

House Bill 1247 (AS PASSED HOUSE AND SENATE)

By: Representatives Reeves of the 99th, Powell of the 33rd, Tarvin of the 2nd, Horner of the 3rd, Donatucci of the 105th, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Titles 15, 28, 31, 48, and 50 of the Official Code of Georgia, relating to courts, the
2 General Assembly, health, revenue and taxation, and state government, respectively, so as
3 to prohibit courts and administrative officers from deferring to agency interpretations of laws
4 and regulations; to provide for construction; to provide for conforming changes; to make
5 portions of certain records of the General Assembly subject to public disclosure; to provide
6 jurisdiction for enforcement; to provide for attorney's fees and litigation expenses; to provide
7 for good faith reliance as defense to action; to provide penalties for violations; to provide
8 procedure for commencement of prosecution; to provide for application; to provide for
9 construction; to revise procedures concerning the adoption of administrative rules; to revise
10 procedures within the General Assembly concerning objections to proposed administrative
11 rules; to provide for periodic review and automatic sunset of agency rules; to provide for
12 notice to agencies subject to review; to require that agencies review and report upon rules
13 and regulatory requirements in preparation for review; to provide for forms and reporting
14 procedures; to provide for public hearings; to provide a definition; to provide for related
15 matters; to provide for short titles; to provide for an effective date; to repeal conflicting laws;
16 and for other purposes.

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

18 **PART I**
19 **SECTION 1-1.**

20 This part shall be known and may be cited as the "Georgia Bureaucratic Deference
21 Elimination Act."

22 **SECTION 1-2.**

23 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended in
24 Chapter 1, relating to general provisions, by adding a new Code section to read as follows:

25 "15-1-24.

26 (a) When interpreting this state's Constitution, statutes, or published rules, a court, or an
27 officer hearing an administrative action, shall not defer to a state agency's determination
28 or interpretation of such authorities, whether such determination or interpretation is written
29 or unwritten.

30 (b) This Code section shall not be construed to alter any standards of judicial review
31 expressly established by statute."

32 **SECTION 1-3.**

33 Said title is further amended in Chapter 5B, relating to tax courts, by revising subsection (a)
34 of Code Section 15-5B-16, relating to conduct of trials, as follows:

35 "(a) Trials in proceedings before the court shall be de novo and without a jury. All
36 questions of law decided by the court, including interpretations of constitutional, statutory,
37 and regulatory provisions, shall be made without any deference to any determination or
38 interpretation, whether written or unwritten, that may have been made on the matter by the
39 department, ~~except such requirement shall have no effect on the judicial standard of~~

40 ~~deference accorded to rules promulgated pursuant to Chapter 13 of Title 50, the 'Georgia~~
41 ~~Administrative Procedure Act.'.~~ Hearings shall be open to the public, but on motion of any
42 party, if such party shows good cause to protect certain information from being disclosed
43 to the public, the court judge may issue a protective order or an order closing part or all of
44 a hearing to the public."

45 **SECTION 1-4.**

46 Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is
47 amended in Chapter 2, relating to state administrative organization, administration, and
48 enforcement, by revising subsection (c) of Code Section 48-2-18, relating to State Board of
49 Equalization and duties, as follows:

50 "(c) As chairperson and chief administrative officer of the board, the commissioner shall
51 furnish to the board all necessary records and files and in this capacity may compel the
52 attendance of witnesses and the production of books and records or other documents as the
53 commissioner is empowered to do in the administration of the tax laws. After final
54 approval by the State Board of Equalization of the digest of proposed assessments made
55 by the commissioner and after any adjustments by the board as authorized by this Code
56 section are made, the commissioner shall notify within 30 days each taxpayer in writing
57 of the proposed assessment of its property. At the same time, the commissioner shall notify
58 in writing the board of tax assessors of such county, as outlined in Code Section 48-5-511,
59 of the total proposed assessment of the property located within the county of taxpayers who
60 are required to return their property to the commissioner. If any such taxpayer notifies the
61 commissioner and the board of tax assessors in any such county of its intent to dispute a
62 portion of the proposed assessment within 20 days after receipt of the notice, the county
63 board of tax assessors shall include in the county digest only the undisputed amount of the
64 assessment, and the taxpayer may challenge the commissioner's proposed assessment in
65 an appeal filed in the Superior Court of Fulton County or with the Georgia Tax Court in

66 accordance with Chapter 5B of Title 15, the 'Georgia Tax Court Act of 2025,' within 30
67 days of receipt of the notice. In any such appeal to the superior court, the taxpayer shall
68 have the right of discovery as provided in Chapter 11 of Title 9, the 'Georgia Civil Practice
69 Act.' In any such appeal to the Georgia Tax Court, discovery shall be as provided in
70 Chapter 5B of Title 15, the 'Georgia Tax Court Act of 2025.' All questions of law decided
71 by a court or the Georgia Tax Court pursuant to this subsection, including interpretations
72 of constitutional, statutory, and regulatory provisions, shall be made without any deference
73 to any determination or interpretation, whether written or unwritten, that may have been
74 made on the matter by the department, ~~except such requirement shall have no effect on the~~
75 ~~judicial standard of deference accorded to rules promulgated pursuant to the Georgia~~
76 ~~Administrative Procedure Act.~~ Upon conclusion of the appeal, the taxpayer shall remit to
77 the appropriate counties any additional taxes owed, with interest at the rate provided by law
78 for judgments. Such interest shall accrue from the date the taxes would have been due
79 absent the appeal to the date the additional taxes are remitted."

80 **SECTION 1-5.**

81 Said title is further amended in said chapter by revising paragraph (7) of subsection (c) of
82 Code Section 48-2-35, relating to refunds, claims, and notice to political subdivision
83 designee, as follows:

84 "(7) In an action for a refund pursuant to paragraph (4) of this subsection, all questions
85 of law decided by a court or the Georgia Tax Court, including interpretations of
86 constitutional, statutory, and regulatory provisions, shall be made without any deference
87 to any determination or interpretation, whether written or unwritten, that may have been
88 made on the matter by the department, ~~except such requirement shall have no effect on~~
89 ~~the judicial standard of deference accorded to rules promulgated pursuant to Chapter 13~~
90 ~~of Title 50, the 'Georgia Administrative Procedure Act.'."~~

91 **SECTION 1-6.**

92 Said title is further amended in said chapter by revising subsection (e) of Code
93 Section 48-2-59, relating to appeals, payment of taxes admittedly owed, bond, and costs, as
94 follows:

95 "(e) In an action pursuant to subsection (a) of this Code section, all questions of law
96 decided by a court or the Georgia Tax Court, including interpretations of constitutional,
97 statutory, and regulatory provisions, shall be made without any deference to any
98 determination or interpretation, whether written or unwritten, that may have been made on
99 the matter by the department, ~~except such requirement shall have no effect on the judicial~~
100 ~~standard of deference accorded to rules promulgated pursuant to Chapter 13 of Title 50, the~~
101 ~~'Georgia Administrative Procedure Act.'~~"

102 **PART II**103 **SECTION 2-1.**

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

106 "28-1-18.

107 (a) If any claim of an unlawful employment practice made against a member of the
108 General Assembly, including, but not limited to, a claim of sexual harassment,
109 discriminatory harassment, discrimination, or retaliation, is resolved, in whole or in part,
110 by a settlement agreement, a memorandum of agreement or understanding, or other similar
111 document, however denominated, such agreement shall be subject to public disclosure with
112 the identity of the claimant and any other party thereto redacted, except for the identity of
113 the member. This subsection shall be applicable to any claims made on or after January 1,
114 2019. The provisions of Code Section 28-4-3.1 shall not be construed to prohibit the
115 disclosure of such documents.

116 (b) Requests for public disclosure of documents described by subsection (a) of this Code
117 section shall be made to the Office of the Speaker of the House of Representatives, if such
118 request relates to a member of the House of Representatives, or shall be made to the Office
119 of the Lieutenant Governor and the Office of the President Pro Tempore of the Senate, if
120 such request relates to a member of the Senate. All documents responsive to a request
121 made pursuant to this Code section shall be produced within three business days of receipt
122 of a request.

123 (c)(1) The superior courts of this state shall have jurisdiction to hear actions against the
124 Speaker of the House of Representatives, for documents related to members of the House
125 of Representatives, and against the President of the Senate or the President Pro Tempore
126 of the Senate, for documents relating to members of the Senate, to enforce compliance
127 with the provisions of subsections (a) and (b) of this Code section. Such actions may be
128 brought by any person, firm, corporation, or other entity. The Attorney General shall also
129 have authority to bring such actions as may be necessary to enforce compliance with
130 subsections (a) and (b) of this Code section to seek civil penalties or criminal penalties
131 or both.

132 (2) Either party may move to recover reasonable attorneys fees and costs in any action
133 brought pursuant to this subsection in which the court finds that the nonmoving party
134 acted without substantial justification for complying with subsections (a) or (b) of this
135 Code section or in instituting the litigation. Whether the position of the moving party was
136 substantially justified shall be determined on the basis of the record of the proceeding
137 before the court.

138 (3) Any officer of the General Assembly listed in paragraph (1) of this subsection that
139 knowingly and willfully violates the provisions of subsections (a) and (b) of this Code
140 section by failing or refusing to provide access to records requested pursuant to such
141 subsections within three days of receiving the request or by frustrating or attempting to
142 frustrate access to the records by intentionally making records difficult to obtain shall be

143 guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed
144 \$1,000.00 for the first violation. Negligent violation of subsections (a) and (b) of this
145 subsection shall result in a penalty not to exceed \$1,000.00. A second or subsequent
146 willful violation within a 12 month period shall be a felony with a maximum fine of
147 \$2,500.00. It shall be a defense to any criminal action made pursuant to this Code section
148 that an officer has acted in good faith. Any persons, officers, or entities that destroy
149 records for the purpose of preventing their disclosure pursuant to this Code section may
150 be subject to additional criminal penalties pursuant to Code Section 45-11-1.
151 (d) The General Assembly and its members, officers, staff, committees, commissions, and
152 offices are not subject to the provisions of Code Section 50-18-70 through 50-18-78 or
153 Chapter 14 of Title 50 and nothing in this Code section shall be construed or applied to the
154 contrary."

155 **PART III**

156 **SECTION 3-1.**

157 This part shall be known and may be cited as the "Red Tape Rollback Act of 2026."

158 **SECTION 3-2.**

159 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended in Code
160 Section 31-6-21.1, relating to procedures for rulemaking by the Department of Community
161 Health, by revising subsection (c) as follows:

162 "(c) Any rule or part thereof to which an objection is made by both committees within
163 the 30 day objection period under subsection (b) of this Code section shall not be adopted
164 by the department and shall be invalid if so adopted. A rule or part thereof thus prohibited
165 from being adopted shall be deemed to have been withdrawn by the department unless the
166 department, within the first 15 days of the next regular session of the General Assembly,

167 transmits written notification to each member of the objecting committees that the
168 department does not intend to withdraw that rule or part thereof but intends to adopt the
169 specified rule or part ~~effective the day~~ following adjournment sine die of that regular
170 session. A resolution objecting to such intended adoption may be introduced in either
171 branch house of the General Assembly after the fifteenth day but before the thirtieth day
172 of the session in which occurs the notification of intent not to withdraw a rule or part
173 thereof. In the event the resolution is adopted by the branch house of the General
174 Assembly in which the resolution was introduced, it shall be immediately transmitted to
175 the other branch house of the General Assembly. It shall be the duty of the presiding
176 officer of the other branch house to have that branch house, within five days after receipt
177 of the resolution, consider the resolution for purposes of objecting to the intended adoption
178 of the rule or part thereof. Upon such resolution being adopted by ~~two-thirds~~ a majority
179 of the vote of each branch house of the General Assembly, the rule or part thereof objected
180 to in that resolution shall be disapproved and not adopted by the department. If the
181 resolution is adopted by a majority ~~but by less than two-thirds of the vote~~ of each such
182 branch house, the resolution shall be submitted to the Governor for his or her approval or
183 veto. ~~In the event of a veto, or if no resolution is introduced objecting to the rule, or if the~~
184 ~~resolution introduced is not approved by at least a majority of the vote of each such branch,~~
185 ~~the rule shall automatically become adopted the day following adjournment sine die of that~~
186 ~~regular session. In the event of the Governor's approval of the resolution, the rule shall be~~
187 ~~disapproved and not adopted by the department."~~

188 **SECTION 3-3.**

189 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
190 in Code Section 50-13-4, relating to procedural requirements for adoption, amendment, or
191 repeal of rules, emergency rules, limitations on action to contest rule, and legislative
192 override, by revising subsections (a) and (f) as follows:

193 "(a) Prior to the adoption, amendment, or repeal of any rule, other than interpretive rules
194 or general statements of policy, the agency shall consider the economic impact of the
195 proposed rule and shall:

196 (1) Give at least 30 days' notice of its intended action. The notice shall include an exact
197 copy of the proposed rule, ~~and~~ a synopsis of the proposed rule, and the agency's statement
198 as to the economic impact of the proposed rule. An agency shall presumptively be found
199 to have considered the economic impact of a proposed rule by including an economic
200 analysis of such proposed rule with a copy of such proposed rule and its synopsis. The
201 synopsis shall be distributed with and in the same manner as the proposed rule. The
202 synopsis shall contain a statement of the purpose and the main features of the proposed
203 rule, and, in the case of a proposed amendatory rule, the synopsis also shall indicate the
204 differences between the existing rule and the proposed rule. The notice shall also include
205 the exact date on which the agency shall consider the adoption of the proposed rule and
206 shall include the time and place in order that interested persons may present their views
207 thereon. The notice shall also contain a citation of the authority pursuant to which the
208 rule is proposed for adoption and, if the proposal is an amendment or repeal of an existing
209 rule, the existing rule shall be clearly identified. The notice shall be mailed to all persons
210 who have requested in writing that they be placed upon a mailing list which shall be
211 maintained by the agency for advance notice of its rule-making proceedings and who
212 have tendered the actual cost of such mailing as from time to time estimated by the
213 agency;

214 (2) Afford to all interested persons reasonable opportunity to submit data, views, or
215 arguments, orally or in writing. In the case of substantive rules, opportunity for oral
216 hearing must be granted if requested by 25 persons who will be directly affected by the
217 proposed rule, by a governmental subdivision, or by an association having not less
218 than 25 members. The agency shall consider fully all written and oral submissions
219 respecting the proposed rule. Upon adoption of a rule, the agency, if requested to do so

220 by an interested person either prior to adoption or within 30 days thereafter, shall issue
221 a concise statement of the principal reasons for and against its adoption and incorporate
222 therein its reason for overruling the consideration urged against its adoption;

223 (3) In the formulation and adoption of any rule which will have an economic impact on
224 businesses in the state, reduce the economic impact of the rule on small businesses which
225 are independently owned and operated, are not dominant in their field, and employ 100
226 employees or less by implementing one or more of the following actions when it is legal
227 and feasible in meeting the stated objectives of the statutes which are the basis of the
228 proposed rule:

229 (A) Establish ~~differing~~ reduced compliance or reporting requirements ~~or~~ and differing
230 timetables for small businesses;

231 (B) Clarify, consolidate, or simplify the compliance and reporting requirements under
232 the rule for small businesses;

233 (C) Establish performance rather than design standards for small businesses; or

234 (D) Exempt small businesses from any or all requirements of the rules;

235 (4) In the formulation and adoption of any rule which places administrative burdens on
236 charitable organizations in this state, including, but not limited to, any rule that would
237 require any new or expanded filing or reporting requirements or that would limit the
238 ability of charitable organizations to solicit or collect funds, ~~the agency or official shall:~~

239 (A) Absent the showing of a compelling state interest, not impose any annual filing or
240 reporting requirements on an organization regulated or specifically exempted from
241 regulation under Chapter 17 of Title 43, the 'Georgia Charitable Solicitations Act of
242 1988,' that are more burdensome than the requirements authorized by applicable law,
243 and any such filing or reporting requirements shall be narrowly tailored to achieve such
244 compelling state interest. The requirements of this subparagraph shall not apply to the
245 state's direct spending programs; and

246 (B) Email the notice provided for in paragraph (1) of this subsection to each
247 chairperson of any standing committee in each house as shown on the General
248 Assembly's website.

249 For purposes of this paragraph, the term 'charitable organization' means a nonprofit
250 charitable organization which is exempt from taxation under the provisions of
251 Section 501(c)(3) of the United States Internal Revenue Code; and

252 (5) In the formulation and adoption of any rule, ~~an agency shall~~ choose an alternative
253 that does not impose excessive regulatory costs on any regulated person or entity which
254 costs could be reduced by a less expensive alternative that fully accomplishes the stated
255 objectives of the statutes which are the basis of the proposed rule."

256 "(f)(1) In the event a standing committee to which a notice is assigned as provided in
257 subsection (e) of this Code section ~~files an objection~~ objects to a proposed rule prior to
258 its adoption and the agency adopts the proposed rule over the objection, the rule may be
259 considered by the ~~branch~~ house of the General Assembly whose committee objected to
260 its adoption by the introduction of a resolution for the purpose of overriding the rule at
261 any time within the first 30 days of the next regular session of the General Assembly. It
262 shall be the duty of any agency which adopts a proposed rule over such objection so to
263 notify the presiding officers of the Senate and the House of Representatives, the
264 chairpersons of the Senate and House committees to which the rule was referred, and the
265 legislative counsel within ten days after the adoption of the rule. In the event the
266 resolution is adopted by such ~~branch~~ house of the General Assembly, it shall be
267 immediately transmitted to the other ~~branch~~ house of the General Assembly. It shall be
268 the duty of the presiding officer of the other ~~branch~~ house of the General Assembly to
269 have such ~~branch~~ house, within five days after the receipt of the resolution, to consider
270 the resolution for the purpose of overriding the rule. In the event the resolution is
271 adopted by ~~two-thirds~~ a majority of the votes of each ~~branch~~ house of the General
272 Assembly, the rule shall be void on the day after the adoption of the resolution by the

273 second branch house of the General Assembly. In the event the resolution is ratified by
274 less than two-thirds of the votes of either branch house, the resolution shall be submitted
275 to the Governor for his or her approval or veto. In the event of his or her veto, the rule
276 shall remain in effect. In the event of his or her approval, the rule shall be void on the
277 day after the date of his or her approval.

278 (2) In the event each standing committee to which a notice is assigned as provided in
279 subsection (e) of this Code section files an objection to a proposed rule prior to its
280 adoption by a ~~two-thirds~~ majority of the vote of the members of the committee who were
281 voting members on the tenth day of the current session, after having given public notice
282 of the time, place, and purpose of such vote at least 48 hours in advance, as well as the
283 opportunity for members of the public including the promulgating agency, to have a
284 reasonable time to comment on the proposed committee action at the hearing, the
285 effectiveness of such rule shall be stayed until the next legislative session at which time
286 the rule may be considered by the General Assembly by the introduction of a resolution
287 in either branch of the General Assembly for the purpose of overriding the rule at any
288 time within the first 30 days of the next regular session of the General Assembly. In the
289 event the resolution is adopted by the branch house of the General Assembly in which it
290 was introduced, it shall be immediately transmitted to the other branch house of the
291 General Assembly. It shall be the duty of the presiding officer of the other branch house
292 of the General Assembly to have such branch house, within five days after the receipt of
293 the resolution, to consider the resolution for the purpose of overriding the rule. In the
294 event the resolution is adopted by ~~two-thirds~~ a majority of the votes of each branch house
295 of the General Assembly, the rule shall be void on the day after the adoption of the
296 resolution by the second branch house of the General Assembly. In the event the
297 resolution is ratified by ~~less than two-thirds~~ a majority of the votes of either branch house,
298 the resolution shall be submitted to the Governor for his or her approval or veto. ~~In the~~
299 ~~event of his or her veto, the rule shall remain in effect. In the event of his or her~~

300 approval, the rule shall be void on the day after the date of his or her approval. If after
301 the thirtieth legislative day of the legislative session of which the challenged rule was to
302 be considered the General Assembly has not considered an override of the challenged
303 rule pursuant to this subsection, the rule shall then immediately take effect."

304 **SECTION 3-4.**

305 Said title is further amended by adding a new Code section to read as follows:

306 "50-13-24.

307 (a) Except as otherwise provided in subsection (b) of this Code section and subject to
308 appropriations, on or before July 1, 2028, and at the end of each five-year period ending
309 on July 1 thereafter, each agency shall prepare and submit to the director of the Office of
310 Planning and Budget a report containing an analysis of each rule of such agency.

311 (b) A rule shall not be subject to the periodic reporting requirement provided under
312 subsection (a) of this Code section if such rule:

313 (1) Was promulgated pursuant to a federal government mandate, authorization, or a dual
314 supervisory regime;

315 (2) States the general course and methodology of an agency's operations and the methods
316 whereby the public may obtain information or make submissions or requests;

317 (3) Is a rule of practice setting forth the nature and requirements of all formal and
318 informal procedures made available by an agency, including a description of all forms
319 and instructions used by such agency; or

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

322 (c) On or before January 1 of the year a report required under subsection (a) of this Code
323 section becomes due, the Office of Planning and Budget shall, in consultation with the
324 Budget and Research Office of the House of Representatives and the Budget and

325 Evaluation Office of the Senate, establish and publish directions for the form and content
326 of such report, including, but not limited to, provisions requiring:

327 (1) Analysis of the impact, cost, effectiveness, and streamlining of agency rules; and
328 (2) Identification of rules an agency has consolidated, repealed, or updated since such
329 agency's last report submitted under subsection (a) of this Code section.

330 (d) In the year succeeding the date on which a report prepared pursuant to subsection (a)
331 of this Code section becomes due to the director of the Office of Planning and Budget, the
332 Governor shall, in the budget report prepared and submitted to the General Assembly under
333 Code Section 45-12-74, include a statement informing the General Assembly whether each
334 agency has complied, in whole or in part, with the requirements of subsection (a) of this
335 Code section.

336 (e) The Governor may consider an agency's noncompliance with subsection (a) of this
337 Code section in making recommendations for the budget units of such agency provided
338 under paragraph (5) of Code Section 45-12-75.

339 (f) A member of the General Assembly may submit a written inquiry to an agency in
340 connection with a report submitted under subsection (a) of this Code section. An agency
341 in receipt of such inquiry shall submit a written response to the member within 30 calendar
342 days of receipt of such inquiry; provided, however, that an agency's noncompliance with
343 this subsection shall not delay consideration of the general appropriations bill under Code
344 Section 28-5-4.

345 (g) The director of the Office of Planning and Budget shall publish on its website final
346 reports prepared pursuant to subsection (a) of this Code section as soon as feasible after
347 receipt of such reports."

348
349

PART IV
SECTION 4-1.

350 The General Assembly finds that:

351 (1) Individuals experiencing unsheltered homelessness in metro Atlanta are entitled to
352 compassionate, coordinated, and accountable delivery of services and are within
353 proximity to multiple providers of such services. The state has a substantial interest in
354 ensuring that such individuals are treated with dignity and respect and that services
355 provided to them are delivered in a manner that promotes stability, recovery, and
356 long-term well-being;

357 (2) Many unsheltered individuals experience co-occurring mental health disorders,
358 substance use disorders, adverse physical health conditions, or trauma related needs
359 requiring therapeutic intervention and structured support. The state has a compelling
360 interest in ensuring that public resources directed toward these populations facilitate
361 meaningful access to appropriate therapeutic assistance and that service delivery systems
362 are coordinated to reduce duplication, fragmentation, and gaps in care;

363 (3) Effective tracking and evaluation of services provided to unsheltered homeless
364 individuals advances the public health, safety, and general welfare of both the individuals
365 served and the broader community. Transparent data collection and outcome
366 measurement enable state and local authorities to assess whether services are reducing
367 chronic homelessness, mitigating risks associated with untreated behavioral health
368 conditions, and promoting safer and healthier communities; and

369 (4) The state appropriates substantial public funds to support homelessness outreach,
370 housing stabilization, and behavioral health services in metro Atlanta. The state has a
371 legitimate and compelling interest in ensuring that such appropriations are expended
372 efficiently and effectively, that funded services produce measurable outcomes, and that

373 data-driven oversight mechanisms are implemented to promote accountability, eliminate
374 waste, and maximize the positive impact of taxpayer resources.

375 **SECTION 4-2.**

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

379 "50-8-19.

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

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

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

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

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

399

PART V

400

SECTION 5-1.

401 This Act shall become effective upon its approval by the Governor or upon its becoming law

402 without such approval.

403

SECTION 5-2.

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