

House Bill 56 (COMMITTEE SUBSTITUTE)

By: Representatives Petrea of the 166th, Hitchens of the 161st, Collins of the 71st, Cameron of the 1st, Lumsden of the 12th, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Subpart 7 of Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of
 2 Georgia Annotated, relating to grants to children of law enforcement officers, firefighters,
 3 and prison guards, so as to provide for tuition grants to spouses of law enforcement officers,
 4 firefighters, and prison guards who were killed in the line of duty; to revise legislative
 5 findings; to provide for definitions; to provide for eligibility; to provide for related matters;
 6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Subpart 7 of Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia
 10 Annotated, relating to grants to children of law enforcement officers, firefighters, and prison
 11 guards, is amended by revising Code Section 20-3-450, relating to legislative findings and
 12 purpose of subpart, as follows:

13 "20-3-450.

14 The General Assembly finds that certain citizens are called upon to enforce the criminal
 15 laws of this state and to protect persons and properties within the state and that they
 16 provide a valuable and vital public service to the state and to citizens and properties within

17 the state at a great personal sacrifice and risk to their own lives and well-being. The
18 purpose of the General Assembly, as provided for in this subpart, is to enable the authority
19 to provide educational grant assistance to the spouses and children of such persons who are
20 killed or permanently disabled in the line of duty."

21 **SECTION 2.**

22 Said subpart is further amended in Code Section 20-3-451, relating to definitions, by revising
23 paragraph (3) and by adding new paragraphs to read as follows:

24 "(2.1) 'Eligible student' means a person who qualifies for an educational grant under this
25 subpart.

26 (3) 'Firefighter' means a person employed, appointed, or regularly enrolled by the state
27 or by any county or municipal fire department whose duties include extinguishing fires
28 or investigating cases of suspected arson.

29 (3.1) 'In the line of duty' means:

30 (A) With respect to a volunteer firefighter, while on duty and when responding to or
31 returning from a fire or other emergency, performing duties during any fire or other
32 emergency, or performing duties intended to protect life and property, including,
33 without limitation, actual participation in a training exercise;

34 (B) With respect to a law enforcement officer or firefighter, while on duty and
35 performing services for and receiving compensation from the law enforcement and fire
36 service agency which employs such officer or firefighter, while off duty when
37 responding to any situation which would save a life or preserve the peace, or while
38 preventing or attempting to prevent the commission of a crime or fire; or

39 (C) With respect to a prison guard, while on duty and performing services for and
40 receiving compensation from the public agency which employs such prison guard."

41 **SECTION 3.**

42 Said subpart is further amended by revising Code Section 20-3-453, relating to eligibility of
43 students, as follows:

44 "20-3-453.

45 No grants shall be payable to any person under this subpart who fails to meet any of the
46 following qualifications or restrictions:

47 (1) Such person ~~must~~ shall be the spouse or child, either natural or adopted, of a law
48 enforcement officer, firefighter, or prison guard who has been permanently disabled or
49 killed in the line of duty or while performing the duties to which he or she was assigned
50 in the normal course of employment. If such person is the adopted child of any such law
51 enforcement officer, firefighter, or prison guard, such person ~~must~~ shall have been
52 adopted and any final order of adoption issued prior to the date of the accident or event
53 causing the death or permanent disability of such parent;

54 (2) Such person ~~must~~ shall have been a citizen of this state for a period of at least 12
55 months immediately prior to the date of registration in an approved school and ~~must~~ shall
56 remain a citizen of the state while receiving funds under this subpart;

57 (3) The deceased or disabled law enforcement officer, firefighter, or prison guard parent
58 of such person ~~must~~ shall have been an employee, either full-time or part-time, or an
59 officer or official, whether elected or appointed, of this state or any county, municipality,
60 department, board, bureau, branch, agency, commission, authority, or political
61 subdivision of the state on the date of the accident or event from which death or
62 permanent disability resulted; and

63 (4) Any person otherwise meeting the conditions of this subpart shall be eligible to
64 receive a grant even though the accident or the event causing the death or disability of
65 such person's parent or spouse occurred prior to July 1, 1980."

66

SECTION 4.

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