

House Bill 257

By: Representative Setzler of the 35<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated,  
2 relating to children and youth services, so as to provide for registration of maternity  
3 supportive housing residences to provide housing for pregnant women; to define a term; to  
4 provide for requirements; to prohibit additional rules and regulations; to prohibit constraints  
5 imposed by local governments; to provide for statutory construction; to provide for related  
6 matters; to provide a short title; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as "The Maternity Supportive Housing Act."

10 **SECTION 2.**

11 Article 1 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to  
12 children and youth services, is amended in Code Section 49-5-3, relating to definitions, by  
13 adding a new paragraph to read as follows:

14 "(13.1) 'Maternity supportive housing residence' means a residential home that houses  
15 on behalf of a nonprofit organization up to six pregnant women aged 18 years or older

16 and their children at any one time during the woman's pregnancy and up to 18 months  
17 after childbirth; provided, however, that no services other than housing shall be provided.  
18 This term shall not include the residential home of a relative in which a woman receives  
19 maternity care or a general or special hospital."

20 **SECTION 3.**

21 Said article is further amended by adding a new Code section to read as follows:

22 "49-5-25.

23 (a)(1) On and after July 1, 2021, all maternity supportive housing residences shall  
24 register in accordance with this Code section by submitting an application to the  
25 department upon forms furnished by the department. The form furnished by the  
26 department shall require the name, address, and telephone number of the maternity  
27 supportive housing residence and emergency contact information.

28 (2) A registrant shall be required to pay an annual registration fee of \$250.00 to the  
29 department.

30 (3) The department shall issue a registration certificate, valid for one year, to a maternity  
31 supportive housing residence upon receipt of an application for registration, payment of  
32 the registration fee, and notarized attestation by the applicant that the maternity  
33 supportive housing residence:

34 (A) Has written policies and procedures for admission, intake, and record keeping;  
35 (B) Is in compliance with applicable residential building codes; and  
36 (C) Has property insurance coverage on the residence which covers the residents,  
37 newborns, and other children.

38 (b) The department shall not have the authority to implement rules and regulations for the  
39 registration of maternity supportive housing residences but shall have the authority to  
40 maintain any records submitted by a residence pursuant to paragraph (3) of subsection (a)  
41 of this Code section.

42 (c) No county, municipality, or consolidated government shall, by rule or ordinance,  
43 constrain the establishment or operation of maternity supportive housing residences or  
44 place occupancy requirements on such residences that would not apply to a single family  
45 living in the residence.

46 (d) Nothing in this Code section shall be construed to require a maternity home to register  
47 with the department pursuant to this Code section or for a maternity supportive housing  
48 residence to obtain a license or permit as a maternity home or to meet the requirements of  
49 a maternity home."

50

#### **SECTION 4.**

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