

Senate Bill 96

By: Senators Echols of the 49th, Hatchett of the 50th, Hufstetler of the 52nd, Payne of the 54th, Robertson of the 29th and others

A BILL TO BE ENTITLED

AN ACT

1 To amend various titles of the Official Code of Georgia Annotated so as to modernize and
2 update provisions creating certain boards, panels, authorities, centers, commissions,
3 committees, councils, task forces, and other such bodies; to revise certain provisions relating
4 to the State Housing Trust Fund for the Homeless Commission; to repeal certain provisions
5 relating to the Environmental Advisory Council; to repeal certain provisions relating to the
6 Jekyll Island Citizens Resource Council; to revise certain provisions relating to the Erosion
7 and Sediment Control Overview Council; to repeal certain provisions related to the
8 Stakeholder Advisory Board; to repeal certain provisions relating to the Governor's Office
9 for Children and Families; to revise certain provisions relating to the Georgia Firefighters
10 Standards and Training Council; to repeal certain provisions relating to the Georgia
11 Volunteer Fire Service Council; to repeal certain provisions relating to the Georgia Palliative
12 Care and Quality of Life Advisory Council; to revise certain provisions relating to the Office
13 of Health Strategy and Coordination; to repeal certain provisions relating to the Georgia
14 Council on Lupus Education and Awareness; to revise certain provisions relating to the
15 Georgia Emergency Management and Homeland Security Agency; to repeal certain
16 provisions relating to the Board of Homeland Security; to revise certain provisions relating
17 to the Georgia Vocational Rehabilitation Services Board; to repeal certain provisions relating
18 to the Employment First Georgia Council; to repeal certain provisions relating to the Georgia

19 State Games Commission; to repeal certain provisions relating to the Lottery Retailer
 20 Advisory Board; to make conforming changes throughout the Code; to provide for
 21 definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

23 **PART I**

24 *State Housing Trust Fund for the Homeless Commission*

25 **SECTION 1-1.**

26 Title 8 of the Official Code of Georgia Annotated, relating to buildings and housing, is
 27 amended by revising subsection (a) of Code Section 8-3-306, relating to commission
 28 established and membership, as follows:

29 "(a)(1) There is established the State Housing Trust Fund for the Homeless Commission
 30 which shall consist of ~~nine~~ eleven members. Two of the ~~nine~~ eleven members shall be
 31 the commissioner of community affairs, or his or her designee, and either the chairperson
 32 of the Board of Community Affairs or a member of the Board of Community Affairs
 33 designated by the chairperson. The Governor shall appoint ~~three~~ five of the public
 34 members and the ~~Lieutenant Governor~~ President of the Senate and the Speaker of the
 35 House of Representatives shall each appoint two of the public members. The public
 36 members shall be knowledgeable in the area of housing and, to the extent practicable,
 37 shall represent diverse housing concerns.

38 ~~(2)(A)~~ (A) Public members shall serve for a term of four years except ~~that initial~~
 39 ~~appointments shall be staggered as follows: three of the appointees shall serve an initial~~
 40 ~~term of four years and four of the appointees shall serve an initial term of two years as~~
 41 provided in subparagraphs (C) and (D) of this paragraph. Public members shall
 42 continue in office until their successors have been appointed and qualified. In the event

43 of a vacancy in the office of a public member by death, resignation, or otherwise, the
 44 ~~Governor appointing authority~~ shall appoint a successor to serve the balance of the
 45 unexpired term.

46 (B) The terms of the five public members appointed by the Governor pursuant to
 47 paragraph (1) of this subsection shall begin on August 23, 2025.

48 (C) The terms of the two public members appointed by the President of the Senate
 49 pursuant to paragraph (1) of this subsection shall begin on August 23, 2025. One of
 50 such members and his or her successors shall serve terms of four years and one of such
 51 members and his or her successors shall serve terms of two years.

52 (D) The terms of the two public members appointed by the Speaker of the House of
 53 Representatives pursuant to paragraph (1) of this subsection shall begin on August 23,
 54 2025. One of such members and his or her successors shall serve terms of four years
 55 and one of such members and his or her successors shall serve terms of two years.

56 (3) Membership on the commission does not constitute public office, and no member
 57 shall be disqualified from holding public office by reason of his or her membership."

58

PART II

59

Environmental Advisory Council

60

SECTION 2-1.

61 Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural
 62 resources, is amended by revising subsection (b) of Code Section 12-2-2, relating to
 63 Environmental Protection Division, Environmental Advisory Council, duties of council and
 64 its members and director, appeal procedures generally, permit applications, and inspections,
 65 as follows:

66 ~~"(b)(1)~~ The division shall have a director who shall be both appointed and removed by
 67 the Board of Natural Resources with the approval of the Governor. The director shall

68 appoint an assistant director of the division. The director and the assistant director shall
69 be qualified professionals, competent in the field of environmental protection. The
70 director and the assistant director shall be in the unclassified service. In the event of a
71 vacancy in the office of the director or in his or her absence or if he or she is disabled, the
72 assistant director shall perform all the duties of the director. The director shall be
73 responsible for enforcing the environmental protection laws of Georgia. The director
74 shall hire the personnel for the division and shall supervise, direct, account for, organize,
75 plan, and execute the functions vested in the division.

76 ~~(2)(A) The Governor shall appoint an Environmental Advisory Council. The council~~
77 ~~shall consist of 15 members who shall be representative of professional and lay~~
78 ~~individuals, organizations, and governmental agencies associated or involved with~~
79 ~~environmental matters. The term of each member of the council shall be for two years,~~
80 ~~provided that of the members first appointed, seven shall be appointed for terms of one~~
81 ~~year and eight for terms of two years. Vacancies shall be filled by similar appointment~~
82 ~~for unexpired terms.~~

83 ~~(B) The council shall advise the Governor, the board, and the director as to the efficacy~~
84 ~~of the state's environmental protection programs, the need for legislation relating to the~~
85 ~~environment, the need for expansion or reduction of specific environmental programs,~~
86 ~~and the need for specific changes in the state's environmental protection programs. The~~
87 ~~council may review and prepare written comments on proposed state plans and on~~
88 ~~standards, rules, and regulations proposed by the division. Such comments may be~~
89 ~~submitted to the director, the board, and any other individual or agency deemed~~
90 ~~appropriate.~~

91 ~~(C) Members of the council shall serve without compensation but shall receive the~~
92 ~~same expense allowance as that received by members of the General Assembly and the~~
93 ~~same mileage allowance for the use of a personal car or a travel allowance of actual~~

94 ~~transportation cost if traveling by public carrier as that received by all other state~~
95 ~~officials and employees."~~

96 **SECTION 2-2.**

97 Any assets of the Environmental Advisory Council existing as of June 30, 2025, shall
98 devolve by operation of law and without further action to the State of Georgia on July 1,
99 2025. Any liabilities and obligations of the Environmental Advisory Council existing as of
100 June 30, 2025, shall be transferred to and assumed by the State of Georgia, by such
101 instruments as may be required to maintain the same.

102 **PART III**

103 *Jekyll Island Citizens Resource Council*

104 **SECTION 3-1.**

105 Said title is further amended by repealing Code Section 12-3-233.1, relating to Jekyll Island
106 Citizens Resource Council, purpose, members, meetings, and reimbursement for expenses.

107 **SECTION 3-2.**

108 Any assets of the Jekyll Island Citizens Resource Council existing as of June 30, 2025, shall
109 devolve by operation of law and without further action to the State of Georgia on July 1,
110 2025. Any liabilities and obligations of the Jekyll Island Citizens Resource Council existing
111 as of June 30, 2025, shall be transferred to and assumed by the State of Georgia, by such
112 instruments as may be required to maintain the same.

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PART IV

Stakeholder Advisory Board

SECTION 4-1.

116 Said title is further amended by revising subsection (f) of Code Section 12-7-7.1, relating to
117 erosion and sediment control plan prepared, completion, and implementation, as follows:

118 "(f)(1) There shall be an Erosion and Sediment Control Overview Council which shall
119 approve the Manual for Erosion and Sediment Control in Georgia prior to publication by
120 the commission. In addition, the council shall provide guidance on the best management
121 practices for implementing any erosion and sediment control plan for purposes of this
122 Code section. The council shall be composed of nine members, including one member
123 of the House of Representatives who shall be appointed by the Speaker of the House of
124 Representatives and serve at the pleasure thereof; one member of the Senate who shall
125 be appointed by the ~~Lieutenant Governor~~ President of the Senate and serve at the pleasure
126 thereof; and seven members who shall be appointed by the Governor and serve at the
127 pleasure thereof, including one employee each from the Department of Transportation,
128 the Environmental Protection Division of the Department of Natural Resources, and the
129 State Road and Tollway Authority, a professional engineer licensed to practice in this
130 state from a private engineering consulting firm practicing environmental engineering,
131 one representative of the highway contracting industry certified by the Department of
132 Transportation, one representative of the electric utility industry, and a chairperson. The
133 council shall meet ~~prior to December 1, 2015, to approve the most current version of the~~
134 ~~manual and at all other times~~ as necessary to approve any subsequent changes or updates
135 to the manual prior to its implementation. Such meetings shall be held at the call of the
136 chairperson. Each council member shall receive a daily allowance in the amount
137 specified in subsection (b) of Code Section 45-7-21; provided, however, that any
138 full-time state employee serving on the council shall draw no compensation but shall

139 receive necessary expenses. The commissioner is authorized to pay such compensation
140 and expenses from department funds.

141 (2) The ~~council~~ Erosion and Sediment Control Overview Council may develop
142 recommendations governing the preparation of plans and the installation and maintenance
143 of best management practices. If a dispute concerning the requirements of this Code
144 section should arise, the Erosion and Sediment Control Overview Council shall mediate
145 the dispute.

146 (3) The Erosion and Sediment Control Overview Council shall establish, evaluate, and
147 maintain the education and training programs established pursuant to Code Section
148 12-7-19, including, but not limited to, reviewing course curricula, educational materials,
149 and exam and testing procedures; evaluating trainer and instructor qualifications; and
150 reviewing audit results performed by the commission."

151 **SECTION 4-2.**

152 Said title is further amended by revising Code Section 12-7-19, relating to education and
153 training requirements, required programs, instructor qualifications, and expiration of
154 certification, as follows:

155 "12-7-19.

156 (a)(1) Persons involved in land development design, review, permitting, construction,
157 monitoring, or inspection or any land-disturbing activity shall meet the education and
158 training certification requirements, dependent on his or her level of involvement with the
159 process, as developed by the commission in accordance with this Code section and in
160 consultation with the division and the ~~Stakeholder Advisory Board~~ created pursuant to
161 ~~Code Section 12-7-20~~ Erosion and Sediment Control Overview Council created pursuant
162 to Code Section 12-7-7.1.

163 (2) On or after May 14, 2007, for each site on which land-disturbing activity occurs, each
164 entity or person acting as either a primary, secondary, or tertiary permittee, as defined in

165 the state general permit, shall have as a minimum one person who is in responsible charge
166 of erosion and sedimentation control activities on behalf of said entity or person and
167 meets the applicable education or training certification requirements developed by the
168 commission present on site whenever land-disturbing activities are conducted on that site.
169 A project site shall herein be defined as any land disturbance site or multiple sites within
170 a larger common plan of development or sale permitted by an owner or operator for
171 compliance with the state general permit.

172 (3) Persons or entities involved in projects not requiring a state general permit but
173 otherwise requiring certified personnel on site may contract with certified persons to meet
174 the requirements of this chapter.

175 (4) If a state general permittee who has operational control of land-disturbing activities
176 for a site has met the certification requirements of paragraph (1) of subsection (b) of this
177 Code section, then any person or entity involved in land-disturbing activity at that site
178 and operating in a subcontractor capacity for such permittee shall have until
179 December 31, 2007, to meet those educational requirements specified in paragraph (4)
180 of subsection (b) of ~~Code Section 12-7-19~~ this Code section and shall not be required to
181 meet any educational requirements that exceed those specified in said paragraph.

182 (b) No less than the following training programs shall be established:

183 (1) A fundamentals seminar (Level 1) will be established which provides sufficient
184 training to all participants as to the applicable laws, requirements, processes, and latest
185 means and methods recognized by this state to effectively control erosion and
186 sedimentation;

187 (2) An advanced fundamentals seminar (Level 1) will be established which provides
188 additional details of installation and maintenance of best management practices for both
189 regulatory and nonregulatory inspectors and others;

190 (3) An introduction to design seminar (Level 2) will be established which provides
191 required training to design and review a successful erosion, sedimentation, and pollution
192 control plan;

193 (4) An awareness seminar (Level 1) will be established which does not exceed two hours
194 in duration and which provides information regarding the erosion and sediment control
195 practices and processes in the state and which will include an overview of the systems,
196 laws, and roles of the participants; and

197 (5) A trainer and instructor seminar will be established for both Level 1 and Level 2
198 trainers and instructors which will provide the minimum training as to applicable laws
199 and best management practices and design of erosion, sedimentation, and pollution
200 control plans in this state.

201 (c) Trainer and instructor qualifications will be established with the following minimum
202 requirements:

203 (1) Level 1 trainers and instructors shall meet at least the following minimum
204 requirements and any other requirements as set by the commission:

205 (A) Education: four-year college degree or five years' experience in the field of erosion
206 and sediment control;

207 (B) Experience: five-years' experience in the field of erosion and sediment control.
208 Where years of experience is used in lieu of the education requirement of subparagraph

209 (A) of this paragraph, a total of ten years' field experience is required;

210 (C) Approval by the commission and the ~~Stakeholder Advisory Board~~ Erosion and
211 Sediment Control Overview Council; and

212 (D) Successful completion of the Level 1 trainer and instructor seminar found in
213 paragraph (5) of subsection (b) of this Code section; and

214 (2) Level 2 trainers and instructors shall meet at least the minimum requirements of a
215 Level 1 trainer or instructor, any other requirements as set by the commission, and

216 successful completion of the Level 2 trainer and instructor seminar created under
217 paragraph (5) of subsection (b) of this Code section.

218 (d) In addition to the requirements of subsection (c) of this Code section, the commission
219 shall establish and any person desirous of holding certification must obtain a passing grade,
220 as established by the ~~Stakeholder Advisory Board~~ Erosion and Sediment Control Overview
221 Council, on a final exam covering the material taught in each mandatory seminar; provided,
222 however, that there shall be no final exam requirement for purposes of paragraph (4) of
223 subsection (b) of this Code section. Final exams may, at the discretion of the commission,
224 serve in lieu of attendance at the seminar. Any person shall be authorized to administer a
225 final examination for any seminar for which he or she was the instructor.

226 (e)(1) A certification provided by achieving the requirements established by the
227 commission shall expire no later than three years after its issuance.

228 (2) A certified individual shall be required to attend and participate in at least four hours
229 of approved continuing education courses, as established by the commission, every three
230 years.

231 (3) A certification may be extended or renewed by meeting requirements established by
232 the commission.

233 (4) Revocation procedures may be established by the commission in consultation with
234 the division and the ~~Stakeholder Advisory Board~~ Erosion and Sediment Control
235 Overview Council.

236 **SECTION 4-3.**

237 Said title is further amended by repealing Code Section 12-7-20, relating to creation of
238 stakeholder advisory board, responsibilities, and procedures, and designating said Code
239 section as reserved.

240

PART V

241

Governor's Office for Children and Families

242

SECTION 5-1.

243 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by revising
244 subsection (a) of Code Section 15-5-81, relating to advisory council commission, as follows:

245 "(a) There shall be an advisory council to the Georgia Courts Automation Commission.

246 The advisory council shall consist of the director of the Georgia Bureau of Investigation
247 or the director's designee, the commissioner of corrections or the commissioner's designee,
248 the commissioner of community supervision or the commissioner's designee, the
249 commissioner of public safety or the commissioner's designee, the chairperson of the State
250 Board of Pardons and Paroles or the chairperson's designee, the director of the
251 Administrative Office of the Courts or the director's designee, the director of the Criminal
252 Justice Coordinating Council or the director's designee, ~~the director of the Governor's~~
253 ~~Office for Children and Families or the director's designee~~, and the executive director of
254 the Georgia Technology Authority or the executive director's designee."

255

SECTION 5-2.

256 Said title is further amended by revising subsection (f) of Code Section 15-11-504, relating
257 to place of detention and data on child detained, as follows:

258 "(f) All facilities shall maintain data on each child detained and such data shall be recorded
259 and retained by the facility for three years and shall be made available for inspection during
260 normal business hours by any court exercising juvenile court jurisdiction, by DJJ, ~~by the~~
261 ~~Governor's Office for Children and Families~~, by the Criminal Justice Coordinating Council,
262 by the Administrative Office of the Courts, and by the Council of Juvenile Court Judges.
263 Such data shall be used by the inspecting agency for official purposes and shall not be

264 subject to release by such agency pursuant to Article 4 of Chapter 18 of Title 50, nor
265 subject to subpoena. The required data are each detained child's:

- 266 (1) Name;
- 267 (2) Date of birth;
- 268 (3) Sex;
- 269 (4) Race;
- 270 (5) Offense or offenses for which such child is being detained;
- 271 (6) Date of and authority for confinement;
- 272 (7) Location of the offense and the name of the school if the offense occurred in a school
273 safety zone, as defined in Code Section 16-11-127.1;
- 274 (8) The name of the referral source, including the name of the school if the referring
275 source was a school;
- 276 (9) The score on the detention assessment;
- 277 (10) The basis for detention if such child's detention assessment score does not in and
278 of itself mandate detention;
- 279 (11) The reason for detention, which may include, but shall not be limited to,
280 preadjudication detention, detention while awaiting a postdisposition placement, or
281 serving a short-term program disposition;
- 282 (12) Date of and authority for release or transfer; and
- 283 (13) Transfer or to whom released."

284 **SECTION 5-3.**

285 Said title is further amended by revising subsection (d) of Code Section 15-11-704, relating
286 to public inspection of court files and records and use in subsequent juvenile or criminal
287 prosecution, as follows:

288 "(d) A judge shall permit authorized representatives of DJJ, ~~the Governor's Office for~~
289 ~~Children and Families~~, the Criminal Justice Coordinating Council, the Administrative

290 Office of the Courts, and the Council of Juvenile Court Judges to inspect and extract data
291 from any court files and records for the purpose of obtaining statistics on children and to
292 make copies pursuant to the order of the court. Such data shall be used by the inspecting
293 agency for official purposes and shall not be subject to release by such agency pursuant to
294 Article 4 of Chapter 18 of Title 50, nor subject to subpoena."

295 **SECTION 5-4.**

296 Said title is further amended by revising subsection (d) of Code Section 15-11-708, relating
297 to separation of juvenile and adult records for law enforcement, inspection, and limited
298 fingerprint access, as follows:

299 "(d) The court shall allow authorized representatives of DJJ, ~~the Governor's Office for~~
300 ~~Children and Families~~, the Criminal Justice Coordinating Council, the Administrative
301 Office of the Courts, and the Council of Juvenile Court Judges to inspect and copy law
302 enforcement records for the purpose of obtaining statistics on children. Such data shall be
303 used by the inspecting agency for official purposes and shall not be subject to release by
304 such agency pursuant to Article 4 of Chapter 18 of Title 50, nor subject to subpoena."

305 **SECTION 5-5.**

306 Title 49 of the Official Code of Georgia Annotated, relating to social services, is amended
307 by revising paragraph (3) of subsection (b) of Code Section 49-4A-2, relating to Board of
308 Juvenile Justice created, membership, appointment, terms, chairperson, and duties, as
309 follows:

310 "(3) Ensure that detention assessment, risk assessment, and risk and needs assessment
311 instruments that are utilized by intake personnel and courts are developed in consultation
312 with the ~~Governor's Office for Children and Families~~, the Criminal Justice Coordinating
313 Council; and the Council of Juvenile Court Judges and ensure that such instruments are
314 validated at least every five years;"

SECTION 5-6.

315

316 Said title is further amended by revising paragraph (1) of subsection (n) of Code Section
317 49-4A-8, relating to commitment of delinquent children and procedures, as follows:

318 "(n)(1) The department shall conduct a continuing inquiry into the effectiveness of
319 treatment methods it employs in seeking the rehabilitation of maladjusted children. To
320 this end, the department shall maintain a statistical record of arrests and commitments of
321 its wards subsequent to their discharge from the jurisdiction and control of the department
322 and shall tabulate, analyze, and publish annually in print or electronically ~~annually~~ these
323 data so that they may be used to evaluate the relative merits of methods of treatment. The
324 department shall cooperate and coordinate with courts, juvenile court clerks, ~~the~~
325 ~~Governor's Office for Children and Families~~, the Criminal Justice Coordinating Council,
326 and public and private agencies in the collection of statistics and information regarding:

- 327 (A) Juvenile delinquency;
328 (B) Arrests made;
329 (C) Detentions made, the offense for which such detention was authorized, and the
330 reason for each detention;
331 (D) Complaints filed;
332 (E) Informations filed;
333 (F) Petitions filed;
334 (G) The results of complaints, informations, and petitions, including whether such
335 filings were dismissed, diverted, or adjudicated;
336 (H) Commitments to the department, the length of such commitment, and releases from
337 the department;
338 (I) The department's placement decisions for commitments;
339 (J) Placement decisions to institutions, camps, or other facilities for delinquent children
340 operated under the direction of courts or other local public authorities;
341 (K) Community programs utilized and completion data for such programs;

- 342 (L) Recidivism;
343 (M) Data collected by juvenile court clerks pursuant to Code Section 15-11-64; and
344 (N) Other information useful in determining the amount and causes of juvenile
345 delinquency in this state."

346 **SECTION 5-7.**

347 Said title is further amended in Article 6 of Chapter 5, relating to programs and protections
348 for children, by repealing Part 1, relating to Governor's Office for Children and Families, and
349 designating said part as reserved.

350 **SECTION 5-8.**

351 Said title is further amended by revising subsection (b) of Code Section 49-5-155, relating
352 to effect of article on Department of Juvenile Justice and office as recipient entity for federal
353 grants, as follows:

354 "(b) Other than the Department of Juvenile Justice, ~~the Governor's Office for Children and~~
355 ~~Families created pursuant to Code Section 49-5-132 and~~ the Criminal Justice Coordinating
356 Council shall be the only other authorized controlling recipient entity for grants under the
357 United States Department of Justice Juvenile Justice Delinquency and Prevention Grants."

358 **SECTION 5-9.**

359 Said title is further amended by replacing "Governor's Office for Children and Families",
360 with "Department of Human Services" wherever the former occurs in Code Section
361 49-5-156, relating to the "Georgia Mentoring Act of 2000."

362 **SECTION 5-10.**

363 Said title is further amended by repealing Code Section 49-5-227, relating to Governor's
364 Office for Children and Families to comment on plan for Coordinated System of Care and
365 provide recommendations.

366 **SECTION 5-11.**

367 Any assets of the Governor's Office for Children and Families existing as of June 30, 2025,
368 shall devolve by operation of law and without further action to the State of Georgia on July 1,
369 2025. Any liabilities and obligations of the Governor's Office for Children and Families
370 existing as of June 30, 2025, shall be transferred to and assumed by the State of Georgia, by
371 such instruments as may be required to maintain the same.

372 **PART VI**373 *Georgia Volunteer Fire Service Council*374 **SECTION 6-1.**

375 Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety, is
376 amended by revising paragraph (2) of Code Section 25-3-21, relating to definitions, as
377 follows:

378 "(2)(A) 'Fire department' means any fire department, including, but not limited to, a fire
379 department solely utilizing volunteer firefighters, which is authorized to exercise the
380 general and emergency powers enumerated in Code Sections 25-3-1 and 25-3-2.

381 (B) 'Fire department' also means any department, agency, organization, or company
382 operating in this state with the intent and purpose of carrying out the duties, functions,
383 powers, and responsibilities normally associated with a fire department. These duties,
384 functions, powers, and responsibilities include, but are not limited to, the protection of
385 life and property against fire, explosions, or other hazards."

386

SECTION 6-2.

387 Said title is further amended by revising Code Section 25-3-22, relating to notification and
388 documentation that fire department meets requirements and issuance of certificate of
389 compliance, as follows:

390 "25-3-22.

391 (a) In order for a fire department ~~employing full-time firefighters or part-time firefighters~~
392 to be legally organized to operate in the State of Georgia, the chief administrative officer
393 of the fire department shall notify and submit all required documentation to the executive
394 director that demonstrates that the organization meets the minimum requirements specified
395 in Code Section 25-3-23 and the rules and regulations of the Georgia Firefighter Standards
396 and Training Council to function as a fire department. If the executive director is satisfied
397 that ~~the~~ such fire department meets the minimum requirements contained in Code Section
398 25-3-23 and the rules and regulations of the Georgia Firefighter Standards and Training
399 Council, he or she shall recommend to the Georgia Firefighter Standards and Training
400 Council that a certificate of compliance be issued by the council to the fire department. If
401 the council issues such certificate of compliance, the fire department shall be authorized
402 to exercise the general and emergency powers set forth in Code Sections 25-3-1 and
403 25-3-2.

404 ~~(b) In order for a volunteer fire department to be legally organized to operate in the State~~
405 ~~of Georgia, the chief administrative officer of the fire department shall notify and submit~~
406 ~~all required documentation to the executive director that demonstrates that the organization~~
407 ~~meets the minimum requirements specified in Code Section 25-3-23 and the rules and~~
408 ~~regulations of the Georgia Volunteer Fire Service Council to function as a volunteer fire~~
409 ~~department. If the executive director is satisfied that the volunteer fire department meets~~
410 ~~the minimum requirements contained in Code Section 25-3-23 and the rules and~~
411 ~~regulations of the Georgia Volunteer Fire Service Council, he or she shall recommend to~~
412 ~~the Georgia Volunteer Fire Service Council that a certificate of compliance be issued by~~

413 ~~such council to the volunteer fire department. If the Georgia Volunteer Fire Service~~
414 ~~Council issues such certificate of compliance, the fire department shall be authorized to~~
415 ~~exercise the general and emergency powers set forth in Code Sections 25-3-1 and 25-3-2."~~

416 **SECTION 6-3.**

417 Said title is further amended by revising subsections (a) and (c) of Code Section 25-3-23,
418 relating to general requirements, equipment and clothing, and insurance, as follows:

419 "(a) Except as otherwise provided in subsection (c) of this Code section, in order to be
420 legally organized:

421 (1) A fire department shall comply with the following requirements:

422 (A) Be established to provide fire and other emergency and nonemergency services in
423 accordance with standards specified by the Georgia Firefighter Standards and Training
424 Council, ~~for fire departments employing full-time firefighters or part-time firefighters,~~
425 ~~or the Georgia Volunteer Fire Service Council, for fire departments solely utilizing~~
426 ~~volunteer firefighters,~~ and the applicable local government;

427 (B) Be capable of providing fire protection 24 hours a day, 365 days per year;

428 (C) Be responsible for a defined area of operations depicted on a map located at the fire
429 station, which area of operations shall have been approved and designated by the
430 governing authority of the applicable county, municipality, or other political
431 subdivision in the case of any county, municipal, or volunteer county or municipal fire
432 department or any fire department solely utilizing volunteer firefighters; and

433 (D) Be staffed with a sufficient number of ~~full-time, part-time, or volunteer~~ firefighters
434 who have successfully completed basic firefighter training as specified by the Georgia
435 Firefighter Standards and Training Council, ~~for fire departments employing full-time~~
436 ~~firefighters or part-time firefighters, or the Georgia Volunteer Fire Service Council, for~~
437 ~~fire departments solely utilizing volunteer firefighters;~~ and

438 (2) A fire department shall possess the following items of approved equipment and
439 protective clothing:

440 (A) A minimum of one fully equipped, operable pumper with a capacity of at least 750
441 GPM at 150 PSI and a tank capacity of a minimum of 250 gallons; provided, however,
442 that previously approved fire apparatus which does not meet such minimum standards
443 may be used in lieu of the minimum required pumper until replaced by the local
444 authority;

445 (B) A minimum of equipment, appliances, adapters, and accessories necessary to
446 perform and carry out the duties and responsibilities of a fire department set forth in
447 Code Sections 25-3-1 and 25-3-2 as approved by the Georgia Firefighter Standards and
448 Training Council, ~~for fire departments employing full-time firefighters or part-time~~
449 ~~firefighters, or the Georgia Volunteer Fire Service Council, for fire departments solely~~
450 ~~utilizing volunteer firefighters;~~

451 (C) A minimum of two approved self-contained breathing apparatus for each pumping
452 apparatus as approved by the Georgia Firefighter Standards and Training Council, ~~for~~
453 ~~fire departments employing full-time firefighters or part-time firefighters, or the~~
454 ~~Georgia Volunteer Fire Service Council, for fire departments solely utilizing volunteer~~
455 ~~firefighters; and~~

456 (D) A minimum issue of sufficient personal protective clothing to permit each member
457 to perform safely the duties of a firefighter."

458 "(c)(1) The Georgia Firefighter Standards and Training Council shall be authorized to
459 adopt such rules and regulations for all fire departments ~~employing full-time firefighters~~
460 ~~or part-time firefighters~~ as are reasonable and necessary to implement the provisions of
461 this Code section and to establish and modify minimum requirements for all fire
462 departments operating in this state, provided that such requirements are equal to or
463 exceed the requirements provided in subsections (a) and (b) of this Code section.

464 ~~(2) The Georgia Volunteer Fire Service Council shall be authorized to adopt such rules~~
465 ~~and regulations for fire departments solely utilizing volunteer firefighters as are~~
466 ~~reasonable and necessary to implement the provisions of this Code section and to~~
467 ~~establish and modify minimum requirements for all volunteer fire departments operating~~
468 ~~in this state, provided that such requirements are equal to or exceed the requirements~~
469 ~~provided in subsections (a) and (b) of this Code section."~~

470

SECTION 6-4.

471 Said title is further amended by revising Code Section 25-3-25, relating to suspension or
472 revocation of certification of compliance, hearing by aggrieved departments, and
473 enforcement of suspensions or revocations, as follows:

474 "25-3-25.

475 (a) ~~The Any certificate of compliance issued by the Georgia Firefighter Standards and~~
476 ~~Training Council or the Georgia Volunteer Fire Service Council shall be subject to~~
477 ~~suspension or revocation by the applicable such council at any time it receives satisfactory~~
478 ~~evidence that the fire department is not maintaining sufficient personnel, equipment, or~~
479 ~~insurance required by Code Section 25-3-23, or the rules and regulations of the Georgia~~
480 ~~Firefighter Standards and Training Council, for fire departments employing full-time~~
481 ~~firefighters or part-time firefighters, or the Georgia Volunteer Fire Service Council, for fire~~
482 ~~departments solely utilizing volunteer firefighters, pursuant to subsection (c) of Code~~
483 ~~Section 25-3-23.~~

484 (b) The chief administrative officer of any fire department aggrieved by a decision of the
485 Georgia Firefighter Standards and Training Council, ~~for fire departments employing~~
486 ~~full-time firefighters or part-time firefighters, or the Georgia Volunteer Fire Service~~
487 ~~Council, for fire departments solely utilizing volunteer firefighters, under subsection (a)~~
488 ~~of this Code section may, within 30 days of the date of such decision, request a hearing on~~
489 ~~the matter before the applicable such council. Following a hearing before the applicable~~

490 council, the chief administrative officer of the fire department affected shall be served with
491 a written decision of the applicable council announcing whether the certificate of
492 compliance shall remain revoked or suspended or whether it shall be reinstated.

493 (c) The Georgia Firefighters Standards and Training Council, ~~for fire departments~~
494 ~~employing full-time firefighters or part-time firefighters, or the Georgia Volunteer Fire~~
495 ~~Service Council, for fire departments solely utilizing volunteer firefighters,~~ shall not
496 suspend or revoke any certificate of compliance for failure to meet firefighter training
497 requirements when such failure was due to unavailability of required training from or
498 through the Georgia Fire Academy.

499 (d) The Georgia Firefighters Standards and Training Council, ~~for fire departments~~
500 ~~employing full-time firefighters or part-time firefighters, or the Georgia Volunteer Fire~~
501 ~~Service Council, for fire departments solely utilizing volunteer firefighters,~~ may refer
502 suspensions or revocations to the Attorney General for enforcement. Upon referral from
503 a the council, the Attorney General may bring a civil action to enjoin any organization
504 which is not in compliance with the applicable requirements of this chapter from
505 performing any or all firefighting functions until such requirements are met by such
506 organization."

507

SECTION 6-5.

508 Said title is further amended by revising Code Section 25-4-2, relating to definitions relative
509 to firefighter standards and training, as follows:

510 "25-4-2.

511 As used in this chapter, the term:

512 (1) 'Airport' means any airport located in this state which has regularly scheduled
513 commercial air carrier service or commuter airline service as required for certification
514 under Section 139.49 of the Federal Aviation Administration regulations.

- 515 (2) 'Airport firefighter' means any person assigned to any airport located in this state who
516 performs the duties of aircraft fire fighting or rescue.
- 517 (3) 'Candidate' means a prospective firefighter who has not yet been certified by the
518 council as having met the requirements of this chapter.
- 519 (4) 'Certified firefighter' or 'state certified firefighter' means any firefighter who has been
520 certified by the council as having met the requirements of this chapter.
- 521 (5) 'Council' means the Georgia Firefighter Standards and Training Council.
- 522 (5.1) 'Fire department' shall have the same meaning as ~~provided~~ set forth in Code Section
523 25-3-21.
- 524 (6) 'Firefighter' means a recruit or a trained individual who is a full-time employee,
525 part-time employee, or volunteer for a municipal, county, state, or private incorporated
526 fire department and as such has duties of responding to mitigate a variety of emergency
527 and nonemergency situations where life, property, or the environment is at risk, which
528 may include, without limitation, fire suppression; fire prevention activities; emergency
529 medical services; hazardous materials response and preparedness; technical rescue
530 operations; search and rescue; disaster management and preparedness; community service
531 activities; response to civil disturbances and terrorism incidents; nonemergency functions,
532 including training, preplanning, communications, maintenance, and physical
533 conditioning; and other related emergency and nonemergency duties as may be assigned
534 or required; provided, however, that a firefighter's assignments may vary based on
535 geographic, climatic, and demographic conditions or other factors, including training,
536 experience, and ability. Such term includes an airport firefighter.
- 537 (7) 'Full-time' means employed for compensation on a basis of at least 40 hours per week
538 by any municipal, county, state, or private incorporated fire department.
- 539 (8) 'Part-time' means employed for compensation on less than a full-time basis by any
540 municipal, county, state, or private incorporated fire department.

541 (8.1) 'Recruit' means a prospective firefighter who has not yet been certified or registered
542 by the council as having met the requirements of Code Section 25-4-8 and the rules and
543 regulations to be a firefighter as provided for by the council.

544 (9) 'Volunteer' means not employed for compensation on an hourly or salaried basis, but
545 appointed and regularly enrolled to serve as a firefighter for any municipal, county, state,
546 or private incorporated fire department.

547 ~~(10) 'Volunteer council' means the Georgia Volunteer Fire Service Council established~~
548 ~~by Code Section 25-4-3.1."~~

549 **SECTION 6-6.**

550 Said title is further is amended by repealing Code Section 25-4-3.1, relating to establishment
551 of Georgia Volunteer Fire Service Council.

552 **SECTION 6-7.**

553 Said title is further amended by revising Code Section 25-4-4, relating to eligibility of
554 council and volunteer council members for public office, as follows:

555 "25-4-4.

556 Membership on the council ~~or volunteer council~~ does not constitute public office, and no
557 member shall be disqualified from holding public office by reason of his or her
558 membership."

559 **SECTION 6-8.**

560 Said title is further amended by revising Code Section 25-4-5, relating to administrative
561 assignment to Department of Public Safety, source of funds, and authority to accept gifts and
562 other items of value, as follows:

563 "25-4-5.

564 The council ~~and volunteer council~~ are is assigned to the Department of Public Safety for
 565 administrative purposes. The funds necessary to carry out this chapter shall come from
 566 funds appropriated to and available to the council ~~and volunteer council~~ and from any other
 567 available funds. The council ~~and volunteer council~~ are is authorized to accept and use
 568 gifts;; grants;; ~~and donations;~~ property, both real and personal; and services for the purpose
 569 of carrying out this chapter. ~~The council and volunteer council are also authorized to~~
 570 ~~accept and use property, both real and personal, and services for the purpose of carrying~~
 571 ~~out this chapter."~~

572

SECTION 6-9.

573 Said title is further revised by amending Code Section 25-4-6, relating to meetings, quorum,
 574 and annual reporting of council and volunteer council, as follows:

575 "25-4-6.

576 (a) The business of the council shall be conducted in the following manner:

577 (1) The council shall hold at least two regular meetings each year at the call of the
 578 chairperson or upon the written request of six members of the council. Six members of
 579 the council shall constitute a quorum. The council shall adopt such rules for the
 580 transaction of its business as it shall desire and may appoint such committees as it
 581 considers necessary to carry out its business and duties; and

582 (2) The council shall make an annual report of its activities to the Governor and to the
 583 General Assembly and shall include in ~~the~~ such report its recommendations for
 584 appropriate legislation. The council shall not be required to distribute copies of ~~the~~
 585 ~~annual~~ such report to the members of the General Assembly but shall notify the members
 586 of the availability of the report in the manner ~~which~~ it deems to be most effective and
 587 efficient.

588 ~~(b) The business of the volunteer council shall be conducted in the following manner:~~

589 ~~(1) The volunteer council shall hold at least two regular meetings each year at the call~~
590 ~~of the chairperson or upon written request of four members of the volunteer council.~~
591 ~~Four members of the volunteer council shall constitute a quorum. The volunteer council~~
592 ~~shall adopt such rules for the transaction of its business as it shall desire and may appoint~~
593 ~~such committees as it considers necessary to carry out its business and duties; and~~
594 ~~(2) The volunteer council shall make an annual report of its activities to the Governor~~
595 ~~and to the General Assembly and shall include in the report its recommendations for~~
596 ~~appropriate legislation. The volunteer council shall not be required to distribute copies~~
597 ~~of the annual report to the members of the General Assembly but shall notify the~~
598 ~~members of the availability of the report in the manner which it deems to be most~~
599 ~~effective and efficient."~~

600

SECTION 6-10.

601 Said title is further amended by revising Code Section 25-4-7, relating to functions and
602 powers of council and volunteer council, as follows:

603 "25-4-7.

604 (a) The council is vested with the following functions and powers:

605 (1) To promulgate rules and regulations for the administration of the council;

606 (2) To provide rules of procedure for its internal management and control;

607 (3) To enter into contracts or do such things as may be necessary and incidental to the
608 administration of its authority pursuant to this chapter;609 (4) To establish uniform minimum standards for the employment and training of
610 ~~full-time firefighters, part-time firefighters, airport firefighters, fire and life safety~~
611 ~~educators, fire inspectors, fire investigators, and other such firefighting service~~
612 ~~professionals as determined by the council, including qualifications, certifications,~~
613 ~~recertifications, decertifications, and probations for certified individuals and suspensions~~
614 ~~for noncertified individuals, and requirements, which are consistent with this chapter;~~

- 615 (5) To establish minimum curriculum requirements for schools operated by or for any
616 employing agency for the specific purpose of training ~~firefighter recruits or full-time~~
617 ~~firefighters, part-time firefighters, airport firefighters,~~ fire and life safety educators, fire
618 inspectors, and fire investigators;
- 619 (6) To approve institutions and facilities for school operation by or for any employing
620 agency for the specific purpose of training ~~full-time and part-time firefighters and~~
621 ~~full-time and part-time firefighter recruits, including airport firefighters;~~
- 622 (7) To make or support studies on any aspect of firefighter education and training or
623 recruitment;
- 624 (8) To make recommendations concerning any matter within its purview;
- 625 (9) To establish basic firefighter training requirements ~~for full-time, part-time, and~~
626 ~~contract firefighters, including airport firefighters;~~
- 627 (10) To certify any person satisfactorily complying with the training program established
628 in accordance with paragraph (9) of this subsection and the qualifications for employment
629 covered in this chapter; and
- 630 (11) To issue a certificate to any person who has received training in another state or
631 who has received training as a federal firefighter by the United States government, when
632 the council has determined that the training was at least equivalent to that required by the
633 council for approved firefighter education and training programs in this state and when
634 the person has satisfactorily complied with all other requirements of this chapter.
- 635 ~~(b) The volunteer council is vested with the following functions and powers:~~
- 636 ~~(1) To promulgate rules and regulations for the administration of the volunteer council;~~
- 637 ~~(2) To provide rules of procedure for its internal management and control;~~
- 638 ~~(3) To enter into contracts or do such things as may be necessary and incidental to the~~
639 ~~administration of its authority pursuant to this chapter;~~

- 640 ~~(4) To establish uniform minimum standards for the training of volunteer firefighters,~~
641 ~~including qualifications, certifications, and requirements, which are consistent with this~~
642 ~~chapter;~~
- 643 ~~(5) To make or support studies on any aspect of firefighter education and training or~~
644 ~~recruitment;~~
- 645 ~~(6) To make recommendations concerning any matter within its purview;~~
- 646 ~~(7) To establish basic firefighter training requirements for volunteer firefighters;~~
- 647 ~~(8) To certify any person satisfactorily complying with the training program established~~
648 ~~in accordance with paragraph (7) of this subsection and the qualifications for serving as~~
649 ~~a volunteer firefighter covered in this chapter; and~~
- 650 ~~(9) To issue a certificate to any person who has received training in another state or who~~
651 ~~has received training as a federal firefighter by the United States government, when the~~
652 ~~volunteer council has determined that the training was at least equivalent to that required~~
653 ~~by the volunteer council for approved volunteer firefighter education and training~~
654 ~~programs in this state and when the person has satisfactorily complied with all other~~
655 ~~requirements of this chapter.~~
- 656 ~~(c) All rules and regulations promulgated by the volunteer council may be overturned by~~
657 ~~a two-thirds' vote of the council. In such instance, the rule or regulation shall be returned~~
658 ~~to the volunteer council for reconsideration."~~

659

SECTION 6-11.

660 Said title is further amended by revising Code Section 25-4-7.1, relating to appointment of
661 executive director and employment of other personnel, as follows:

662 "25-4-7.1.

- 663 (a) The council, ~~in conjunction with the volunteer council,~~ shall appoint and establish the
664 compensation of an executive director who shall serve at the pleasure of the council.

665 (b) The executive director may contract for such services and employ such other
666 professional, technical, and clerical personnel as may be necessary and convenient to carry
667 out the purposes of this chapter.

668 ~~(c) The executive director shall provide the same services in support of the volunteer~~
669 ~~council as provided to the council.~~

670 ~~(d) The executive director shall bring all issues involving volunteer firefighters and~~
671 ~~volunteer fire departments to the volunteer council."~~

672

SECTION 6-12.

673 Said title is further amended by revising subsection (c) of and adding a new subsection to
674 Code Section 25-4-8, relating to qualifications of firefighters generally, to read as follows:

675 "(c)(1) For the purposes of making determinations relating to eligibility of full-time or
676 part-time firefighters under this Code section, a local fire department shall provide
677 information relative to prospective employees to the local law enforcement agency and
678 a state fire department shall provide information relative to prospective employees to a
679 state law enforcement agency. Such local or state law enforcement agency shall be
680 authorized to obtain conviction data with respect to such prospective employees of a local
681 or state fire department as authorized in this subsection. The local or state law
682 enforcement agency shall submit to the Georgia Crime Information Center two complete
683 sets of fingerprints of the applicant for ~~appointment or~~ employment, the required records
684 search fees, and such other information as may be required. Upon receipt thereof, the
685 Georgia Crime Information Center shall promptly transmit one set of fingerprints to the
686 Federal Bureau of Investigation for a search of bureau records and an appropriate report
687 and shall retain the other set and promptly conduct a search of its own records and
688 records to which it has access. The Georgia Crime Information Center shall notify the
689 local or state law enforcement agency in writing of any derogatory finding, including, but
690 not limited to, any conviction data regarding the fingerprint records check or if there is

691 no such finding. All conviction data received by the local or state law enforcement
692 agency shall not be a public record, shall be privileged, and shall not be disclosed to any
693 other person or agency except as provided in this subsection and except to any person or
694 agency which otherwise has a legal right to inspect the employment file. All such records
695 shall be maintained by the local or state law enforcement agency pursuant to laws
696 regarding such records and the rules and regulations of the Federal Bureau of
697 Investigation and the Georgia Crime Information Center, as applicable. As used in this
698 subsection, the term 'conviction data' means a record of a finding or verdict of guilty or
699 plea of guilty or plea of nolo contendere with regard to any crime, regardless of whether
700 an appeal of the conviction has been sought.

701 (2) The local or state law enforcement agency shall provide to the chief of the fire
702 department which requested information on an applicant for employment any criminal
703 data indicating that the applicant was convicted of a felony. Such information may be
704 provided to the council. The provisions of paragraph (1) of this subsection relating to
705 privileged information and records of conviction data shall apply to any information
706 provided by a law enforcement agency to a fire department under this subsection.

707 (d)(1) For purposes of making determinations relating to eligibility of volunteer
708 firefighters under this Code section, a local fire department shall provide information
709 relative to prospective volunteers to the local law enforcement agency or other agency
710 having access to the Georgia Crime Information Center to determine if a prospective
711 volunteer has been convicted of a felony in this state. Such local agency or other agency
712 shall be authorized to obtain conviction data with respect to prospective volunteers of a
713 local volunteer fire department as authorized in this subsection. All conviction data
714 received by the local agency or other agency shall not be a public record, shall be
715 privileged, and shall not be disclosed to any other person or agency except as provided
716 in this subsection and except to any person or agency which otherwise has a legal right
717 to inspect the file. All such records shall be maintained by the local agency or other

718 agency pursuant to laws regarding such records and the rules and regulations of the
 719 Georgia Crime Information Center, as applicable. As used in this subsection, the term
 720 'conviction data' means a record of a finding or verdict of guilty or plea of guilty or plea
 721 of nolo contendere with regard to any crime, regardless of whether an appeal of the
 722 conviction has been sought.

723 (2) The council shall create a form upon which may be indicated only whether a
 724 prospective volunteer was convicted of a felony or has no felony convictions. The local
 725 agency shall complete and provide such form to the chief of the fire department which
 726 requested information on a prospective volunteer. Such information may be provided to
 727 the council. The provisions of paragraph (1) of this subsection relating to privileged
 728 information and records of conviction data shall apply to any information provided by a
 729 local agency or other agency to a local fire department under this subsection."

730 **SECTION 6-13.**

731 Said title is further amended by repealing Code Section 25-4-8.1, relating to qualifications
 732 for volunteer firefighters.

733 **SECTION 6-14.**

734 Said title is further amended by revising Code Section 25-4-9, relating to basic firefighter
 735 training course and transfer of certification, as follows:

736 "25-4-9.

737 (a)(1)(A) Except as otherwise provided in paragraph (2) of this subsection, full-time,
 738 and part-time firefighters, ~~including airport firefighters,~~ shall successfully complete a
 739 basic training course. The council shall determine the course content, number of hours,
 740 and all other matters relative to basic firefighter training, including airport rescue
 741 firefighter training ~~for full-time and part-time firefighters.~~ Upon satisfactory
 742 completion of such basic training, a firefighter shall be issued a certificate of

743 completion ~~evidencing the same~~. Each firefighter shall be required to successfully
 744 complete such basic training course within 12 months after being employed or
 745 appointed as a firefighter or, in the case of airport firefighters, within such time period
 746 as the council may prescribe by rule or regulation.

747 (B) The ~~volunteer~~ council shall determine the course content, number of hours, and all
 748 other matters relative to basic firefighter training for volunteer firefighters. Each
 749 volunteer firefighter shall be required to complete such basic training course within 18
 750 months after being appointed as volunteer firefighter.

751 (2) Each firefighter who presents to the council, ~~or to the volunteer council in the case~~
 752 ~~of volunteer firefighters~~, satisfactory documentation, as determined by the council ~~or~~
 753 ~~volunteer council~~, of his or her training as a member of the United States armed forces,
 754 the Georgia National Guard, or the Georgia Air National Guard shall be issued a
 755 certificate of completion by the council ~~or volunteer council~~.

756 (b) A firefighter certified by the council may, upon termination of employment or
 757 volunteer arrangement from any fire department and upon agreement with a ~~subsequently~~
 758 ~~employing~~ subsequent fire department, transfer such certification to the ~~employing~~
 759 subsequent fire department for the purpose of employment or volunteering.

760 (c) Notwithstanding the provisions of subsection (b) of this Code section, any local fire
 761 department may refuse to accept the transfer of previously acquired certification and may
 762 require any ~~newly employed new~~ firefighter who is an employee or a volunteer to complete
 763 the basic training course provided for in subsection (a) of this Code section."

764

SECTION 6-15.

765 Said title is further amended by revising Code Section 25-4-10, relating to mandatory
 766 training, as follows:

767 "25-4-10.

768 (a) As a condition of continued certification, all ~~full-time and part-time~~ firefighters shall
769 train, drill, or study at schools, classes, or courses at the local, area, or state level, as
770 specified by the council. Authorized leaves of absence are expected.

771 ~~(b) As a condition of continued certification, all volunteer firefighters shall train, drill, or~~
772 ~~study at schools, classes, or courses at the local, area, or state level, as specified by the~~
773 ~~volunteer council. Authorized leaves of absence are expected."~~

774

SECTION 6-16.

775 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,
776 is amended by revising paragraph (3) of Code Section 45-9-101, relating to definitions
777 relative to temporary disability compensation program for law enforcement officers, firemen,
778 prison guards, and publicly employed emergency medical technicians, as follows:

779 "(3) 'Firefighter' means:

780 (A) Any person who is employed as a professional firefighter on a full-time or
781 part-time basis by any municipal, county, or state government fire department certified
782 in writing by the Georgia Firefighter Standards and Training Council pursuant to Code
783 Section 25-3-22 employing three or more firefighters and who has the responsibility of
784 preventing and suppressing fires; protecting life and property; enforcing municipal,
785 county, and state fire prevention codes; enforcing any law pertaining to the prevention
786 and control of fires, or who performs any acts or actions while on duty or when
787 responding to a fire or emergency during any fire or other emergency or while
788 performing duties intended to protect life and property;

789 (B) Any individual serving as an officially recognized or designated member of a
790 legally organized volunteer fire department certified in writing by the ~~Georgia~~
791 ~~Volunteer Fire Service Council~~ Georgia Firefighter Standards and Training Council
792 pursuant to Code Section 25-3-22 who performs any acts or actions while on duty and

793 when responding to a fire or emergency during any fire or other emergency or while
794 performing duties intended to protect life and property; or
795 (C) Any employee at the State Forestry Commission whose job duties include fire
796 mitigation."

797 **SECTION 6-17.**

798 Title 47 of the Official Code of Georgia Annotated, relating to retirement and pensions, is
799 amended by revising subparagraph (A) of paragraph (4) of Code Section 47-7-1, relating to
800 definitions relative to the Georgia Firefighters' Pension Fund, as follows:

801 "(A) A permanent, compensated employee of a fire department who in the course of
802 his or her employment by and within a department either is a candidate for or holds a
803 current firefighter's certificate issued under ~~Article 1~~ of Chapter 4 of Title 25 and has
804 as incident to his or her position of employment the principal duty of, and actually
805 performs the function of, preventing and suppressing fires and who works at least 1,040
806 hours per year; provided, however, that such term shall not include persons whose
807 primary responsibility is the performance of emergency medical services; or"

808 **SECTION 6-18.**

809 Any assets of the Georgia Volunteer Fire Service Council existing as of June 30, 2025, shall
810 devolve by operation of law and without further action to the State of Georgia on July 1,
811 2025. Any liabilities and obligations of the Georgia Volunteer Fire Service Council existing
812 as of June 30, 2025, shall be transferred to and assumed by the State of Georgia, by such
813 instruments as may be required to maintain the same.

814

PART VII

815

Georgia Palliative Care and Quality of Life Advisory Council

816

SECTION 7-1.

817 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by revising
 818 Code Section 31-7-191, relating to definitions relative to patient centered and family focused
 819 palliative care, as follows:

820 "31-7-191.

821 As used in this article, the term:

822 ~~(1) 'Commissioner' means the commissioner of community health.~~823 ~~(2)~~(1) 'Department' means the Department of Community Health.824 ~~(3) 'Georgia Palliative Care and Quality of Life Advisory Council' or 'council' means the~~
825 ~~advisory council created pursuant to Code Section 31-7-192.~~826 ~~(4)~~(2) 'Healthcare Healthcare facility' means hospitals; other special care units, including
827 but not limited to podiatric facilities; skilled nursing facilities; intermediate care facilities;
828 assisted living communities; personal care homes; ambulatory surgical or obstetrical
829 facilities; health maintenance organizations; home health agencies; and diagnostic,
830 treatment, or rehabilitation centers.831 ~~(5)~~(3) 'Palliative care' means those interventions which are intended to alleviate suffering
832 and to achieve relief from, reduction of, or elimination of pain and of other physical,
833 emotional, social, or spiritual symptoms of distress to achieve the best quality of life for
834 the patients and their families."

835

SECTION 7-2.

836 Said title is further amended by repealing Code Section 31-7-192, relating to Georgia
 837 Palliative Care and Quality of Life Advisory Council, and designating said Code section as
 838 reserved.

839

SECTION 7-3.

840 Said title is further amended by revising subsection (a) of Code Section 31-53-6, relating to
841 compiling of reports and public dissemination of data by the Office of Health Strategy and
842 Coordination, as follows:

843 "(a) The office shall compile reports received from the following boards, commissions,
844 committees, councils, and offices pursuant to each such entity's respective statutory
845 reporting requirements:

846 (1) The Maternal Mortality Review Committee;

847 (2) The Hemophilia Advisory Board;

848 ~~(3) The Georgia Council on Lupus Education and Awareness;~~

849 ~~(4) The Georgia Palliative Care and Quality of Life Advisory Council;~~

850 ~~(5)~~(3) The Georgia Trauma Care Network Commission;

851 ~~(6)~~(4) The Behavioral Health Coordinating Council;

852 ~~(7)~~(5) The Department of Public Health on behalf of the Georgia Coverdell Acute Stroke
853 Registry;

854 ~~(8)~~(6) The Office of Cardiac Care; and

855 ~~(9)~~(7) The Brain and Spinal Injury Trust Fund Commission."

856

SECTION 7-4.

857 Any assets of the Georgia Palliative Care and Quality of Life Advisory Council existing as
858 of June 30, 2025, shall devolve by operation of law and without further action to the State
859 of Georgia on July 1, 2025. Any liabilities and obligations of the Georgia Palliative Care and
860 Quality of Life Advisory Council existing as of June 30, 2025, shall be transferred to and
861 assumed by the State of Georgia, by such instruments as may be required to maintain the
862 same.

863

PART VIII

864

Georgia Council on Lupus Education and Awareness

865

SECTION 8-1.

866 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by
867 repealing Chapter 49, relating to Georgia Council on Lupus Education and Awareness, and
868 designating said chapter as reserved.

869

SECTION 8-2.

870 Any assets of the Georgia Council on Lupus Education and Awareness existing as of
871 June 30, 2025, shall devolve by operation of law and without further action to the State of
872 Georgia on July 1, 2025. Any liabilities and obligations of the Georgia Council on Lupus
873 Education and Awareness existing as of June 30, 2025, shall be transferred to and assumed
874 by the State of Georgia, by such instruments as may be required to maintain the same.

875

PART IX

876

Board of Homeland Security

877

SECTION 9-1.

878 Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to emergency
879 management, is amended by revising subsection (e) of Code Section 38-3-20, relating to
880 Georgia Emergency Management and Homeland Security Agency created, director, staff,
881 offices, director's duties, and disaster coordinator, as follows:

882 "(e) The director, subject to the direction and control of the Governor, shall:

883 (1) Be the executive head of the Georgia Emergency Management and Homeland
884 Security Agency and shall be responsible to the Governor for carrying out the program
885 for emergency management and homeland security in this state;

- 886 (2) Serve as the central authority reporting to the Governor on all matters relating to
887 homeland security;
- 888 (3) Have authority over areas involving imminent or current terrorist activity within this
889 state, including, but not limited to, leading and directing the actions of the Homeland
890 Security Task Force and the Emergency Operations Command where such Emergency
891 Operations Command shall not usurp the operational authority of participating agencies
892 but shall be responsible only for coordinating the public safety response to natural
893 disasters, homeland security activities, and other emergencies within the state;
- 894 (4) Coordinate the activities of all organizations for emergency management and
895 homeland security within the state;
- 896 (5) Maintain liaison with and cooperate with emergency management agencies and
897 organizations of other states and of the federal government;
- 898 (6) Through risk and threat assessments, coordinate plans for timely and complete
899 responses through a network of state, local, and federal organizations, including, but not
900 limited to, the coordination of efficient and timely flow of information;
- 901 (7) Be responsible for crisis and consequence management planning, including, but not
902 limited to, measures to identify, acquire, and plan the use of resources needed to
903 anticipate, prevent, or resolve a threat or act of terrorism;
- 904 (8) Coordinate and review activities involving homeland security within any agency,
905 authority, or entity of this state, including, but not limited to, homeland security activities
906 found within the Department of Public Safety, the Georgia Bureau of Investigation, the
907 Georgia National Guard, the Department of Natural Resources, the Department of
908 Community Health, and the Department of Public Health;
- 909 (9) Evaluate information developed by the criminal justice community in regard to
910 threats or potential threats of terrorism;

911 (10) Serve as ~~this~~ the state's security manager for the purpose of identifying and
912 processing state personnel for security clearances through the United States Department
913 of Homeland Security; and

914 (11) Have such additional authority, duties, and responsibilities authorized by Article 1,
915 this article, and Article 3 of this chapter as may be prescribed by the Governor and such
916 additional authority, duties, and responsibilities as described in Article 9 of Chapter 3 of
917 Title 35 and Part 4 of Article 2 of Chapter 5 of Title 46, the 'Georgia Emergency
918 Telephone Number 9-1-1 Service Act of 1977,' as amended; and

919 (12) As deemed necessary by the Governor, develop a new state-wide homeland security
920 strategy; provided, however, that such strategy shall, in the Governor's discretion,
921 improve the state's ability to protect against, respond to, and recover from domestic
922 terrorism and other homeland security threats and hazards and mitigate loss of life and
923 property by lessening the impact of future homeland security threats and hazards."

924

SECTION 9-2.

925 Said chapter is further amended by repealing Article 2A, relating to Board of Homeland
926 Security.

927

SECTION 9-3.

928 Any assets of the Board of Homeland Security existing as of June 30, 2025, shall devolve by
929 operation of law and without further action to the State of Georgia on July 1, 2025. Any
930 liabilities and obligations of the Board of Homeland Security existing as of June 30, 2025,
931 shall be transferred to and assumed by the State of Georgia, by such instruments as may be
932 required to maintain the same.

933

PART X

934

Employment First Georgia Council

935

SECTION 10-1.

936 Chapter 9 of Title 49 of the Official Code of Georgia Annotated, relating to Georgia
937 Vocational Rehabilitation Agency, is amended by adding new paragraphs to Code Section
938 49-9-1, relating to definitions, to read as follows:

939 "(3.1) 'Competitive integrated employment' means work, including self-employment, in
940 the labor market performed on a full-time or part-time basis in a setting in which an
941 individual with a disability interacts with individuals without disabilities in all aspects of
942 the job function and for which such individual with a disability is compensated at or above
943 the level of salary and benefits paid by the employer for the same or similar work
944 performed by individuals without disabilities."

945 "(4.1) 'Disability' means a permanent physical, cognitive, or behavioral condition that
946 significantly limits one or more functions of daily living."

947

SECTION 10-2.

948 Said chapter is further amended by adding a new Code section to read as follows:

949 "49-9-2.1.

950 (a) The board shall advise the Governor, General Assembly, and state agencies as to the
951 adoption and integration of a policy that recognizes that competitive integrated
952 employment is the first and preferred option of all state funded services provided to
953 working age individuals with disabilities. Such policy shall be known as the Employment
954 First Policy or Employment First.

955 (b) The board shall have the following powers, duties, and responsibilities with respect to
956 the Employment First Policy provided for in subsection (a) of this Code section:

- 957 (1) Develop an Employment First training plan for providers of services to individuals
958 with disabilities;
- 959 (2) Conduct educational activities to increase awareness of the Employment First Policy;
- 960 (3) Evaluate the funding mechanism for services in this state for individuals with
961 disabilities and for students attending inclusive postsecondary institutions; and
- 962 (4) Make recommendations in a biannual report to the Governor and the General
963 Assembly with regard to issues and necessary steps surrounding the adoption and
964 implementation of the Employment First Policy, including, but not limited to:
- 965 (A) Proposed legislative or administrative changes to policies and programs that are
966 integral to the full implementation of the Employment First Policy;
- 967 (B) Proposed changes to or creation of funding mechanisms and other initiatives for
968 services in this state for individuals with disabilities and for students attending inclusive
969 postsecondary institutions; and
- 970 (C) State-wide best practices to ensure that providers of services in this state for
971 individuals with disabilities are facilitating competitive integrated employment in the
972 workforce."

973 **SECTION 10-3.**

974 Said chapter is further amended by repealing Article 3, relating to the Employment First
975 Georgia Council.

976 **SECTION 10-4.**

977 Any assets of the Employment First Georgia Council existing as of June 30, 2025, shall
978 devolve by operation of law and without further action to the State of Georgia on July 1,
979 2025. Any liabilities and obligations of the Employment First Georgia Council existing as
980 of June 30, 2025, shall be transferred to and assumed by the State of Georgia, by such
981 instruments as may be required to maintain the same.

982

PART XI

983

Georgia State Games Commission

984

SECTION 11-1.

985 Article 3 of Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to
 986 Georgia State Games Commission, is amended by revising Code Section 50-12-40, relating
 987 to definitions, as follows:

988 "50-12-40.

989 As used in this article, the term:

990 (1) ~~'Direct-support~~ 'direct-support organization' means a Georgia nonprofit corporation
 991 organized and operated to receive, hold, invest, and administer property and to make
 992 expenditures to or for the benefit of the Georgia State Games, Olympic training facilities,
 993 and the promotion of national and international amateur sports competition.

994 (2) ~~'Physical fitness' means good or improved habits relating to recreation, exercises,
 995 sports, and the use of leisure time and instructions for these purposes and for improving
 996 the physique and health of the residents of the state.'~~

997

SECTION 11-2.

998 Said article is further amended by repealing Code Sections 50-12-41 through 50-12-44 and
 999 Code Section 50-12-48, relating to creation, purpose of article, membership, appointment,
 1000 terms, chairperson, powers and duties, and annual report, respectively, relative to the Georgia
 1001 State Games Commission, and designating said Code sections as reserved.

1002

SECTION 11-3.

1003 Said article is further amended by revising Code Section 50-12-45, relating to assistance by
 1004 direct-support organization, contract with organization, pattern and design of games,
 1005 frequency and sites, and subsidiary corporations, as follows:

1006 "50-12-45.

1007 ~~(a) The commission may authorize a direct-support organization as defined by Code~~
1008 ~~Section 50-12-40 to assist the operation of the Georgia State Games, the promotion of~~
1009 ~~national and international amateur athletic competitions, and the development of Olympic~~
1010 ~~training centers. The direct-support organization shall operate under contract with the~~
1011 ~~Department of Natural Resources.~~

1012 ~~(b) The contract between the direct-support organization and the Department of Natural~~
1013 ~~Resources shall, at a minimum, provide for:~~

1014 ~~(1) Approval of the articles of incorporation of the direct-support organization by the~~
1015 ~~commission, and for the governance of the direct-support organization by members~~
1016 ~~appointed by the commission and approved by the Governor;~~

1017 ~~(2) Submission of an annual budget for the approval of the commission and the~~
1018 ~~Governor. The budget shall be in accordance with rules adopted by the commission;~~

1019 ~~(3) Certification by the Governor or his designee, after conducting an annual financial~~
1020 ~~and performance review, that the direct-support organization is operating in compliance~~
1021 ~~with the terms of the contract and in a manner consistent with the goals of the~~
1022 ~~commission and in the best interest of the state. Such certification shall be made to the~~
1023 ~~commission annually and reported in the official minutes of a meeting of the commission;~~

1024 ~~(4) The release and conditions for the expenditure of any state revenues;~~

1025 ~~(5) The reversion to the state of funds held in trust by the direct-support organization if~~
1026 ~~the contract is terminated; and~~

1027 ~~(6) The fiscal year of the direct-support organization as beginning on July 1 and ending~~
1028 ~~June 30 in each and every year.~~

1029 ~~(c) The Georgia State Games shall be patterned after the Summer Olympic games with~~
1030 ~~variations as necessitated by the availability of facilities, equipment, and expertise. The~~
1031 ~~games shall be designed to encourage the participation of athletes representing a broad~~
1032 ~~range of age groups, skill levels, and Georgia communities. Participants shall be residents~~

1033 of this state. Regional competitions shall be held throughout the state, and the top
1034 qualifiers in each sport shall proceed to the final competitions to be held at a site in ~~the~~ this
1035 state having the necessary facilities and equipment for conducting the competitions.

1036 ~~(d) The commission shall determine the frequency of the Georgia State Games and shall~~
1037 ~~select the sites of the final competition and regional competitions.~~

1038 ~~(e) The commission is authorized to incorporate one or more nonprofit corporations as~~
1039 ~~subsidiary corporations of the commission for the purpose of carrying out any of the~~
1040 ~~powers of the commission and to accomplish any of the purposes of the commission. Any~~
1041 ~~subsidiary corporations created pursuant to this subsection shall be created pursuant to~~
1042 ~~Chapter 3 of Title 14, the 'Georgia Nonprofit Corporation Code,' and the Secretary of State~~
1043 ~~shall be authorized to accept such filings. Upon dissolution of any subsidiary corporation~~
1044 ~~of the commission, any assets shall revert to the commission or to any successor to the~~
1045 ~~commission or, failing such succession, to the State of Georgia."~~

1046 **SECTION 11-4.**

1047 Said article is further amended by revising Code Section 50-12-47, relating to audit of
1048 Georgia State Games direct-support organization, as follows:

1049 "50-12-47.

1050 The Georgia State Games direct-support organization shall make provisions for an annual
1051 financial and compliance audit of its financial accounts and records by an independent
1052 certified public accountant in accordance with ~~rules~~ standards established by the
1053 ~~commission~~ Department of Audits and Accounts. The annual audit report shall be
1054 submitted to the Governor ~~and the commission~~ for review and approval. Upon approval,
1055 the Governor ~~and the commission~~ shall certify the audit report to the Department of Audits
1056 and Accounts for review and approval."

1057 **SECTION 11-5.**

1058 Any assets of the Georgia State Games Commission existing as of June 30, 2025, shall
1059 devolve by operation of law and without further action to the State of Georgia on July 1,
1060 2025. Any liabilities and obligations of the Georgia State Games Commission existing as
1061 of June 30, 2025, shall be transferred to and assumed by the State of Georgia, by such
1062 instruments as may be required to maintain the same.

1063 **PART XII**

1064 *Lottery Retailer Advisory Board*

1065 **SECTION 12-1.**

1066 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
1067 by repealing Code Section 50-27-6, relating to Lottery Retailer Advisory Board, and
1068 designating said Code section as reserved.

1069 **SECTION 12-2.**

1070 Any assets of the Lottery Retailer Advisory Board existing as of June 30, 2025, shall devolve
1071 by operation of law and without further action to the State of Georgia on July 1, 2025. Any
1072 liabilities and obligations of the Lottery Retailer Advisory Board existing as of June 30,
1073 2025, shall be transferred to and assumed by the State of Georgia, by such instruments as
1074 may be required to maintain the same.

1075 **PART XIII**

1076 *General Repealer*

1077 **SECTION 13-1.**

1078 All laws and parts of laws in conflict with this Act are repealed.