 sedimentation;

187 (2) An advanced fundamentals seminar (Level 1) will be established which provides  
188 additional details of installation and maintenance of best management practices for both  
189 regulatory and nonregulatory inspectors and others;

190 (3) An introduction to design seminar (Level 2) will be established which provides  
191 required training to design and review a successful erosion, sedimentation, and pollution  
192 control plan;

193 (4) An awareness seminar (Level 1) will be established which does not exceed two hours  
194 in duration and which provides information regarding the erosion and sediment control  
195 practices and processes in the state and which will include an overview of the systems,  
196 laws, and roles of the participants; and

197 (5) A trainer and instructor seminar will be established for both Level 1 and Level 2  
198 trainers and instructors which will provide the minimum training as to applicable laws  
199 and best management practices and design of erosion, sedimentation, and pollution  
200 control plans in this state.

201 (c) Trainer and instructor qualifications will be established with the following minimum  
202 requirements:

203 (1) Level 1 trainers and instructors shall meet at least the following minimum  
204 requirements and any other requirements as set by the commission:

205 (A) Education: four-year college degree or five years' experience in the field of erosion  
206 and sediment control;

207 (B) Experience: five-years' experience in the field of erosion and sediment control.  
208 Where years of experience is used in lieu of the education requirement of subparagraph

209 (A) of this paragraph, a total of ten years' field experience is required;

210 (C) Approval by the commission and the ~~Stakeholder Advisory Board~~ Erosion and  
211 Sediment Control Overview Council; and

212 (D) Successful completion of the Level 1 trainer and instructor seminar found in  
213 paragraph (5) of subsection (b) of this Code section; and

214 (2) Level 2 trainers and instructors shall meet at least the minimum requirements of a  
215 Level 1 trainer or instructor, any other requirements as set by the commission, and

216 successful completion of the Level 2 trainer and instructor seminar created under  
217 paragraph (5) of subsection (b) of this Code section.

218 (d) In addition to the requirements of subsection (c) of this Code section, the commission  
219 shall establish and any person desirous of holding certification must obtain a passing grade,  
220 as established by the ~~Stakeholder Advisory Board~~ Erosion and Sediment Control Overview  
221 Council, on a final exam covering the material taught in each mandatory seminar; provided,  
222 however, that there shall be no final exam requirement for purposes of paragraph (4) of  
223 subsection (b) of this Code section. Final exams may, at the discretion of the commission,  
224 serve in lieu of attendance at the seminar. Any person shall be authorized to administer a  
225 final examination for any seminar for which he or she was the instructor.

226 (e)(1) A certification provided by achieving the requirements established by the  
227 commission shall expire no later than three years after its issuance.

228 (2) A certified individual shall be required to attend and participate in at least four hours  
229 of approved continuing education courses, as established by the commission, every three  
230 years.

231 (3) A certification may be extended or renewed by meeting requirements established by  
232 the commission.

233 (4) Revocation procedures may be established by the commission in consultation with  
234 the division and the ~~Stakeholder Advisory Board~~ Erosion and Sediment Control  
235 Overview Council.

236 **SECTION 4-3.**

237 Said title is further amended by repealing Code Section 12-7-20, relating to creation of  
238 stakeholder advisory board, responsibilities, and procedures, and designating said Code  
239 section as reserved.

240

**PART V**

241

*Governor's Office for Children and Families*

242

**SECTION 5-1.**

243 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by revising

244 subsection (a) of Code Section 15-5-81, relating to advisory council commission, as follows:

245 "(a) There shall be an advisory council to the Georgia Courts Automation Commission.

246 The advisory council shall consist of the director of the Georgia Bureau of Investigation

247 or the director's designee, the commissioner of corrections or the commissioner's designee,

248 the commissioner of community supervision or the commissioner's designee, the

249 commissioner of public safety or the commissioner's designee, the chairperson of the State

250 Board of Pardons and Paroles or the chairperson's designee, the director of the

251 Administrative Office of the Courts or the director's designee, the director of the Criminal

252 Justice Coordinating Council or the director's designee, ~~the director of the Governor's~~

253 ~~Office for Children and Families or the director's designee,~~ and the executive director of

254 the Georgia Technology Authority or the executive director's designee."

255

**SECTION 5-2.**

256 Said title is further amended by revising subsection (f) of Code Section 15-11-504, relating

257 to place of detention and data on child detained, as follows:

258 "(f) All facilities shall maintain data on each child detained and such data shall be recorded

259 and retained by the facility for three years and shall be made available for inspection during

260 normal business hours by any court exercising juvenile court jurisdiction, by DJJ, ~~by the~~

261 ~~Governor's Office for Children and Families,~~ by the Criminal Justice Coordinating Council,

262 by the Administrative Office of the Courts, and by the Council of Juvenile Court Judges.

263 Such data shall be used by the inspecting agency for official purposes and shall not be

264 subject to release by such agency pursuant to Article 4 of Chapter 18 of Title 50, nor  
 265 subject to subpoena. The required data are each detained child's:

- 266 (1) Name;
- 267 (2) Date of birth;
- 268 (3) Sex;
- 269 (4) Race;
- 270 (5) Offense or offenses for which such child is being detained;
- 271 (6) Date of and authority for confinement;
- 272 (7) Location of the offense and the name of the school if the offense occurred in a school  
 273 safety zone, as defined in Code Section 16-11-127.1;
- 274 (8) The name of the referral source, including the name of the school if the referring  
 275 source was a school;
- 276 (9) The score on the detention assessment;
- 277 (10) The basis for detention if such child's detention assessment score does not in and  
 278 of itself mandate detention;
- 279 (11) The reason for detention, which may include, but shall not be limited to,  
 280 preadjudication detention, detention while awaiting a postdisposition placement, or  
 281 serving a short-term program disposition;
- 282 (12) Date of and authority for release or transfer; and
- 283 (13) Transfer or to whom released."

284 **SECTION 5-3.**

285 Said title is further amended by revising subsection (d) of Code Section 15-11-704, relating  
 286 to public inspection of court files and records and use in subsequent juvenile or criminal  
 287 prosecution, as follows:

288 "(d) A judge shall permit authorized representatives of DJJ, ~~the Governor's Office for~~  
 289 ~~Children and Families~~, the Criminal Justice Coordinating Council, the Administrative

290 Office of the Courts, and the Council of Juvenile Court Judges to inspect and extract data  
291 from any court files and records for the purpose of obtaining statistics on children and to  
292 make copies pursuant to the order of the court. Such data shall be used by the inspecting  
293 agency for official purposes and shall not be subject to release by such agency pursuant to  
294 Article 4 of Chapter 18 of Title 50, nor subject to subpoena."

295 **SECTION 5-4.**

296 Said title is further amended by revising subsection (d) of Code Section 15-11-708, relating  
297 to separation of juvenile and adult records for law enforcement, inspection, and limited  
298 fingerprint access, as follows:

299 "(d) The court shall allow authorized representatives of DJJ, ~~the Governor's Office for~~  
300 ~~Children and Families~~, the Criminal Justice Coordinating Council, the Administrative  
301 Office of the Courts, and the Council of Juvenile Court Judges to inspect and copy law  
302 enforcement records for the purpose of obtaining statistics on children. Such data shall be  
303 used by the inspecting agency for official purposes and shall not be subject to release by  
304 such agency pursuant to Article 4 of Chapter 18 of Title 50, nor subject to subpoena."

305 **SECTION 5-5.**

306 Title 49 of the Official Code of Georgia Annotated, relating to social services, is amended  
307 by revising paragraph (3) of subsection (b) of Code Section 49-4A-2, relating to Board of  
308 Juvenile Justice created, membership, appointment, terms, chairperson, and duties, as  
309 follows:

310 "(3) Ensure that detention assessment, risk assessment, and risk and needs assessment  
311 instruments that are utilized by intake personnel and courts are developed in consultation  
312 with the ~~Governor's Office for Children and Families~~, the Criminal Justice Coordinating  
313 Council; and the Council of Juvenile Court Judges and ensure that such instruments are  
314 validated at least every five years;"

315 **SECTION 5-6.**

316 Said title is further amended by revising paragraph (1) of subsection (n) of Code Section  
317 49-4A-8, relating to commitment of delinquent children and procedures, as follows:

318 "(n)(1) The department shall conduct a continuing inquiry into the effectiveness of  
319 treatment methods it employs in seeking the rehabilitation of maladjusted children. To  
320 this end, the department shall maintain a statistical record of arrests and commitments of  
321 its wards subsequent to their discharge from the jurisdiction and control of the department  
322 and shall tabulate, analyze, and publish annually in print or electronically ~~annually~~ these  
323 data so that they may be used to evaluate the relative merits of methods of treatment. The  
324 department shall cooperate and coordinate with courts, juvenile court clerks, ~~the~~  
325 ~~Governor's Office for Children and Families~~, the Criminal Justice Coordinating Council,  
326 and public and private agencies in the collection of statistics and information regarding:

- 327 (A) Juvenile delinquency;  
328 (B) Arrests made;  
329 (C) Detentions made, the offense for which such detention was authorized, and the  
330 reason for each detention;  
331 (D) Complaints filed;  
332 (E) Informations filed;  
333 (F) Petitions filed;  
334 (G) The results of complaints, informations, and petitions, including whether such  
335 filings were dismissed, diverted, or adjudicated;  
336 (H) Commitments to the department, the length of such commitment, and releases from  
337 the department;  
338 (I) The department's placement decisions for commitments;  
339 (J) Placement decisions to institutions, camps, or other facilities for delinquent children  
340 operated under the direction of courts or other local public authorities;  
341 (K) Community programs utilized and completion data for such programs;

- 342 (L) Recidivism;  
343 (M) Data collected by juvenile court clerks pursuant to Code Section 15-11-64; and  
344 (N) Other information useful in determining the amount and causes of juvenile  
345 delinquency in this state."

346 **SECTION 5-7.**

347 Said title is further amended in Article 6 of Chapter 5, relating to programs and protections  
348 for children, by repealing Part 1, relating to Governor's Office for Children and Families, and  
349 designating said part as reserved.

350 **SECTION 5-8.**

351 Said title is further amended by revising subsection (b) of Code Section 49-5-155, relating  
352 to effect of article on Department of Juvenile Justice and office as recipient entity for federal  
353 grants, as follows:

354 "(b) Other than the Department of Juvenile Justice, ~~the Governor's Office for Children and~~  
355 ~~Families created pursuant to Code Section 49-5-132 and the Criminal Justice Coordinating~~  
356 Council shall be the only other authorized controlling recipient entity for grants under the  
357 United States Department of Justice Juvenile Justice Delinquency and Prevention Grants."

358 **SECTION 5-9.**

359 Said title is further amended by replacing "Governor's Office for Children and Families",  
360 with "Department of Human Services" wherever the former occurs in Code Section  
361 49-5-156, relating to the "Georgia Mentoring Act of 2000."

362 **SECTION 5-10.**

363 Said title is further amended by repealing Code Section 49-5-227, relating to Governor's  
364 Office for Children and Families to comment on plan for Coordinated System of Care and  
365 provide recommendations.

366 **SECTION 5-11.**

367 Any assets of the Governor's Office for Children and Families existing as of June 30, 2025,  
368 shall devolve by operation of law and without further action to the State of Georgia on July 1,  
369 2025. Any liabilities and obligations of the Governor's Office for Children and Families  
370 existing as of June 30, 2025, shall be transferred to and assumed by the State of Georgia, by  
371 such instruments as may be required to maintain the same.

372 **PART VI**

373 *Georgia Volunteer Fire Service Council*

374 **SECTION 6-1.**

375 Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety, is  
376 amended by revising paragraph (2) of Code Section 25-3-21, relating to definitions, as  
377 follows:

378 "(2)(A) 'Fire department' means any fire department, including, but not limited to, a fire  
379 department solely utilizing volunteer firefighters, which is authorized to exercise the  
380 general and emergency powers enumerated in Code Sections 25-3-1 and 25-3-2.

381 (B) 'Fire department' also means any department, agency, organization, or company  
382 operating in this state with the intent and purpose of carrying out the duties, functions,  
383 powers, and responsibilities normally associated with a fire department. These duties,  
384 functions, powers, and responsibilities include, but are not limited to, the protection of  
385 life and property against fire, explosions, or other hazards."

386

**SECTION 6-2.**

387 Said title is further amended by revising Code Section 25-3-22, relating to notification and  
388 documentation that fire department meets requirements and issuance of certificate of  
389 compliance, as follows:

390 "25-3-22.

391 (a) In order for a fire department ~~employing full-time firefighters or part-time firefighters~~  
392 to be legally organized to operate in the State of Georgia, the chief administrative officer  
393 of the fire department shall notify and submit all required documentation to the executive  
394 director that demonstrates that the organization meets the minimum requirements specified  
395 in Code Section 25-3-23 and the rules and regulations of the Georgia Firefighter Standards  
396 and Training Council to function as a fire department. If the executive director is satisfied  
397 that ~~the~~ such fire department meets the minimum requirements contained in Code Section  
398 25-3-23 and the rules and regulations of the Georgia Firefighter Standards and Training  
399 Council, he or she shall recommend to the Georgia Firefighter Standards and Training  
400 Council that a certificate of compliance be issued by the council to the fire department. If  
401 the council issues such certificate of compliance, the fire department shall be authorized  
402 to exercise the general and emergency powers set forth in Code Sections 25-3-1 and  
403 25-3-2.

404 ~~(b) In order for a volunteer fire department to be legally organized to operate in the State~~  
405 ~~of Georgia, the chief administrative officer of the fire department shall notify and submit~~  
406 ~~all required documentation to the executive director that demonstrates that the organization~~  
407 ~~meets the minimum requirements specified in Code Section 25-3-23 and the rules and~~  
408 ~~regulations of the Georgia Volunteer Fire Service Council to function as a volunteer fire~~  
409 ~~department. If the executive director is satisfied that the volunteer fire department meets~~  
410 ~~the minimum requirements contained in Code Section 25-3-23 and the rules and~~  
411 ~~regulations of the Georgia Volunteer Fire Service Council, he or she shall recommend to~~  
412 ~~the Georgia Volunteer Fire Service Council that a certificate of compliance be issued by~~

413 ~~such council to the volunteer fire department. If the Georgia Volunteer Fire Service~~  
 414 ~~Council issues such certificate of compliance, the fire department shall be authorized to~~  
 415 ~~exercise the general and emergency powers set forth in Code Sections 25-3-1 and 25-3-2."~~

416

### SECTION 6-3.

417 Said title is further amended by revising subsections (a) and (c) of Code Section 25-3-23,  
 418 relating to general requirements, equipment and clothing, and insurance, as follows:

419 "(a) Except as otherwise provided in subsection (c) of this Code section, in order to be  
 420 legally organized:

421 (1) A fire department shall comply with the following requirements:

422 (A) Be established to provide fire and other emergency and nonemergency services in  
 423 accordance with standards specified by the Georgia Firefighter Standards and Training  
 424 Council, ~~for fire departments employing full-time firefighters or part-time firefighters,~~  
 425 ~~or the Georgia Volunteer Fire Service Council, for fire departments solely utilizing~~  
 426 ~~volunteer firefighters,~~ and the applicable local government;

427 (B) Be capable of providing fire protection 24 hours a day, 365 days per year;

428 (C) Be responsible for a defined area of operations depicted on a map located at the fire  
 429 station, which area of operations shall have been approved and designated by the  
 430 governing authority of the applicable county, municipality, or other political  
 431 subdivision in the case of any county, municipal, or volunteer county or municipal fire  
 432 department or any fire department solely utilizing volunteer firefighters; and

433 (D) Be staffed with a sufficient number of ~~full-time, part-time, or volunteer~~ firefighters  
 434 who have successfully completed basic firefighter training as specified by the Georgia  
 435 Firefighter Standards and Training Council, ~~for fire departments employing full-time~~  
 436 ~~firefighters or part-time firefighters, or the Georgia Volunteer Fire Service Council, for~~  
 437 ~~fire departments solely utilizing volunteer firefighters;~~ and

438 (2) A fire department shall possess the following items of approved equipment and  
439 protective clothing:

440 (A) A minimum of one fully equipped, operable pumper with a capacity of at least 750  
441 GPM at 150 PSI and a tank capacity of a minimum of 250 gallons; provided, however,  
442 that previously approved fire apparatus which does not meet such minimum standards  
443 may be used in lieu of the minimum required pumper until replaced by the local  
444 authority;

445 (B) A minimum of equipment, appliances, adapters, and accessories necessary to  
446 perform and carry out the duties and responsibilities of a fire department set forth in  
447 Code Sections 25-3-1 and 25-3-2 as approved by the Georgia Firefighter Standards and  
448 Training Council, ~~for fire departments employing full-time firefighters or part-time~~  
449 ~~firefighters, or the Georgia Volunteer Fire Service Council, for fire departments solely~~  
450 ~~utilizing volunteer firefighters;~~

451 (C) A minimum of two approved self-contained breathing apparatus for each pumping  
452 apparatus as approved by the Georgia Firefighter Standards and Training Council, ~~for~~  
453 ~~fire departments employing full-time firefighters or part-time firefighters, or the~~  
454 ~~Georgia Volunteer Fire Service Council, for fire departments solely utilizing volunteer~~  
455 ~~firefighters; and~~

456 (D) A minimum issue of sufficient personal protective clothing to permit each member  
457 to perform safely the duties of a firefighter."

458 "(c)(~~t~~) The Georgia Firefighter Standards and Training Council shall be authorized to  
459 adopt such rules and regulations for all fire departments ~~employing full-time firefighters~~  
460 ~~or part-time firefighters~~ as are reasonable and necessary to implement the provisions of  
461 this Code section and to establish and modify minimum requirements for all fire  
462 departments operating in this state, provided that such requirements are equal to or  
463 exceed the requirements provided in subsections (a) and (b) of this Code section.

464 ~~(2) The Georgia Volunteer Fire Service Council shall be authorized to adopt such rules~~  
 465 ~~and regulations for fire departments solely utilizing volunteer firefighters as are~~  
 466 ~~reasonable and necessary to implement the provisions of this Code section and to~~  
 467 ~~establish and modify minimum requirements for all volunteer fire departments operating~~  
 468 ~~in this state, provided that such requirements are equal to or exceed the requirements~~  
 469 ~~provided in subsections (a) and (b) of this Code section."~~

470 **SECTION 6-4.**

471 Said title is further amended by revising Code Section 25-3-25, relating to suspension or  
 472 revocation of certification of compliance, hearing by aggrieved departments, and  
 473 enforcement of suspensions or revocations, as follows:

474 "25-3-25.

475 (a) ~~The Any certificate of compliance issued by the Georgia Firefighter Standards and~~  
 476 ~~Training Council or the Georgia Volunteer Fire Service Council shall be subject to~~  
 477 ~~suspension or revocation by the applicable such council at any time it receives satisfactory~~  
 478 ~~evidence that the fire department is not maintaining sufficient personnel, equipment, or~~  
 479 ~~insurance required by Code Section 25-3-23, or the rules and regulations of the Georgia~~  
 480 ~~Firefighter Standards and Training Council, for fire departments employing full-time~~  
 481 ~~firefighters or part-time firefighters, or the Georgia Volunteer Fire Service Council, for fire~~  
 482 ~~departments solely utilizing volunteer firefighters, pursuant to subsection (c) of Code~~  
 483 ~~Section 25-3-23.~~

484 (b) The chief administrative officer of any fire department aggrieved by a decision of the  
 485 Georgia Firefighter Standards and Training Council, ~~for fire departments employing~~  
 486 ~~full-time firefighters or part-time firefighters, or the Georgia Volunteer Fire Service~~  
 487 ~~Council, for fire departments solely utilizing volunteer firefighters, under subsection (a)~~  
 488 ~~of this Code section may, within 30 days of the date of such decision, request a hearing on~~  
 489 ~~the matter before the applicable such council. Following a hearing before the applicable~~

490 council, the chief administrative officer of the fire department affected shall be served with  
 491 a written decision of the applicable council announcing whether the certificate of  
 492 compliance shall remain revoked or suspended or whether it shall be reinstated.

493 (c) The Georgia Firefighters Standards and Training Council, ~~for fire departments~~  
 494 ~~employing full-time firefighters or part-time firefighters, or the Georgia Volunteer Fire~~  
 495 ~~Service Council, for fire departments solely utilizing volunteer firefighters,~~ shall not  
 496 suspend or revoke any certificate of compliance for failure to meet firefighter training  
 497 requirements when such failure was due to unavailability of required training from or  
 498 through the Georgia Fire Academy.

499 (d) The Georgia Firefighters Standards and Training Council, ~~for fire departments~~  
 500 ~~employing full-time firefighters or part-time firefighters, or the Georgia Volunteer Fire~~  
 501 ~~Service Council, for fire departments solely utilizing volunteer firefighters,~~ may refer  
 502 suspensions or revocations to the Attorney General for enforcement. Upon referral from  
 503 a the council, the Attorney General may bring a civil action to enjoin any organization  
 504 which is not in compliance with the applicable requirements of this chapter from  
 505 performing any or all firefighting functions until such requirements are met by such  
 506 organization."

507 **SECTION 6-5.**

508 Said title is further amended by revising Code Section 25-4-2, relating to definitions relative  
 509 to firefighter standards and training, as follows:

510 "25-4-2.

511 As used in this chapter, the term:

512 (1) 'Airport' means any airport located in this state which has regularly scheduled  
 513 commercial air carrier service or commuter airline service as required for certification  
 514 under Section 139.49 of the Federal Aviation Administration regulations.

- 515 (2) 'Airport firefighter' means any person assigned to any airport located in this state who  
516 performs the duties of aircraft fire fighting or rescue.
- 517 (3) 'Candidate' means a prospective firefighter who has not yet been certified by the  
518 council as having met the requirements of this chapter.
- 519 (4) 'Certified firefighter' or 'state certified firefighter' means any firefighter who has been  
520 certified by the council as having met the requirements of this chapter.
- 521 (5) 'Council' means the Georgia Firefighter Standards and Training Council.
- 522 (5.1) 'Fire department' shall have the same meaning as ~~provided~~ set forth in Code Section  
523 25-3-21.
- 524 (6) 'Firefighter' means a recruit or a trained individual who is a full-time employee,  
525 part-time employee, or volunteer for a municipal, county, state, or private incorporated  
526 fire department and as such has duties of responding to mitigate a variety of emergency  
527 and nonemergency situations where life, property, or the environment is at risk, which  
528 may include, without limitation, fire suppression; fire prevention activities; emergency  
529 medical services; hazardous materials response and preparedness; technical rescue  
530 operations; search and rescue; disaster management and preparedness; community service  
531 activities; response to civil disturbances and terrorism incidents; nonemergency functions,  
532 including training, preplanning, communications, maintenance, and physical  
533 conditioning; and other related emergency and nonemergency duties as may be assigned  
534 or required; provided, however, that a firefighter's assignments may vary based on  
535 geographic, climatic, and demographic conditions or other factors, including training,  
536 experience, and ability. Such term includes an airport firefighter.
- 537 (7) 'Full-time' means employed for compensation on a basis of at least 40 hours per week  
538 by any municipal, county, state, or private incorporated fire department.
- 539 (8) 'Part-time' means employed for compensation on less than a full-time basis by any  
540 municipal, county, state, or private incorporated fire department.

541 (8.1) 'Recruit' means a prospective firefighter who has not yet been certified or registered  
 542 by the council as having met the requirements of Code Section 25-4-8 and the rules and  
 543 regulations to be a firefighter as provided for by the council.

544 (9) 'Volunteer' means not employed for compensation on an hourly or salaried basis, but  
 545 appointed and regularly enrolled to serve as a firefighter for any municipal, county, state,  
 546 or private incorporated fire department.

547 ~~(10) 'Volunteer council' means the Georgia Volunteer Fire Service Council established~~  
 548 ~~by Code Section 25-4-3.1."~~

549 **SECTION 6-6.**

550 Said title is further is amended by revising subsection (b) of Code Section 25-4-3, relating  
 551 to establishment of Georgia Firefighter Standards and Training Council, as follows:

552 "(b) The members of the council appointed by the Governor pursuant to subsection (a) of  
 553 this Code section shall be appointed at the sole discretion of the Governor; provided,  
 554 however, that at least one member appointed by the Governor shall be a representative of  
 555 a volunteer fire department. ~~However, the~~ For the remaining members of the council to be  
 556 appointed by the Governor, the Governor may consider ~~for appointment to the council~~  
 557 persons suggested ~~for membership thereon~~ as follows:

558 (1) The Association County Commissioners of Georgia may suggest the names of three  
 559 persons for each appointment pursuant to paragraph (1) of subsection (a) of this Code  
 560 section;

561 (2) The Georgia Municipal Association may suggest the names of three persons for each  
 562 appointment pursuant to paragraph (2) of subsection (a) of this Code section;

563 (3) The Georgia City and County Management Association may suggest the names of  
 564 three persons for each appointment pursuant to paragraph (3) of subsection (a) of this  
 565 Code section;

566 (4) The Georgia Association of Fire Chiefs may suggest the names of three persons for  
567 each appointment pursuant to paragraph (4) of subsection (a) of this Code section; and  
568 (5) The Executive Board of the Georgia State Firemen's Association may suggest the  
569 names of three persons for each appointment pursuant to paragraph (5) of subsection (a)  
570 of this Code section."

571 **SECTION 6-7.**

572 Said title is further is amended by repealing Code Section 25-4-3.1, relating to establishment  
573 of Georgia Volunteer Fire Service Council.

574 **SECTION 6-8.**

575 Said title is further amended by revising Code Section 25-4-4, relating to eligibility of  
576 council and volunteer council members for public office, as follows:

577 "25-4-4.

578 Membership on the council ~~or volunteer council~~ does not constitute public office, and no  
579 member shall be disqualified from holding public office by reason of his or her  
580 membership."

581 **SECTION 6-9.**

582 Said title is further amended by revising Code Section 25-4-5, relating to administrative  
583 assignment to Department of Public Safety, source of funds, and authority to accept gifts and  
584 other items of value, as follows:

585 "25-4-5.

586 The council ~~and volunteer council~~ are is assigned to the Department of Public Safety for  
 587 administrative purposes. The funds necessary to carry out this chapter shall come from  
 588 funds appropriated to and available to the council ~~and volunteer council~~ and from any other  
 589 available funds. The council ~~and volunteer council~~ are is authorized to accept and use  
 590 gifts;; grants;; ~~and donations;~~ property, both real and personal; and services for the purpose  
 591 of carrying out this chapter. ~~The council and volunteer council are also authorized to~~  
 592 ~~accept and use property, both real and personal, and services for the purpose of carrying~~  
 593 ~~out this chapter."~~

594 **SECTION 6-10.**

595 Said title is further revised by amending Code Section 25-4-6, relating to meetings, quorum,  
 596 and annual reporting of council and volunteer council, as follows:

597 "25-4-6.

598 (a) The business of the council shall be conducted in the following manner:

599 (1) The council shall hold at least two regular meetings each year at the call of the  
 600 chairperson or upon the written request of six members of the council. Six members of  
 601 the council shall constitute a quorum. The council shall adopt such rules for the  
 602 transaction of its business as it shall desire and may appoint such committees as it  
 603 considers necessary to carry out its business and duties; and

604 (2) The council shall make an annual report of its activities to the Governor and to the  
 605 General Assembly and shall include in ~~the~~ such report its recommendations for  
 606 appropriate legislation. The council shall not be required to distribute copies of ~~the~~  
 607 ~~annual~~ such report to the members of the General Assembly but shall notify the members  
 608 of the availability of the report in the manner ~~which~~ it deems to be most effective and  
 609 efficient.

610 ~~(b) The business of the volunteer council shall be conducted in the following manner:~~

611 ~~(1) The volunteer council shall hold at least two regular meetings each year at the call~~  
 612 ~~of the chairperson or upon written request of four members of the volunteer council.~~  
 613 ~~Four members of the volunteer council shall constitute a quorum. The volunteer council~~  
 614 ~~shall adopt such rules for the transaction of its business as it shall desire and may appoint~~  
 615 ~~such committees as it considers necessary to carry out its business and duties; and~~  
 616 ~~(2) The volunteer council shall make an annual report of its activities to the Governor~~  
 617 ~~and to the General Assembly and shall include in the report its recommendations for~~  
 618 ~~appropriate legislation. The volunteer council shall not be required to distribute copies~~  
 619 ~~of the annual report to the members of the General Assembly but shall notify the~~  
 620 ~~members of the availability of the report in the manner which it deems to be most~~  
 621 ~~effective and efficient."~~

622 **SECTION 6-11.**

623 Said title is further amended by revising Code Section 25-4-7, relating to functions and  
 624 powers of council and volunteer council, as follows:

625 "25-4-7.

626 (a) The council is vested with the following functions and powers:

- 627 (1) To promulgate rules and regulations for the administration of the council;  
 628 (2) To provide rules of procedure for its internal management and control;  
 629 (3) To enter into contracts or do such things as may be necessary and incidental to the  
 630 administration of its authority pursuant to this chapter;  
 631 (4) To establish uniform minimum standards for the employment and training of  
 632 ~~full-time firefighters, part-time firefighters, airport firefighters, fire and life safety~~  
 633 ~~educators, fire inspectors, fire investigators, and other such firefighting service~~  
 634 ~~professionals as determined by the council, including qualifications, certifications,~~  
 635 ~~recertifications, decertifications, and probations for certified individuals and suspensions~~  
 636 ~~for noncertified individuals, and requirements, which are consistent with this chapter;~~

- 637 (5) To establish minimum curriculum requirements for schools operated by or for any  
638 employing agency for the specific purpose of training ~~firefighter recruits or full-time~~  
639 ~~firefighters, part-time firefighters, airport firefighters, fire and life safety educators, fire~~  
640 ~~inspectors, and fire investigators;~~
- 641 (6) To approve institutions and facilities for school operation by or for any employing  
642 agency for the specific purpose of training ~~full-time and part-time firefighters and~~  
643 ~~full-time and part-time firefighter recruits, including airport firefighters;~~
- 644 (7) To make or support studies on any aspect of firefighter education and training or  
645 recruitment;
- 646 (8) To make recommendations concerning any matter within its purview;
- 647 (9) To establish basic firefighter training requirements ~~for full-time, part-time, and~~  
648 ~~contract firefighters, including airport firefighters;~~
- 649 (10) To certify any person satisfactorily complying with the training program established  
650 in accordance with paragraph (9) of this subsection and the qualifications for employment  
651 covered in this chapter; and
- 652 (11) To issue a certificate to any person who has received training in another state or  
653 who has received training as a federal firefighter by the United States government, when  
654 the council has determined that the training was at least equivalent to that required by the  
655 council for approved firefighter education and training programs in this state and when  
656 the person has satisfactorily complied with all other requirements of this chapter.
- 657 ~~(b) The volunteer council is vested with the following functions and powers:~~
- 658 ~~(1) To promulgate rules and regulations for the administration of the volunteer council;~~
- 659 ~~(2) To provide rules of procedure for its internal management and control;~~
- 660 ~~(3) To enter into contracts or do such things as may be necessary and incidental to the~~  
661 ~~administration of its authority pursuant to this chapter;~~

- 662 ~~(4) To establish uniform minimum standards for the training of volunteer firefighters,~~  
663 ~~including qualifications, certifications, and requirements, which are consistent with this~~  
664 ~~chapter;~~
- 665 ~~(5) To make or support studies on any aspect of firefighter education and training or~~  
666 ~~recruitment;~~
- 667 ~~(6) To make recommendations concerning any matter within its purview;~~
- 668 ~~(7) To establish basic firefighter training requirements for volunteer firefighters;~~
- 669 ~~(8) To certify any person satisfactorily complying with the training program established~~  
670 ~~in accordance with paragraph (7) of this subsection and the qualifications for serving as~~  
671 ~~a volunteer firefighter covered in this chapter; and~~
- 672 ~~(9) To issue a certificate to any person who has received training in another state or who~~  
673 ~~has received training as a federal firefighter by the United States government, when the~~  
674 ~~volunteer council has determined that the training was at least equivalent to that required~~  
675 ~~by the volunteer council for approved volunteer firefighter education and training~~  
676 ~~programs in this state and when the person has satisfactorily complied with all other~~  
677 ~~requirements of this chapter.~~
- 678 ~~(c) All rules and regulations promulgated by the volunteer council may be overturned by~~  
679 ~~a two-thirds' vote of the council. In such instance, the rule or regulation shall be returned~~  
680 ~~to the volunteer council for reconsideration."~~

681 **SECTION 6-12.**

682 Said title is further amended by revising Code Section 25-4-7.1, relating to appointment of  
683 executive director and employment of other personnel, as follows:

684 "25-4-7.1.

- 685 (a) The council, ~~in conjunction with the volunteer council,~~ shall appoint and establish the  
686 compensation of an executive director who shall serve at the pleasure of the council.

687 (b) The executive director may contract for such services and employ such other  
 688 professional, technical, and clerical personnel as may be necessary and convenient to carry  
 689 out the purposes of this chapter.

690 ~~(c) The executive director shall provide the same services in support of the volunteer~~  
 691 ~~council as provided to the council.~~

692 ~~(d) The executive director shall bring all issues involving volunteer firefighters and~~  
 693 ~~volunteer fire departments to the volunteer council."~~

694 **SECTION 6-13.**

695 Said title is further amended by revising subsection (c) of and adding a new subsection to  
 696 Code Section 25-4-8, relating to qualifications of firefighters generally, to read as follows:

697 "(c)(1) For the purposes of making determinations relating to eligibility of full-time or  
 698 part-time firefighters under this Code section, a local fire department shall provide  
 699 information relative to prospective employees to the local law enforcement agency and  
 700 a state fire department shall provide information relative to prospective employees to a  
 701 state law enforcement agency. Such local or state law enforcement agency shall be  
 702 authorized to obtain conviction data with respect to such prospective employees of a local  
 703 or state fire department as authorized in this subsection. The local or state law  
 704 enforcement agency shall submit to the Georgia Crime Information Center two complete  
 705 sets of fingerprints of the applicant for ~~appointment or~~ employment, the required records  
 706 search fees, and such other information as may be required. Upon receipt thereof, the  
 707 Georgia Crime Information Center shall promptly transmit one set of fingerprints to the  
 708 Federal Bureau of Investigation for a search of bureau records and an appropriate report  
 709 and shall retain the other set and promptly conduct a search of its own records and  
 710 records to which it has access. The Georgia Crime Information Center shall notify the  
 711 local or state law enforcement agency in writing of any derogatory finding, including, but  
 712 not limited to, any conviction data regarding the fingerprint records check or if there is

713 no such finding. All conviction data received by the local or state law enforcement  
714 agency shall not be a public record, shall be privileged, and shall not be disclosed to any  
715 other person or agency except as provided in this subsection and except to any person or  
716 agency which otherwise has a legal right to inspect the employment file. All such records  
717 shall be maintained by the local or state law enforcement agency pursuant to laws  
718 regarding such records and the rules and regulations of the Federal Bureau of  
719 Investigation and the Georgia Crime Information Center, as applicable. As used in this  
720 subsection, the term 'conviction data' means a record of a finding or verdict of guilty or  
721 plea of guilty or plea of nolo contendere with regard to any crime, regardless of whether  
722 an appeal of the conviction has been sought.

723 (2) The local or state law enforcement agency shall provide to the chief of the fire  
724 department which requested information on an applicant for employment any criminal  
725 data indicating that the applicant was convicted of a felony. Such information may be  
726 provided to the council. The provisions of paragraph (1) of this subsection relating to  
727 privileged information and records of conviction data shall apply to any information  
728 provided by a law enforcement agency to a fire department under this subsection.

729 (d)(1) For purposes of making determinations relating to eligibility of volunteer  
730 firefighters under this Code section, a local fire department shall provide information  
731 relative to prospective volunteers to the local law enforcement agency or other agency  
732 having access to the Georgia Crime Information Center to determine if a prospective  
733 volunteer has been convicted of a felony in this state. Such local agency or other agency  
734 shall be authorized to obtain conviction data with respect to prospective volunteers of a  
735 local volunteer fire department as authorized in this subsection. All conviction data  
736 received by the local agency or other agency shall not be a public record, shall be  
737 privileged, and shall not be disclosed to any other person or agency except as provided  
738 in this subsection and except to any person or agency which otherwise has a legal right  
739 to inspect the file. All such records shall be maintained by the local agency or other

740 agency pursuant to laws regarding such records and the rules and regulations of the  
 741 Georgia Crime Information Center, as applicable. As used in this subsection, the term  
 742 'conviction data' means a record of a finding or verdict of guilty or plea of guilty or plea  
 743 of nolo contendere with regard to any crime, regardless of whether an appeal of the  
 744 conviction has been sought.

745 (2) The council shall create a form upon which may be indicated only whether a  
 746 prospective volunteer was convicted of a felony or has no felony convictions. The local  
 747 agency shall complete and provide such form to the chief of the fire department which  
 748 requested information on a prospective volunteer. Such information may be provided to  
 749 the council. The provisions of paragraph (1) of this subsection relating to privileged  
 750 information and records of conviction data shall apply to any information provided by a  
 751 local agency or other agency to a local fire department under this subsection."

752 **SECTION 6-14.**

753 Said title is further amended by repealing Code Section 25-4-8.1, relating to qualifications  
 754 for volunteer firefighters.

755 **SECTION 6-15.**

756 Said title is further amended by revising Code Section 25-4-9, relating to basic firefighter  
 757 training course and transfer of certification, as follows:

758 "25-4-9.

759 (a)(1)(A) Except as otherwise provided in paragraph (2) of this subsection, full-time,  
 760 and part-time firefighters, ~~including airport firefighters,~~ shall successfully complete a  
 761 basic training course. The council shall determine the course content, number of hours,  
 762 and all other matters relative to basic firefighter training, including airport rescue  
 763 firefighter training ~~for full-time and part-time firefighters.~~ Upon satisfactory  
 764 completion of such basic training, a firefighter shall be issued a certificate of

765 completion ~~evidencing the same~~. Each firefighter shall be required to successfully  
766 complete such basic training course within 12 months after being employed or  
767 appointed as a firefighter or, in the case of airport firefighters, within such time period  
768 as the council may prescribe by rule or regulation.

769 (B) The ~~volunteer~~ council shall determine the course content, number of hours, and all  
770 other matters relative to basic firefighter training for volunteer firefighters. Each  
771 volunteer firefighter shall be required to complete such basic training course within 18  
772 months after being appointed as volunteer firefighter.

773 (2) Each firefighter who presents to the council, ~~or to the volunteer council in the case~~  
774 ~~of volunteer firefighters~~, satisfactory documentation, as determined by the council ~~or~~  
775 ~~volunteer council~~, of his or her training as a member of the United States armed forces,  
776 the Georgia National Guard, or the Georgia Air National Guard shall be issued a  
777 certificate of completion by the council ~~or volunteer council~~.

778 (b) A firefighter certified by the council may, upon termination of employment or  
779 volunteer arrangement from any fire department and upon agreement with a ~~subsequently~~  
780 ~~employing~~ subsequent fire department, transfer such certification to the ~~employing~~  
781 subsequent fire department for the purpose of employment or volunteering.

782 (c) Notwithstanding the provisions of subsection (b) of this Code section, any local fire  
783 department may refuse to accept the transfer of previously acquired certification and may  
784 require any ~~newly employed new~~ firefighter who is an employee or a volunteer to complete  
785 the basic training course provided for in subsection (a) of this Code section."

786 **SECTION 6-16.**

787 Said title is further amended by revising Code Section 25-4-10, relating to mandatory  
788 training, as follows:

789 "25-4-10.

790 (a) As a condition of continued certification, all ~~full-time and part-time~~ firefighters shall  
791 train, drill, or study at schools, classes, or courses at the local, area, or state level, as  
792 specified by the council. Authorized leaves of absence are expected.

793 ~~(b) As a condition of continued certification, all volunteer firefighters shall train, drill, or~~  
794 ~~study at schools, classes, or courses at the local, area, or state level, as specified by the~~  
795 ~~volunteer council. Authorized leaves of absence are expected."~~

796 **SECTION 6-17.**

797 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,  
798 is amended by revising paragraph (3) of Code Section 45-9-101, relating to definitions  
799 relative to temporary disability compensation program for law enforcement officers, firemen,  
800 prison guards, and publicly employed emergency medical technicians, as follows:

801 "(3) 'Firefighter' means:

802 (A) Any person who is employed as a professional firefighter on a full-time or  
803 part-time basis by any municipal, county, or state government fire department certified  
804 in writing by the Georgia Firefighter Standards and Training Council pursuant to Code  
805 Section 25-3-22 employing three or more firefighters and who has the responsibility of  
806 preventing and suppressing fires; protecting life and property; enforcing municipal,  
807 county, and state fire prevention codes; enforcing any law pertaining to the prevention  
808 and control of fires, or who performs any acts or actions while on duty or when  
809 responding to a fire or emergency during any fire or other emergency or while  
810 performing duties intended to protect life and property;

811 (B) Any individual serving as an officially recognized or designated member of a  
812 legally organized volunteer fire department certified in writing by the ~~Georgia~~  
813 ~~Volunteer Fire Service Council~~ Georgia Firefighter Standards and Training Council  
814 pursuant to Code Section 25-3-22 who performs any acts or actions while on duty and

815 when responding to a fire or emergency during any fire or other emergency or while  
816 performing duties intended to protect life and property; or  
817 (C) Any employee at the State Forestry Commission whose job duties include fire  
818 mitigation."

819 **SECTION 6-18.**

820 Title 47 of the Official Code of Georgia Annotated, relating to retirement and pensions, is  
821 amended by revising subparagraph (A) of paragraph (4) of Code Section 47-7-1, relating to  
822 definitions relative to the Georgia Firefighters' Pension Fund, as follows:

823 "(A) A permanent, compensated employee of a fire department who in the course of  
824 his or her employment by and within a department either is a candidate for or holds a  
825 current firefighter's certificate issued under ~~Article 1~~ of Chapter 4 of Title 25 and has  
826 as incident to his or her position of employment the principal duty of, and actually  
827 performs the function of, preventing and suppressing fires and who works at least 1,040  
828 hours per year; provided, however, that such term shall not include persons whose  
829 primary responsibility is the performance of emergency medical services; or"

830 **SECTION 6-19.**

831 Any assets of the Georgia Volunteer Fire Service Council existing as of June 30, 2025, shall  
832 devolve by operation of law and without further action to the State of Georgia on July 1,  
833 2025. Any liabilities and obligations of the Georgia Volunteer Fire Service Council existing  
834 as of June 30, 2025, shall be transferred to and assumed by the State of Georgia, by such  
835 instruments as may be required to maintain the same.

836

**PART VII**

837

*Georgia Palliative Care and Quality of Life Advisory Council*

838

**SECTION 7-1.**

839 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by revising  
 840 Code Section 31-7-191, relating to definitions relative to patient centered and family focused  
 841 palliative care, as follows:

842 "31-7-191.

843 As used in this article, the term:

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

845 (2)(1) 'Department' means the Department of Community Health.

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

848 (4)(2) 'Healthcare Healthcare facility' means hospitals; other special care units, including  
 849 but not limited to podiatric facilities; skilled nursing facilities; intermediate care facilities;  
 850 assisted living communities; personal care homes; ambulatory surgical or obstetrical  
 851 facilities; health maintenance organizations; home health agencies; and diagnostic,  
 852 treatment, or rehabilitation centers.

853 (5)(3) 'Palliative care' means those interventions which are intended to alleviate suffering  
 854 and to achieve relief from, reduction of, or elimination of pain and of other physical,  
 855 emotional, social, or spiritual symptoms of distress to achieve the best quality of life for  
 856 the patients and their families."

857

**SECTION 7-2.**

858 Said title is further amended by repealing Code Section 31-7-192, relating to Georgia  
 859 Palliative Care and Quality of Life Advisory Council, and designating said Code section as  
 860 reserved.

861 **SECTION 7-3.**

862 Said title is further amended by revising subsection (a) of Code Section 31-53-6, relating to  
863 compiling of reports and public dissemination of data by the Office of Health Strategy and  
864 Coordination, as follows:

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

868 (1) The Maternal Mortality Review Committee;

869 (2) The Hemophilia Advisory Board;

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

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

872 ~~(5)~~(4) The Georgia Trauma Care Network Commission;

873 ~~(6)~~(5) The Behavioral Health Coordinating Council;

874 ~~(7)~~(6) The Department of Public Health on behalf of the Georgia Coverdell Acute Stroke  
875 Registry;

876 ~~(8)~~(7) The Office of Cardiac Care; and

877 ~~(9)~~(8) The Brain and Spinal Injury Trust Fund Commission."

878 **SECTION 7-4.**

879 Any assets of the Georgia Palliative Care and Quality of Life Advisory Council existing as  
880 of June 30, 2025, shall devolve by operation of law and without further action to the State  
881 of Georgia on July 1, 2025. Any liabilities and obligations of the Georgia Palliative Care and  
882 Quality of Life Advisory Council existing as of June 30, 2025, shall be transferred to and  
883 assumed by the State of Georgia, by such instruments as may be required to maintain the  
884 same.

885

**PART VIII**

886

*Georgia Council on Lupus Education and Awareness*

887

**SECTION 8-1.**

888 Chapter 49 of Title 31 of the Official Code of Georgia Annotated, relating to Georgia  
 889 Council on Lupus Education and Awareness, is amended by adding a new Code section to  
 890 read as follows:

891 "31-49-1.1.892 As used in this chapter, the term:893 (1) 'Commissioner' means the commissioner of public health.894 (2) 'Council' means the Georgia Council on Lupus Education and Awareness created  
 895 pursuant to Code Section 31-49-2.896 (3) 'Department' means the Department of Public Health."

897

**SECTION 8-2.**

898 Said chapter is further amended by revising subsections (a) and (b) of Code Section 31-49-2,  
 899 relating creation of Council on Lupus Education and Awareness, membership, and  
 900 organization, as follows:

901 "(a) There is created the Georgia Council on Lupus Education and Awareness within the  
 902 Department of Community Health department.

903 (b) The council shall consist of six members as follows:

904 (1) The commissioner of ~~community health~~, or the commissioner's designee, as an ex  
 905 officio member;906 (2) Three members to be appointed by the Governor. The Governor shall appoint two  
 907 members to serve for one year and one to serve for two years. Thereafter, successors to  
 908 such initial appointees shall serve for two years. Of these three members, one shall be  
 909 a physician who treats patients with lupus and one shall be a lupus patient;

910 (3) One member to be appointed by the Speaker of the House of Representatives to serve  
 911 for two years; and

912 (4) One member to be appointed by the Lieutenant Governor to serve for two years;”

913 **SECTION 8-3.**

914 Said chapter is further amended by revising subsection (a) of Code Section 31-49-3, relating  
 915 to duties and responsibilities, as follows:

916 “(a) The council shall have the following duties and responsibilities:

917 (1) To initially investigate the level of education concerning lupus in this state; and

918 (2) Based on the results of its initial investigation pursuant to paragraph (1) of this Code  
 919 section, to develop information on lupus endorsed by government agencies, including,  
 920 but not limited to, the National Institutes of Health and the federal Centers for Disease  
 921 Control and Prevention; and

922 (3) To make recommendations to the department regarding the distribution of funds for  
 923 lupus education, awareness, and research.”

924 **SECTION 8-4.**

925 Said chapter is further amended by repealing Code Section 31-49-6, relating to donations,  
 926 in its entirety.

927 **PART IX**

928 *Board of Homeland Security*

929 **SECTION 9-1.**

930 Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to emergency  
 931 management, is amended by revising subsection (e) of Code Section 38-3-20, relating to

932 Georgia Emergency Management and Homeland Security Agency created, director, staff,  
933 offices, director's duties, and disaster coordinator, as follows:

934 "(e) The director, subject to the direction and control of the Governor, shall:

935 (1) Be the executive head of the Georgia Emergency Management and Homeland  
936 Security Agency and shall be responsible to the Governor for carrying out the program  
937 for emergency management and homeland security in this state;

938 (2) Serve as the central authority reporting to the Governor on all matters relating to  
939 homeland security;

940 (3) Have authority over areas involving imminent or current terrorist activity within this  
941 state, including, but not limited to, leading and directing the actions of the Homeland  
942 Security Task Force and the Emergency Operations Command where such Emergency  
943 Operations Command shall not usurp the operational authority of participating agencies  
944 but shall be responsible only for coordinating the public safety response to natural  
945 disasters, homeland security activities, and other emergencies within the state;

946 (4) Coordinate the activities of all organizations for emergency management and  
947 homeland security within the state;

948 (5) Maintain liaison with and cooperate with emergency management agencies and  
949 organizations of other states and of the federal government;

950 (6) Through risk and threat assessments, coordinate plans for timely and complete  
951 responses through a network of state, local, and federal organizations, including, but not  
952 limited to, the coordination of efficient and timely flow of information;

953 (7) Be responsible for crisis and consequence management planning, including, but not  
954 limited to, measures to identify, acquire, and plan the use of resources needed to  
955 anticipate, prevent, or resolve a threat or act of terrorism;

956 (8) Coordinate and review activities involving homeland security within any agency,  
957 authority, or entity of this state, including, but not limited to, homeland security activities  
958 found within the Department of Public Safety, the Georgia Bureau of Investigation, the

959 Georgia National Guard, the Department of Natural Resources, the Department of  
960 Community Health, and the Department of Public Health;

961 (9) Evaluate information developed by the criminal justice community in regard to  
962 threats or potential threats of terrorism;

963 (10) Serve as ~~this~~ the state's security manager for the purpose of identifying and  
964 processing state personnel for security clearances through the United States Department  
965 of Homeland Security; ~~and~~

966 (11) Have such additional authority, duties, and responsibilities authorized by Article 1,  
967 this article, and Article 3 of this chapter as may be prescribed by the Governor and such  
968 additional authority, duties, and responsibilities as described in Article 9 of Chapter 3 of  
969 Title 35 and Part 4 of Article 2 of Chapter 5 of Title 46, the 'Georgia Emergency  
970 Telephone Number 9-1-1 Service Act of 1977,' as amended; ~~and~~

971 (12) As deemed necessary by the Governor, develop a new state-wide homeland security  
972 strategy; provided, however, that such strategy shall, in the Governor's discretion,  
973 improve the state's ability to protect against, respond to, and recover from domestic  
974 terrorism and other homeland security threats and hazards and mitigate loss of life and  
975 property by lessening the impact of future homeland security threats and hazards."

976 **SECTION 9-2.**

977 Said chapter is further amended by repealing Article 2A, relating to Board of Homeland  
978 Security.

979 **SECTION 9-3.**

980 Any assets of the Board of Homeland Security existing as of June 30, 2025, shall devolve by  
981 operation of law and without further action to the State of Georgia on July 1, 2025. Any  
982 liabilities and obligations of the Board of Homeland Security existing as of June 30, 2025,

983 shall be transferred to and assumed by the State of Georgia, by such instruments as may be  
984 required to maintain the same.

985

**PART X**

986

*Employment First Georgia Council*

987

**SECTION 10-1.**

988 Chapter 9 of Title 49 of the Official Code of Georgia Annotated, relating to Georgia  
989 Vocational Rehabilitation Agency, is amended by adding new paragraphs to Code Section  
990 49-9-1, relating to definitions, to read as follows:

991 "(3.1) 'Competitive integrated employment' means work, including self-employment, in  
992 the labor market performed on a full-time or part-time basis in a setting in which an  
993 individual with a disability interacts with individuals without disabilities in all aspects of  
994 the job function and for which such individual with a disability is compensated at or above  
995 the level of salary and benefits paid by the employer for the same or similar work  
996 performed by individuals without disabilities."

997 "(4.1) 'Disability' means a permanent physical, cognitive, or behavioral condition that  
998 significantly limits one or more functions of daily living."

999

**SECTION 10-2.**

1000 Said chapter is further amended by adding a new Code section to read as follows:

1001 "49-9-2.1.

1002 (a) The board shall advise the Governor, General Assembly, and state agencies as to the  
1003 adoption and integration of a policy that recognizes that competitive integrated  
1004 employment is the first and preferred option of all state funded services provided to  
1005 working age individuals with disabilities. Such policy shall be known as the Employment  
1006 First Policy or Employment First.

1007 (b) The board shall have the following powers, duties, and responsibilities with respect to  
1008 the Employment First Policy provided for in subsection (a) of this Code section:

1009 (1) Develop an Employment First training plan for providers of services to individuals  
1010 with disabilities;

1011 (2) Conduct educational activities to increase awareness of the Employment First Policy;

1012 (3) Evaluate the funding mechanism for services in this state for individuals with  
1013 disabilities and for students attending inclusive postsecondary institutions; and

1014 (4) Make recommendations in a biannual report to the Governor and the General  
1015 Assembly with regard to issues and necessary steps surrounding the adoption and  
1016 implementation of the Employment First Policy, including, but not limited to:

1017 (A) Proposed legislative or administrative changes to policies and programs that are  
1018 integral to the full implementation of the Employment First Policy;

1019 (B) Proposed changes to or creation of funding mechanisms and other initiatives for  
1020 services in this state for individuals with disabilities and for students attending inclusive  
1021 postsecondary institutions; and

1022 (C) State-wide best practices to ensure that providers of services in this state for  
1023 individuals with disabilities are facilitating competitive integrated employment in the  
1024 workforce."

1025 **SECTION 10-3.**

1026 Said chapter is further amended by repealing Article 3, relating to the Employment First  
1027 Georgia Council.

1028 **SECTION 10-4.**

1029 Any assets of the Employment First Georgia Council existing as of June 30, 2025, shall  
1030 devolve by operation of law and without further action to the State of Georgia on July 1,  
1031 2025. Any liabilities and obligations of the Employment First Georgia Council existing as

1032 of June 30, 2025, shall be transferred to and assumed by the State of Georgia, by such  
 1033 instruments as may be required to maintain the same.

1034

**PART XI**

1035

*Georgia State Games Commission*

1036

**SECTION 11-1.**

1037 Article 3 of Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to  
 1038 Georgia State Games Commission, is amended by revising Code Section 50-12-40, relating  
 1039 to definitions, as follows:

1040 "50-12-40.

1041 As used in this article, the term:

1042 (1) ~~'Direct-support~~ 'direct-support organization' means a Georgia nonprofit corporation  
 1043 organized and operated to receive, hold, invest, and administer property and to make  
 1044 expenditures to or for the benefit of the Georgia State Games, Olympic training facilities,  
 1045 and the promotion of national and international amateur sports competition.

1046 (2) ~~'Physical fitness' means good or improved habits relating to recreation, exercises,  
 1047 sports, and the use of leisure time and instructions for these purposes and for improving  
 1048 the physique and health of the residents of the state.'~~

1049

**SECTION 11-2.**

1050 Said article is further amended by repealing Code Sections 50-12-41 through 50-12-44 and  
 1051 Code Section 50-12-48, relating to creation, purpose of article, membership, appointment,  
 1052 terms, chairperson, powers and duties, and annual report, respectively, relative to the Georgia  
 1053 State Games Commission, and designating said Code sections as reserved.

**SECTION 11-3.**

1054

1055 Said article is further amended by revising Code Section 50-12-45, relating to assistance by  
1056 direct-support organization, contract with organization, pattern and design of games,  
1057 frequency and sites, and subsidiary corporations, as follows:

1058 "50-12-45.

1059 ~~(a) The commission may authorize a direct-support organization as defined by Code~~  
1060 ~~Section 50-12-40 to assist the operation of the Georgia State Games, the promotion of~~  
1061 ~~national and international amateur athletic competitions, and the development of Olympic~~  
1062 ~~training centers. The direct-support organization shall operate under contract with the~~  
1063 ~~Department of Natural Resources.~~

1064 ~~(b) The contract between the direct-support organization and the Department of Natural~~  
1065 ~~Resources shall, at a minimum, provide for:~~

1066 ~~(1) Approval of the articles of incorporation of the direct-support organization by the~~  
1067 ~~commission, and for the governance of the direct-support organization by members~~  
1068 ~~appointed by the commission and approved by the Governor;~~

1069 ~~(2) Submission of an annual budget for the approval of the commission and the~~  
1070 ~~Governor. The budget shall be in accordance with rules adopted by the commission;~~

1071 ~~(3) Certification by the Governor or his designee, after conducting an annual financial~~  
1072 ~~and performance review, that the direct-support organization is operating in compliance~~  
1073 ~~with the terms of the contract and in a manner consistent with the goals of the~~  
1074 ~~commission and in the best interest of the state. Such certification shall be made to the~~  
1075 ~~commission annually and reported in the official minutes of a meeting of the commission;~~

1076 ~~(4) The release and conditions for the expenditure of any state revenues;~~

1077 ~~(5) The reversion to the state of funds held in trust by the direct-support organization if~~  
1078 ~~the contract is terminated; and~~

1079 ~~(6) The fiscal year of the direct-support organization as beginning on July 1 and ending~~  
1080 ~~June 30 in each and every year.~~

1081 (c) The Georgia State Games shall be patterned after the Summer Olympic games with  
1082 variations as necessitated by the availability of facilities, equipment, and expertise. The  
1083 games shall be designed to encourage the participation of athletes representing a broad  
1084 range of age groups, skill levels, and Georgia communities. Participants shall be residents  
1085 of this state. Regional competitions shall be held throughout the state, and the top  
1086 qualifiers in each sport shall proceed to the final competitions to be held at a site in ~~the~~ this  
1087 state having the necessary facilities and equipment for conducting the competitions.

1088 ~~(d) The commission shall determine the frequency of the Georgia State Games and shall~~  
1089 ~~select the sites of the final competition and regional competitions:~~

1090 ~~(e) The commission is authorized to incorporate one or more nonprofit corporations as~~  
1091 ~~subsidiary corporations of the commission for the purpose of carrying out any of the~~  
1092 ~~powers of the commission and to accomplish any of the purposes of the commission. Any~~  
1093 ~~subsidiary corporations created pursuant to this subsection shall be created pursuant to~~  
1094 ~~Chapter 3 of Title 14, the 'Georgia Nonprofit Corporation Code,' and the Secretary of State~~  
1095 ~~shall be authorized to accept such filings. Upon dissolution of any subsidiary corporation~~  
1096 ~~of the commission, any assets shall revert to the commission or to any successor to the~~  
1097 ~~commission or, failing such succession, to the State of Georgia."~~

1098 **SECTION 11-4.**

1099 Said article is further amended by revising Code Section 50-12-47, relating to audit of  
1100 Georgia State Games direct-support organization, as follows:

1101 "50-12-47.

1102 The Georgia State Games direct-support organization shall make provisions for an annual  
1103 financial and compliance audit of its financial accounts and records by an independent  
1104 certified public accountant in accordance with ~~rules~~ standards established by the  
1105 ~~commission~~ Department of Audits and Accounts. The annual audit report shall be  
1106 submitted to the Governor ~~and the commission~~ for review and approval. Upon approval,

1107 the Governor ~~and the commission~~ shall certify the audit report to the Department of Audits  
1108 and Accounts for review and approval."

1109 **SECTION 11-5.**

1110 Any assets of the Georgia State Games Commission existing as of June 30, 2025, shall  
1111 devolve by operation of law and without further action to the State of Georgia on July 1,  
1112 2025. Any liabilities and obligations of the Georgia State Games Commission existing as  
1113 of June 30, 2025, shall be transferred to and assumed by the State of Georgia, by such  
1114 instruments as may be required to maintain the same.

1115 **PART XII**

1116 *Lottery Retailer Advisory Board*

1117 **SECTION 12-1.**

1118 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended  
1119 by repealing Code Section 50-27-6, relating to Lottery Retailer Advisory Board, and  
1120 designating said Code section as reserved.

1121 **SECTION 12-2.**

1122 Any assets of the Lottery Retailer Advisory Board existing as of June 30, 2025, shall devolve  
1123 by operation of law and without further action to the State of Georgia on July 1, 2025. Any  
1124 liabilities and obligations of the Lottery Retailer Advisory Board existing as of  
1125 June 30, 2025, shall be transferred to and assumed by the State of Georgia, by such  
1126 instruments as may be required to maintain the same.

1127

**PART XIII**

1128

*General Repealer*

1129

**SECTION 13-1.**

1130 All laws and parts of laws in conflict with this Act are repealed.