

Senate Bill 48

By: Senators James of the 35th, Orrock of the 36th, Lucas of the 26th, Esteves of the 6th, Islam of the 7th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to
2 commissions and other agencies, so as to create the Equity and Reconciliation Commission
3 of Georgia; to provide for membership and operation; to provide for an executive director;
4 to provide for an advisory committee; to provide for powers and duties; to provide for
5 definitions; to provide that the commission may accept outside funding from public or
6 private grants, devises, and bequests; to provide for reporting; to provide for related matters;
7 to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to commissions
11 and other agencies, is amended by adding a new article to read as follows:

12

"ARTICLE 913 50-12-150.

14 (a) There is created the Equity and Reconciliation Commission. The commission shall be
15 composed of 11 members to be appointed as follows:

16 (1) Three members shall be appointed by Governor;17 (2) Two members shall be appointed by the Speaker of the House of Representatives;18 (3) Two members shall be appointed by the President of the Senate;19 (4) Two members shall be appointed by the Minority Leader of the House of
20 Representatives; and21 (5) Two members shall be appointed by the Minority Leader of the Senate.

22 (b) The members of the commission shall be individuals of recognized ability and
23 achievement with knowledge and experience in matters pertaining to equity and
24 reconciliation.

25 (c) All vacancies shall be filled for the unexpired term by the original appointing official.
26 Members shall serve for terms of four years and shall be eligible for successive
27 appointments by an appointing official. Any member with four consecutive unexcused
28 absences from regular monthly meetings may be removed from the commission by the
29 appointing official. Each person appointed to the commission shall be a full-time resident
30 of Georgia. Any member who ceases to be a full-time resident of this state during the term
31 of his or her membership shall be removed from the commission and such vacancy shall
32 be filled by the Governor. Any member may be removed from office by the appointing
33 authority when the actions or condition of that member are considered to be good cause for
34 removal.

35 (d) The commission shall be assigned to the Department of Community Affairs for
36 administrative purposes only, as prescribed in Code Section 50-4-3.

37 50-12-151.

38 (a) The commission shall elect a chairperson, vice chairperson, and a secretary from
39 among its members annually, and any member shall be eligible for successive election to
40 such office by the commission.

41 (b) A quorum for transacting business shall be a majority of the members of the
42 commission.

43 (c) Members of the commission shall serve without compensation but shall be eligible to
44 receive reimbursement for mileage and other expenses actually incurred in performance
45 of their duties in accordance with the rates and standards for reimbursement of state
46 employees.

47 (d) The commission shall appoint an executive director from among its staff who shall
48 manage the work of the commission. The commission may delegate to such executive
49 director the powers and duties as it deems proper. Such staff member shall not be an
50 employee of the State of Georgia and shall serve without compensation, but shall be
51 eligible to receive reimbursement for mileage and other expenses actually incurred in
52 performance of his or her duties as executive director in accordance with the rates and
53 standards for reimbursement of state employees.

54 (e) The commission shall appoint an advisory committee to the commission that shall
55 consist of representation from organizations and persons with experience and expertise in
56 matters of equity and reconciliation. The commission shall use the advisory committee to
57 inform and advance the work of the commission.

58 50-12-152.

59 (a) For purposes of this article, the term:

60 (1) 'Equity' means the state, quality, or ideal of being just, impartial, and fair.

61 (2) 'Reconciliation' means the promotion of unity and the amelioration and restoration
62 of constituent relationships throughout this state.

63 (b) The commission shall have the following powers and duties:

64 (1) To undertake a study of the conditions, needs, issues, and problems related to
65 fostering equity and reconciliation in the State of Georgia;

66 (2) To review and analyze the laws of the State of Georgia and their impact on equity
67 and reconciliation in this state;

68 (3) To initiate research, execute initiatives, recommend policies, and propose legislation
69 to further equity and promote reconciliation throughout this state;

70 (4) To collect and disseminate information regarding the status of equity and
71 reconciliation in the State of Georgia and the nation;

72 (5) To consult with and advise the Governor and any state department, agency, board,
73 commission, or authority on matters pertaining to equity and reconciliation;

74 (6) To cooperate with the government of the United States and the governments of other
75 states in programs relating to equity and reconciliation;

76 (7) To accept public or private grants, devises, and bequests; and

77 (8) To hold public hearings, conduct studies, or take any other action the commission
78 deems necessary to fulfill its responsibilities.

79 (c) The commission shall be authorized to enter into all contracts or agreements necessary
80 or incidental to the performance of its duties.

81 (d) All executive departments, agencies, boards, commissions, and authorities shall
82 cooperate with the commission in the performance of its duties.

83 50-12-153.

84 The commission is authorized to solicit and accept donations, contributions, grants,
85 bequests, gifts of money and property, facilities, or services, with or without consideration,
86 from any person, firm, or corporation or from any state, county, municipal corporation, or
87 local government or governing body to enable it to carry out its functions and purpose. The

88 commission is prohibited from paying or compensating any member of the General
89 Assembly, directly or indirectly, any amount in excess of expenses.

90 50-12-154.

91 On the first Monday after January 1 of each year, the commission shall post electronically
92 on the Department of Community Affairs internet website an annual report summarizing
93 the activities, findings, and recommendations of the commission. Such report shall also
94 be submitted to the Governor, the Speaker of the House of Representatives, the President
95 of the Senate, and all members of the House of Representatives and the Senate."

96

SECTION 2.

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