

ADOPTED

Representatives Reeves of the 99th and Efstration of the 104th offer the following amendment:

1 *Amend the Senate substitute to HB 1247/SCSFA by replacing lines 1 and 2 with the*
2 *following:*

3 To amend Titles 15, 28, 31, 48, and 50 of the Official Code of Georgia, relating to courts, the
4 General Assembly, health, revenue and taxation, and state government, respectively, so as
5 to prohibit

6 *By inserting after "changes" on line 4 the following:*

7 to make portions of certain records of the General Assembly subject to public disclosure; to
8 provide jurisdiction for enforcement; to provide for attorney's fees and litigation expenses;
9 to provide for good faith reliance as defense to action; to provide penalties for violations; to
10 provide procedure for commencement of prosecution; to provide for application; to provide
11 for construction;

12 *By inserting after "titles;" on line 11 the following:*

13 to provide for an effective date;

14 *By inserting between lines 98 and 99 the following:*

15 Title 28 of the Official Code of Georgia Annotated, relating to the General Assembly, is
16 amended by adding a new Code section to read as follows:

17 "28-1-18.

18 (a) If any claim of an unlawful employment practice made against a member of the
19 General Assembly, including, but not limited to, a claim of sexual harassment,
20 discriminatory harassment, discrimination, or retaliation, is resolved, in whole or in part,

21 by a settlement agreement, a memorandum of agreement or understanding, or other similar
22 document, however denominated, such agreement shall be subject to public disclosure with
23 the identity of the claimant and any other party thereto redacted, except for the identity of
24 the member. This subsection shall be applicable to any claims made on or after January 1,
25 2019. The provisions of Code Section 28-4-3.1 shall not be construed to prohibit the
26 disclosure of such documents.

27 (b) Requests for public disclosure of documents described by subsection (a) of this Code
28 section shall be made to the Office of the Speaker of the House of Representatives, if such
29 request relates to a member of the House of Representatives, or shall be made to the Office
30 of the Lieutenant Governor and the Office of the President Pro Tempore of the Senate, if
31 such request relates to a member of the Senate. All documents responsive to a request
32 made pursuant to this Code section shall be produced within three business days of receipt
33 of a request.

34 (c)(1) The superior courts of this state shall have jurisdiction to hear actions against the
35 Speaker of the House of Representatives, for documents related to members of the House
36 of Representatives, and against the President of the Senate or the President Pro Tempore
37 of the Senate, for documents relating to members of the Senate, to enforce compliance
38 with the provisions of subsections (a) and (b) of this Code section. Such actions may be
39 brought by any person, firm, corporation, or other entity. The Attorney General shall also
40 have authority to bring such actions as may be necessary to enforce compliance with
41 subsections (a) and (b) of this Code section to seek civil penalties or criminal penalties
42 or both.

43 (2) Either party may move to recover reasonable attorneys fees and costs in any action
44 brought pursuant to this subsection in which the court finds that the nonmoving party
45 acted without substantial justification for complying with subsections (a) or (b) of this
46 Code section or in instituting the litigation. Whether the position of the moving party was

47 substantially justified shall be determined on the basis of the record of the proceeding
48 before the court.

49 (3) Any officer of the General Assembly listed in paragraph (1) of this subsection that
50 knowingly and willfully violates the provisions of subsections (a) and (b) of this Code
51 section by failing or refusing to provide access to records requested pursuant to such
52 subsections within three days of receiving the request or by frustrating or attempting to
53 frustrate access to the records by intentionally making records difficult to obtain shall be
54 guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed
55 \$1,000.00 for the first violation. Negligent violation of subsections (a) and (b) of this
56 subsection shall result in a penalty not to exceed \$1,000.00. A second or subsequent
57 willful violation within a 12 month period shall be a felony with a maximum fine of
58 \$2,500.00. It shall be a defense to any criminal action made pursuant to this Code section
59 that an officer has acted in good faith. Any persons, officers, or entities that destroy
60 records for the purpose of preventing their disclosure pursuant to this Code section may
61 be subject to additional criminal penalties pursuant to Code Section 45-11-1.

62 (d) The General Assembly and its members, officers, staff, committees, commissions, and
63 offices are not subject to the provisions of Code Section 50-18-70 through 50-18-78 or
64 Chapter 14 of Title 50 and nothing in this Code section shall be construed or applied to the
65 contrary."

66 **PART III**

67 **SECTION 3-1.**

68 *By redesignating Sections 2-2, 2-3, and 2-4 as Sections 3-2, 3-3, and 3-4, respectively.*

69 *By replacing lines 239 through 246 with the following:*

70 resolution is ratified by ~~less than two-thirds~~ a majority of the votes of either ~~branch~~ house,
71 the resolution shall be submitted to the Governor for his or her approval or veto. ~~In the~~
72 ~~event of his or her veto, the rule shall remain in effect. In the event of his or her~~
73 ~~approval, the rule shall be void on the day after the date of his or her approval. If after~~
74 ~~the thirtieth legislative day of the legislative session of which the challenged rule was to~~
75 ~~be considered the General Assembly has not considered an override of the challenged~~
76 ~~rule pursuant to this subsection, the rule shall then immediately take effect."~~

77 *By replacing "2027" on line 251 with "2028".*

78 *By inserting after "mandate" on line 256 the following:*

79 , authorization, or a dual supervisory regime

80 *By striking "or" on line 258.*

81 *By replacing "agency." on line 261 with the following:*

82 agency; or

83 (4) Is promulgated by the Department of Agriculture, the Department of Natural
84 Resources, the Environmental Protection Division, or the Public Service Commission.

85 *By inserting after line 287 the following:*

86 **PART IV**
87 **SECTION 4-1.**

88 The General Assembly finds that:

- 89 (1) Individuals experiencing unsheltered homelessness in metro Atlanta are entitled to
90 compassionate, coordinated, and accountable delivery of services and are within
91 proximity to multiple providers of such services. The state has a substantial interest in
92 ensuring that such individuals are treated with dignity and respect and that services
93 provided to them are delivered in a manner that promotes stability, recovery, and
94 long-term well-being;
- 95 (2) Many unsheltered individuals experience co-occurring mental health disorders,
96 substance use disorders, adverse physical health conditions, or trauma related needs
97 requiring therapeutic intervention and structured support. The state has a compelling
98 interest in ensuring that public resources directed toward these populations facilitate
99 meaningful access to appropriate therapeutic assistance and that service delivery systems
100 are coordinated to reduce duplication, fragmentation, and gaps in care;
- 101 (3) Effective tracking and evaluation of services provided to unsheltered homeless
102 individuals advances the public health, safety, and general welfare of both the individuals
103 served and the broader community. Transparent data collection and outcome
104 measurement enable state and local authorities to assess whether services are reducing
105 chronic homelessness, mitigating risks associated with untreated behavioral health
106 conditions, and promoting safer and healthier communities; and
- 107 (4) The state appropriates substantial public funds to support homelessness outreach,
108 housing stabilization, and behavioral health services in metro Atlanta. The state has a
109 legitimate and compelling interest in ensuring that such appropriations are expended
110 efficiently and effectively, that funded services produce measurable outcomes, and that
111 data-driven oversight mechanisms are implemented to promote accountability, eliminate
112 waste, and maximize the positive impact of taxpayer resources.

SECTION 4-2.

Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended in Chapter 8, relating to the Department of Community Affairs, by adding a new Code section to read as follows:

"50-8-19.

(a) As used in the Code section, the term 'outreach services' means providing medical care, clothing, food, or shelter.

(b)(1) Each privately funded organization that operates a shelter or provides outreach services to homeless individuals within 1,000 feet in any direction of the property of an elementary or secondary school; university, college, or technical college; child care learning center, as such term is defined in Code Section 20-1A-2; public park; or public playground shall be required to participate as an authorizing agency for purposes of the Georgia Homeless Management Information System (HMIS).

(2) The owner or operator of any such organization that violates this subsection shall be issued a citation by a law enforcement officer for such violation and the violation shall be deemed noncriminal.

(c) The provisions of subsection (b) of this Code section shall not apply to any privately funded and operated organization that provided outreach services, employment, or social services to fewer than ten individuals during the preceding 12 months.

(d) This Code section shall only apply to properties provided for in subsection (b) of this Code section that are located within a ten-mile radius of a municipal corporation that is located in more than one county, that levies a sales tax for the purposes of a metropolitan area system of public transportation, and that has within its boundaries an independent school system."

137 *By replacing lines 288 through 290 with the following:*

138 **PART V**

139 **SECTION 5-1.**

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

142 **SECTION 5-2.**

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