

Senator Hufstetler of the 52nd offered the following amendment:

**WITHDRAWN**

1 *Amend HB 806 (LC 39 1302S) by replacing line 1 with the following:*

2 To amend Title 25 of the Official Code of Georgia Annotated, relating to fire protection and  
3 safety, so as to revise requirements for the issuance of certificates of compliance for fire  
4 departments; to revise and to provide for definitions; to expand the functions and powers of  
5 the Georgia Firefighter Standards and Training Council; to revise qualifications for  
6 firefighters; to amend Chapter 5 of Title 40 of the Official Code of Georgia Annotated,  
7 relating to

8 *By redesignating Sections 1 through 7 as Sections 5 through 11, respectively, and inserting*  
9 *between lines 6 and 7 the following:*

10 **SECTION 1.**

11 Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety, is  
12 amended by revising Code section 25-3-22, relating to notification that organization meets  
13 requirements and issuance of certificate of compliance, as follows:

14 "25-3-22.

15 In order for a fire department to be legally organized to operate in the State of Georgia, the  
16 chief administrative officer of the fire department shall notify and submit all required  
17 documentation to the executive director that demonstrates that the organization meets the  
18 minimum requirements specified in Code Section 25-3-23 and the rules and regulations of  
19 the Georgia Firefighter Standards and Training Council to function as a fire department.  
20 If the ~~council~~ executive director is satisfied that the fire department meets the minimum  
21 requirements contained in Code Section 25-3-23 and the rules and regulations of the  
22 Georgia Firefighter Standards and Training Council, he or she shall recommend to the  
23 Georgia Firefighter Standards and Training Council that a certificate of compliance be  
24 issued by the council to the fire department. If the council issues such certificate of  
25 compliance, the fire department shall be authorized to exercise the general and emergency  
26 powers set forth in Code Sections 25-3-1 and 25-3-2."

27 **SECTION 2.**

28 Said title is further amended by in Code section 25-4-2, relating to definitions, by revising  
29 paragraph (6) and adding a new paragraph as follows:

30 "(6) 'Firefighter' means a recruit or a trained individual who is a full-time employee,  
31 part-time employee, or volunteer for a municipal, county, state, or private incorporated

32 fire department and as such has duties of responding to mitigate a variety of emergency  
 33 and nonemergency situations where life, property, or the environment is at risk, which  
 34 may include without limitation fire suppression; fire prevention activities; emergency  
 35 medical services; hazardous materials response and preparedness; technical rescue  
 36 operations; search and rescue; disaster management and preparedness; community service  
 37 activities; response to civil disturbances and terrorism incidents; nonemergency functions  
 38 including training, preplanning, communications, maintenance, and physical  
 39 conditioning; and other related emergency and nonemergency duties as may be assigned  
 40 or required; provided, however, that a firefighter's assignments may vary based on  
 41 geographic, climatic, and demographic conditions or other factors including training,  
 42 experience, and ability."

43 "(8.1) 'Recruit' means a prospective firefighter who has not yet been certified or  
 44 registered by the council as having met the requirements of Code Section 25-4-8 and the  
 45 rules and regulations to be a firefighter as provided for by the council."

#### 46 SECTION 3.

47 Said title is further amended by in Code section 25-4-7, relating to the functions and powers  
 48 of the Georgia Firefighter Standards and Training Council, by revising paragraphs (4) and  
 49 (9) as follows:

50 "(4) To establish uniform minimum standards for the employment and training of  
 51 full-time, part-time, or volunteer firefighters, airport firefighters, fire and life safety  
 52 educators, fire inspectors, ~~and~~ fire investigators, and other such firefighting service  
 53 professionals as determined by the council including qualifications, certifications,  
 54 recertifications, decertifications, and probations for certified individuals and suspensions  
 55 for noncertified individuals, and requirements, which are consistent with this chapter;"

56 "(9) To establish basic firefighter training requirements for full-time, part-time, contract,  
 57 and volunteer firefighters, including airport firefighters;"

#### 58 SECTION 4.

59 Said title is further amended in Code section 25-4-8, relating to qualifications of firefighters  
 60 generally, by revising subsection (a) as follows:

61 "(a) Except as provided in Code Section 25-4-12, any ~~person employed~~ employee,  
 62 volunteer, or private contractor of a fire department operating in this state or certified as  
 63 a firefighter shall, as prescribed by the council:

64 (1) Be at least 18 years of age;

65 (2) Not have been convicted of, or pleaded guilty to, a felony in any jurisdiction or of a  
 66 crime which if committed in this state would constitute a felony under the laws of this

67 state within ten years prior to employment, provided that a person who has been  
68 convicted of a felony more than five but less than ten years prior to employment may be  
69 certified and employed as a firefighter when the person has:

70 (A) Successfully completed a training program following the Georgia Fire Academy  
71 curriculum and sponsored by the Department of Corrections;

72 (B) Been recommended to a fire department by the proper authorities at the institution  
73 at which the training program was undertaken; and

74 (C) Met all other requirements as set forth in this chapter.

75 The council shall be the final authority with respect to authorizing the employment,  
76 appointment, and certification of a person who has been convicted of a felony more than  
77 five but less than ten years prior to seeking employment when the person is seeking  
78 employment as a firefighter for any municipal, county, or state fire department which  
79 employs three or more firefighters who work a minimum of 40 hours per week and has  
80 the responsibility of preventing and suppressing fires, protecting life and property, and  
81 enforcing municipal, county, and state codes, as well as enforcing any law pertaining to  
82 the prevention and control of fires;

83 (3) Have a good moral character as determined by investigation under procedure  
84 approved by the council;

85 (4) Be fingerprinted and a search made of local, state, and national fingerprint files to  
86 disclose any criminal record;

87 (5) Be in good physical condition as determined by a medical examination and  
88 successfully pass the minimum physical agility requirements as established by the  
89 council; and

90 (6) Possess or achieve within 12 months after employment a high school diploma or a  
91 general education development equivalency."