

House Bill 783

By: Representatives Caldwell of the 20th, Welch of the 110th, Gravley of the 67th, Barr of the 103rd, Blackmon of the 146th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend various titles of the Official Code of Georgia Annotated so as to repeal provisions
2 creating inactive boards, panels, authorities, centers, commissions, committees, councils, task
3 forces, and other such bodies; to remove inapplicable references; to provide for related
4 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**PART I**
7 style="text-align:center">**SECTION 1-1.**

8 Title 2 of the Official Code of Georgia Annotated, relating to agriculture, is amended by
9 repealing Chapter 15, relating to Pacific White Shrimp Aquaculture Development, and
10 designating said chapter as reserved.

11 style="text-align:center">**SECTION 1-2.**

12 Any assets of the Pacific White Shrimp Aquaculture Development Advisory Council existing
13 as of June 30, 2018, shall devolve by operation of law and without further action to the State
14 of Georgia on July 1, 2018. Any liabilities and obligations of the Pacific White Shrimp
15 Aquaculture Development Advisory Council existing as of June 30, 2018, shall be
16 transferred to and assumed by the State of Georgia, by such instruments as may be required
17 to maintain the same.

18 style="text-align:center">**PART II**
19 style="text-align:center">**SECTION 2-1.**

20 Said title is further amended by repealing Chapter 18, relating to the Georgia Tobacco
21 Community Development Board, and designating said chapter as reserved.

22 **SECTION 2-2.**

23 Any assets of the Georgia Tobacco Community Development Board existing as of June 30,
 24 2018, shall devolve by operation of law and without further action to the State of Georgia on
 25 July 1, 2018. Any liabilities and obligations of the Georgia Tobacco Community
 26 Development Board existing as of June 30, 2018, shall be transferred to and assumed by the
 27 State of Georgia, by such instruments as may be required to maintain the same.

28 **SECTION 2-3.**

29 Code Section 50-13-2 of the Official Code of Georgia Annotated, relating to definitions for
 30 state government administrative procedure, is amended by revising paragraph (1) as follows:

31 "(1) 'Agency' means each state board, bureau, commission, department, activity, or
 32 officer authorized by law expressly to make rules and regulations or to determine
 33 contested cases, except the General Assembly; the judiciary; the Governor; the State
 34 Board of Pardons and Paroles; the State Financing and Investment Commission; the State
 35 Properties Commission; the Board of Bar Examiners; the Board of Corrections and its
 36 penal institutions; the State Board of Workers' Compensation; all public authorities
 37 except as otherwise expressly provided by law; the State Personnel Board; the
 38 Department of Administrative Services or commissioner of administrative services; the
 39 Technical College System of Georgia; the Nonpublic Postsecondary Education
 40 Commission; the Department of Labor when conducting hearings related to
 41 unemployment benefits or overpayments of unemployment benefits; the Department of
 42 Revenue when conducting hearings relating to alcoholic beverages, tobacco, or bona fide
 43 coin operated amusement machines or any violations relating thereto; ~~the Georgia~~
 44 ~~Tobacco Community Development Board~~; the Georgia Higher Education Savings Plan;
 45 the Georgia ABLE Program Corporation; any school, college, hospital, or other such
 46 educational, eleemosynary, or charitable institution; or any agency when its action is
 47 concerned with the military or naval affairs of this state. The term 'agency' shall include
 48 the State Board of Education and Department of Education, subject to the following
 49 qualifications:

50 (A) Subject to the limitations of subparagraph (B) of this paragraph, all otherwise valid
 51 rules adopted by the State Board of Education and Department of Education prior to
 52 January 1, 1990, are ratified and validated and shall be effective until January 1, 1991,
 53 whether or not such rules were adopted in compliance with the requirements of this
 54 chapter; and

55 (B) Effective January 1, 1991, any rule of the State Board of Education or Department
 56 of Education which has not been proposed, submitted, and adopted in accordance with
 57 the requirements of this chapter shall be void and of no effect."

58

PART III

59

SECTION 3-1.

60 Title 2 of the Official Code of Georgia Annotated, relating to agriculture, is amended by
 61 repealing Chapter 20, relating to the Southern Dairy Compact, and designating said chapter
 62 as reserved.

63

PART IV

64

SECTION 4-1.

65 Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to parks, historic
 66 areas, memorials, and recreation, is amended by repealing Code Section 12-3-73, relating to
 67 creation of the Heritage Trust Commission, appointment and criteria for selection of
 68 members, terms of office, reimbursement of members for expenses, and duties, and
 69 designating said Code section as reserved.

70

PART V

71

SECTION 5-1.

72 Said chapter is further amended by repealing Part 10 of Article 7, relating to the Georgia
 73 Music Hall of Fame Authority, and designating said part as reserved.

74

SECTION 5-2.

75 Any assets of the Georgia Music Hall of Fame Authority existing as of June 30, 2018, shall
 76 devolve by operation of law and without further action to the State of Georgia on July 1,
 77 2018. Any liabilities and obligations of the Georgia Music Hall of Fame Authority existing
 78 as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such
 79 instruments as may be required to maintain the same.

80

SECTION 5-3.

81 Said chapter is further amended by revising Code Section 12-3-550, relating to establishment
 82 of the Georgia Halls of Fame Authority Overview Committee and membership, as follows:
 83 "12-3-550.

84 There is created as a joint committee of the General Assembly the Georgia Halls of Fame
 85 Authority Overview Committee to be composed of five members of the House of
 86 Representatives appointed by the Speaker of the House and five members of the Senate
 87 appointed by the President of the Senate. The members of the committee shall serve

88 two-year terms concurrent with their terms as members of the General Assembly. The
 89 ~~chairman~~ chairperson of the committee shall be appointed by the President of the Senate
 90 from the membership of the committee, and the vice ~~chairman~~ chairperson of the
 91 committee shall be appointed by the Speaker of the House of Representatives from the
 92 membership of the committee. The ~~chairman~~ chairperson and vice ~~chairman~~ chairperson
 93 shall serve terms of two years concurrent with their terms as members of the General
 94 Assembly. Vacancies in an appointed member's position or in the offices of ~~chairman~~
 95 chairperson or vice ~~chairman~~ chairperson of the committee shall be filled for the unexpired
 96 term in the same manner as the original appointment. The committee shall periodically
 97 inquire into and review the operations of ~~the Georgia Music Hall of Fame Authority and~~
 98 the Georgia Sports Hall of Fame Authority, as well as periodically review and evaluate the
 99 success with which ~~each~~ such authority is accomplishing its statutory duties and functions
 100 as provided in this article."

101 **SECTION 5-4.**

102 Said chapter is further amended by revising Code Section 12-3-552, relating to Georgia
 103 Music Hall of Fame Authority and Georgia Sports Hall of Fame Authority cooperation with
 104 state agencies, as follows:

105 "12-3-552.

106 ~~The Georgia Music Hall of Fame Authority and the Georgia Sports Hall of Fame Authority~~
 107 shall cooperate with the committee, its authorized personnel, the Attorney General, the
 108 state auditor, the state accounting officer, and other state agencies in order that the charges
 109 of the committee, set forth in this part, may be timely and efficiently discharged. ~~Each~~ The
 110 authority shall submit to the committee such reports and data as the committee shall
 111 reasonably require of ~~each~~ the authority in order that the committee may adequately
 112 perform its functions. The Attorney General is authorized to bring appropriate legal
 113 actions to enforce any laws specifically or generally relating to the ~~two authorities~~
 114 authority. The committee shall, on or before the first day of January of each year, and at
 115 such other times as it deems necessary, submit to the General Assembly a report of its
 116 findings and recommendations based upon the review of the ~~two authorities~~ authority, as
 117 set forth in this part."

118 **SECTION 5-5.**

119 Said chapter is further amended by revising Code Section 12-3-553, relating to standards for
 120 evaluation of performance of authority, as follows:

121 "12-3-553.

122 In the discharge of its duties, the committee shall evaluate the performance of the Georgia
123 ~~Music Hall of Fame Authority~~ and the Georgia Sports Hall of Fame Authority consistent
124 with the following criteria:

125 (1) Prudent, legal, and accountable expenditure of public funds;

126 (2) Efficient operation; and

127 (3) Performance of its statutory responsibilities."

128 **SECTION 5-6.**

129 Said chapter is further amended by repealing Code Section 12-3-562.1, relating to joint
130 operation between the Georgia Sports Hall of Fame and the Georgia Music Hall of Fame and
131 proposals for accomplishing objectives.

132 **SECTION 5-7.**

133 Said chapter is further amended in Code Section 12-3-564, relating to powers and duties of
134 the Georgia Sports Hall of Fame Authority, by replacing the semicolon at the end of
135 paragraph (19) with "; and" and revising paragraphs (20) and (21) as follows:

136 ~~"(20) To select a site for the building of a state sports hall of fame; provided, however,~~
137 ~~that the initial site of such facility shall be located in Macon, Georgia, if the City of~~
138 ~~Macon, prior to January 1, 1995, donates land therefor in the general area of the location~~
139 ~~of the Georgia Music Hall of Fame; and~~

140 ~~(21)~~(20) To sell, upon obtaining a license from the Department of Revenue, alcoholic
141 beverages for consumption on the premises only upon property operated and controlled
142 by the authority."

143 **SECTION 5-8.**

144 Code Section 45-7-21 of the Official Code of Georgia Annotated, relating to expense
145 allowance and travel cost reimbursement for members of certain boards and commissions,
146 is amended by revising subsection (a) as follows:

147 "(a) Each member of the boards and commissions enumerated in this Code section shall
148 receive the same expense allowance per day as that received by a member of the General
149 Assembly for each day such member of a board or commission is in attendance at a
150 meeting of such board or commission, plus reimbursement for actual transportation costs
151 while traveling by public carrier or the legal mileage rate for the use of a personal
152 automobile in connection with such attendance. The expense allowance and
153 reimbursement provided for in this Code section shall be paid in lieu of any per diem,
154 allowance, or other remuneration now received by any such member for such attendance.

155 The existing law relative to any limitation on the number of meeting days and remuneration
 156 for service on committees or subcommittees of any such board or commission shall remain
 157 in effect. The boards and commissions to which this Code section shall be applicable are
 158 as follows:

- 159 (1) State Board of Education;
 160 (2) Board of Regents of the University System of Georgia;
 161 ~~(2.1)(3)~~ Board of Community Supervision;
 162 ~~(3)(4)~~ Board of Corrections;
 163 ~~(4)(5)~~ Board of Economic Development;
 164 ~~(5)(6)~~ Board of Natural Resources;
 165 ~~(6) Reserved;~~
 166 (7) Dental Education Board;
 167 (8) Georgia Student Finance Commission;
 168 (9) Veterans Service Board;
 169 (10) Georgia Agricultural Exposition Authority;
 170 (11) Georgia Board for Physician Workforce;
 171 ~~(12) Georgia Music Hall of Fame Authority;~~
 172 ~~(13)(12)~~ Georgia Sports Hall of Fame Authority;
 173 ~~(14)(13)~~ Georgia Rail Passenger Authority;
 174 ~~(15) Georgia Tobacco Community Development Board;~~
 175 ~~(16)(14)~~ State Board of the Technical College System of Georgia; and
 176 ~~(17)(15)~~ Civil War Commission; and
 177 ~~(18) The delegation from the State of Georgia to the Southern Dairy Compact~~
 178 ~~Commission."~~

179 **SECTION 5-9.**

180 Code Section 47-2-322 of the Official Code of Georgia Annotated, relating to membership
 181 in retirement system of officers and employees of the Georgia Music Hall of Fame Authority,
 182 creditable service, and contributions, is amended by repealing said Code section and
 183 designating said Code section as reserved.

184 **SECTION 5-10.**

185 Code Section 50-7-8 of the Official Code of Georgia Annotated, relating to additional duties
 186 and powers of the Board of Economic Development, is amended by replacing the semicolon
 187 at the end of paragraph (11) with "; and" and revising paragraphs (12) through (14) as
 188 follows:

189 ~~"(12) To assist the Georgia Music Hall of Fame Authority for any purpose necessary or~~
 190 ~~incidental in the administration and performance of the Georgia Music Hall of Fame~~
 191 ~~Authority's duties, powers, responsibilities, and functions as provided in Part 10 of~~
 192 ~~Article 7 of Chapter 3 of Title 12;~~
 193 ~~(13) To enter into contracts with the Georgia Music Hall of Fame Authority for any~~
 194 ~~purpose necessary or incidental in assisting the Georgia Music Hall of Fame Authority~~
 195 ~~in carrying out or performing its duties, responsibilities, and functions; provided,~~
 196 ~~however, that all such assistance shall be performed on behalf of and pursuant to the~~
 197 ~~lawful purposes of the Georgia Music Hall of Fame Authority and not on behalf of the~~
 198 ~~department; and provided, further, that such assistance shall not include the authorization~~
 199 ~~of the issuance of any bonds or other indebtedness of the authority. The department may~~
 200 ~~undertake joint or complementary programs with the Georgia Music Hall of Fame~~
 201 ~~Authority, including the provision for joint or complementary services, within the scope~~
 202 ~~of their respective powers; and~~
 203 ~~(14)(12) To induce, by payment of state funds or other consideration, any agency or~~
 204 ~~authority assigned to the department for administrative purposes to perform the agency~~
 205 ~~or authority's statutory functions."~~

206 **PART VI**

207 **SECTION 6-1.**

208 Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to water resources,
 209 is amended by repealing Article 8, relating to comprehensive state-wide water management
 210 planning, and designating said article as reserved.

211 **SECTION 6-2.**

212 Any assets of the Water Council existing as of June 30, 2018, shall devolve by operation of
 213 law and without further action to the State of Georgia on July 1, 2018. Any liabilities and
 214 obligations of the Water Council existing as of June 30, 2018, shall be transferred to and
 215 assumed by the Environmental Protection Division of the Department of Natural Resources,
 216 by such instruments as may be required to maintain the same.

217 **PART VII**

218 **SECTION 7-1.**

219 Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste
 220 management, is amended by repealing Article 5, relating to the Southeast Interstate

221 Low-Level Radioactive Waste Management Compact, and designating said article as
222 reserved.

223 **PART VIII**

224 **SECTION 8-1.**

225 Chapter 1A of Title 20 of the Official Code of Georgia Annotated, relating to early care and
226 learning, is amended by repealing Article 3, relating to the Child Care Council.

227 **SECTION 8-2.**

228 Any assets of the Child Care Council existing as of June 30, 2018, shall devolve by operation
229 of law and without further action to the State of Georgia on July 1, 2018. Any liabilities and
230 obligations of the Child Care Council existing as of June 30, 2018, shall be transferred to and
231 assumed by the State of Georgia, by such instruments as may be required to maintain the
232 same.

233 **SECTION 8-3.**

234 Said chapter is further amended by revising paragraph (6) of Code Section 20-1A-4, relating
235 to powers and duties of the Department of Early Care and Learning, as follows:

236 ~~"(6) To perform the functions set out in Code Section 20-1A-64, relating to improvement~~
237 ~~of improve the quality, availability, and affordability of child care in this state;"~~

238 **PART IX**

239 **SECTION 9-1.**

240 Code Section 20-3-73.3 of the Official Code of Georgia Annotated, relating to the Georgia
241 Southern University Herty Advanced Materials Development Center and its advisory board,
242 is amended by deleting subsection (f).

243 **SECTION 9-2.**

244 Any assets of the Georgia Southern University Herty Advanced Materials Development
245 Center advisory board existing as of June 30, 2018, shall devolve by operation of law and
246 without further action to the State of Georgia on July 1, 2018. Any liabilities and obligations
247 of the Georgia Southern University Herty Advanced Materials Development Center advisory
248 board existing as of June 30, 2018, shall be transferred to and assumed by the State of
249 Georgia, by such instruments as may be required to maintain the same.

250

PART X

251

SECTION 10-1.

252 Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to postsecondary
 253 education, is amended by repealing Article 6, relating to the Private Colleges and
 254 Universities Authority, and designating said article as reserved.

255

SECTION 10-2.

256 Any assets of the Private Colleges and Universities Authority existing as of June 30, 2018,
 257 shall devolve by operation of law and without further action to the State of Georgia on July
 258 1, 2018. Any liabilities and obligations of the Private Colleges and Universities Authority
 259 existing as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by
 260 such instruments as may be required to maintain the same.

261

PART XI

262

SECTION 11-1.

263 Chapter 6 of Title 20 of the Official Code of Georgia Annotated, relating to education
 264 compacts, is amended by repealing Article 2, relating to the Compact for Education, and
 265 designating said article as reserved.

266

SECTION 11-2.

267 Any assets of the Georgia Education Council existing as of June 30, 2018, shall devolve by
 268 operation of law and without further action to the State of Georgia on July 1, 2018. Any
 269 liabilities and obligations of the Georgia Education Council existing as of June 30, 2018,
 270 shall be transferred to and assumed by the State of Georgia, by such instruments as may be
 271 required to maintain the same.

272

SECTION 11-3.

273 Code Section 20-17-2 of the Official Code of Georgia Annotated, relating to provisions of
 274 the Interstate Compact on Educational Opportunity for Military Children, is amended by
 275 revising paragraph (3) of Article IX as follows:

276 "(3) Consist of ex-officio, nonvoting representatives who are members of interested
 277 organizations. Such ex-officio members, as defined in the bylaws, may include, but not
 278 be limited to, members of the representative organizations of military family advocates,
 279 local education agency officials, parent and teacher groups, the United States Department
 280 of Defense, ~~the Education Commission of the States~~, the Interstate Agreement on the

281 Qualification of Educational Personnel, and other interstate compacts affecting the
282 education of children of military members.”

283 **PART XII**
284 **SECTION 12-1.**

285 Article 2 of Chapter 14 of Title 20 of the Official Code of Georgia Annotated, relating to
286 education accountability assessment programs, is amended by repealing Part 7, relating to
287 the Education Information Steering Committee, and designating said part as reserved.

288 **SECTION 12-2.**

289 Any assets of the Education Information Steering Committee existing as of June 30, 2018,
290 shall devolve by operation of law and without further action to the State of Georgia on July
291 1, 2018. Any liabilities and obligations of the Education Information Steering Committee
292 existing as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by
293 such instruments as may be required to maintain the same.

294 **PART XIII**
295 **SECTION 13-1.**

296 Chapter 8 of Title 31 of the Official Code of Georgia Annotated, relating to care and
297 protection of indigent and elderly patients, is amended by repealing Article 9, relating to the
298 Federal and State Funded Health Care Financing Programs Overview Committee, and
299 designating said article as reserved.

300 **SECTION 13-2.**

301 Any assets of the Federal and State Funded Health Care Financing Programs Overview
302 Committee existing as of June 30, 2018, shall devolve by operation of law and without
303 further action to the State of Georgia on July 1, 2018. Any liabilities and obligations of the
304 Federal and State Funded Health Care Financing Programs Overview Committee existing
305 as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such
306 instruments as may be required to maintain the same.

307

PART XIV

308

SECTION 14-1.

309 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by
 310 repealing Chapter 43, relating to the Commission on Men's Health, and designating said
 311 chapter as reserved.

312

SECTION 14-2.

313 Any assets of the Commission on Men's Health existing as of June 30, 2018, shall devolve
 314 by operation of law and without further action to the State of Georgia on July 1, 2018. Any
 315 liabilities and obligations of the Commission on Men's Health existing as of June 30, 2018,
 316 shall be transferred to and assumed by the State of Georgia, by such instruments as may be
 317 required to maintain the same.

318

PART XV

319

SECTION 15-1.

320 Code Section 31-44-3 of the Official Code of Georgia Annotated, relating to adoption of
 321 rules by the Board of Community Health, is amended as follows:

322 "(a) The board shall adopt rules to implement this chapter, including but not limited to
 323 requirements for the issuance, renewal, denial, suspension, and revocation of a license to
 324 operate an end stage renal disease facility. The rules adopted by the board pursuant to this
 325 Code section shall not conflict with any federal law or regulation applicable to end stage
 326 renal disease facilities or personnel thereof and shall set forth minimum standards for the
 327 health, safety, and protection of the patient being served.

328 ~~(b) The department shall establish a Renal Dialysis Advisory Council to advise the~~
 329 ~~department regarding licensing and inspection of end stage renal disease facilities. The~~
 330 ~~council shall be composed of a minimum of 13 persons appointed by the board: one~~
 331 ~~member recommended by the Dogwood Chapter of the American Nephrology Nurses~~
 332 ~~Association; one member recommended by the Georgia Association of Kidney Patients;~~
 333 ~~two physicians specializing in nephrology recommended by the Georgia Renal Physicians~~
 334 ~~Association; one member recommended by the National Kidney Foundation of Georgia;~~
 335 ~~two administrators of facilities certified as outpatient dialysis facilities in Georgia; three~~
 336 ~~members of the general public, two of whom shall be dialysis patients or family members~~
 337 ~~of dialysis patients; one member representing technicians working in renal dialysis~~
 338 ~~facilities; one member representing social workers working in renal dialysis facilities; and~~
 339 ~~one member representing dietitians working in renal dialysis facilities.~~

340 ~~(c) Members of the council shall serve four-year terms and until their successors are~~
 341 ~~appointed and qualified. No member of the council shall serve more than two consecutive~~
 342 ~~terms. The council shall meet as frequently as the department considers necessary, but not~~
 343 ~~less than twice each year. The council shall be consulted and have the opportunity to~~
 344 ~~evaluate all rules promulgated by the department under this chapter applicable to end stage~~
 345 ~~renal disease facilities prior to their adoption. Members shall serve without compensation."~~

346 **SECTION 15-2.**

347 Any assets of the Renal Dialysis Advisory Council existing as of June 30, 2018, shall
 348 devolve by operation of law and without further action to the State of Georgia on July 1,
 349 2018. Any liabilities and obligations of the Renal Dialysis Advisory Council existing as of
 350 June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such
 351 instruments as may be required to maintain the same.

352 **PART XVI**

353 **SECTION 16-1.**

354 Code Section 31-47-1 of the Official Code of Georgia Annotated, relating to the purpose of
 355 the Arthritis Prevention and Control Program, is amended by revising subsections (c) through
 356 (e) as follows:

357 ~~"(c) The Department of Public Health shall establish and coordinate an advisory panel on~~
 358 ~~arthritis which shall provide nongovernmental input regarding the Arthritis Prevention and~~
 359 ~~Control Program. Membership shall include, but shall not be limited to, persons with~~
 360 ~~arthritis, public health educators, medical experts on arthritis, providers of arthritis health~~
 361 ~~care, persons knowledgeable in health promotion and education, and representatives of~~
 362 ~~national arthritis organizations and their local chapters.~~

363 ~~(d)~~(c) The Department of Public Health shall use, but shall not be limited to, strategies
 364 consistent with the National Arthritis Action Plan and existing state planning efforts to
 365 raise public awareness and knowledge about the causes and nature of arthritis, personal risk
 366 factors, the value of prevention and early detection, ways to minimize preventable pain,
 367 and options for diagnosing and treating the disease.

368 ~~(e)~~(d)(1) Subject to appropriation or access to other private or public funds, the
 369 Department of Public Health may replicate and use successful arthritis programs and
 370 enter into contracts and purchase materials or services from entities with appropriate
 371 expertise for such services and materials as are necessary to carry out the goals of the
 372 Arthritis Prevention and Control Program.

373 (2) Subject to appropriation or access to other private or public funds, the Department
374 of Public Health may enter into agreements with national organizations with expertise in
375 arthritis to implement parts of the Arthritis Prevention and Control Program."

376 **SECTION 16-2.**

377 Any assets of the Arthritis Prevention and Control Program advisory panel existing as of
378 June 30, 2018, shall devolve by operation of law and without further action to the State of
379 Georgia on July 1, 2018. Any liabilities and obligations of the Arthritis Prevention and
380 Control Program advisory panel existing as of June 30, 2018, shall be transferred to and
381 assumed by the State of Georgia, by such instruments as may be required to maintain the
382 same.

383 **PART XVII**

384 **SECTION 17-1.**

385 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by
386 repealing Chapter 48, relating to the Health Care Compact, and designating said chapter as
387 reserved.

388 **PART XVIII**

389 **SECTION 18-1.**

390 Code Section 33-1-19 of the Official Code of Georgia Annotated, relating to the Special
391 Advisory Commission on Mandated Health Insurance Benefits, is amended by repealing said
392 Code section and designating said Code section as reserved.

393 **SECTION 18-2.**

394 Any assets of the Special Advisory Commission on Mandated Health Insurance Benefits
395 existing as of June 30, 2018, shall devolve by operation of law and without further action to
396 the State of Georgia on July 1, 2018. Any liabilities and obligations of the Special Advisory
397 Commission on Mandated Health Insurance Benefits existing as of June 30, 2018, shall be
398 transferred to and assumed by the State of Georgia, by such instruments as may be required
399 to maintain the same.

400

PART XIX

401

SECTION 19-1.

402 Chapter 29A of Title 33 of the Official Code of Georgia Annotated, relating to individual
403 health insurance coverage, is amended by repealing Article 2, relating to the Commission on
404 the Georgia Health Insurance Risk Pool, and designating said article as reserved.

405

SECTION 19-2.

406 Any assets of the Commission on the Georgia Health Insurance Risk Pool existing as of June
407 30, 2018, shall devolve by operation of law and without further action to the State of Georgia
408 on July 1, 2018. Any liabilities and obligations of the Commission on the Georgia Health
409 Insurance Risk Pool existing as of June 30, 2018, shall be transferred to and assumed by the
410 State of Georgia, by such instruments as may be required to maintain the same.

411

PART XX

412

SECTION 20-1.

413 Code Section 38-3-22.2 of the Official Code of Georgia Annotated, relating to establishment
414 of the Airport Antiterrorism Training Committee and annual training of same, is amended
415 by repealing said Code section.

416

SECTION 20-2.

417 Any assets of the Airport Antiterrorism Training Committee existing as of June 30, 2018,
418 shall devolve by operation of law and without further action to the State of Georgia on July 1,
419 2018. Any liabilities and obligations of the Airport Antiterrorism Training Committee
420 existing as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by
421 such instruments as may be required to maintain the same.

422

PART XXI

423

SECTION 21-1.

424 Article 7 of Chapter 12 of Title 44 of the Official Code of Georgia Annotated, relating to
425 protection of American Indian human remains and burial objects, is amended by repealing
426 Part 2, relating to the Council on American Indian Concerns, and designating said part as
427 reserved.

428 **SECTION 21-2.**

429 Any assets of the Council on American Indian Concerns existing as of June 30, 2018, shall
 430 devolve by operation of law and without further action to the State of Georgia on July 1,
 431 2018. Any liabilities and obligations of the Council on American Indian Concerns existing
 432 as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such
 433 instruments as may be required to maintain the same.

434 **SECTION 21-3.**

435 Code Section 12-3-52 of the Official Code of Georgia Annotated, relating to archeological
 436 exploration, excavation, or surveying of historic areas and administrative appeal of
 437 department orders, is amended by deleting paragraph (7) of subsection (d).

438 **SECTION 21-4.**

439 Code Section 12-3-620 of the Official Code of Georgia Annotated, relating to definitions
 440 regarding protection of archeological, aboriginal, prehistoric, and historic sites, is amended
 441 by deleting and reserving paragraph (3).

442 **SECTION 21-5.**

443 Code Section 12-3-621 of the Official Code of Georgia Annotated, relating to prohibited acts
 444 as to archeological, aboriginal, prehistoric, or historic sites, notification of state archeologist
 445 before beginning investigation or disturbance of a site, and penalty, is amended by revising
 446 subsection (b) as follows:

447 "(b) When the surface of any archeological, aboriginal, prehistoric, or historic site is
 448 disturbed by a person not documented as operating under the provisions of Section 106 of
 449 the National Historic Preservation Act, as amended, for the purpose of investigating the site
 450 or discovering artifacts with the written permission of the landowner, such person shall
 451 notify the state archeologist before beginning any such investigation or disturbance. The
 452 state archeologist shall maintain a web site and telephone hot line, available at all times,
 453 for the purpose of receiving notice in such form as shall be specified by policy of the
 454 department. ~~The state archeologist shall immediately notify the Council on American~~
 455 ~~Indian Concerns created by Code Section 44-12-280 of any such investigation that might~~
 456 ~~involve American Indian human remains or burial objects. The state archeologist shall~~
 457 ~~make available to the council any information pertaining to investigations conducted~~
 458 ~~pursuant to Section 106 of the National Historic Preservation Act, as amended."~~

459 **SECTION 21-6.**

460 Code Section 31-21-6 of the Official Code of Georgia Annotated, relating to notification of
 461 law enforcement agency upon disturbance, destruction, or debasement of human remains, is
 462 amended by revising subsection (b) as follows:

463 "(b) Any law enforcement agency notified of the discovery or disturbance, destruction,
 464 defacing, mutilation, removal, or exposure of interred human remains shall immediately
 465 report such notification to the coroner or medical examiner of the county where the human
 466 remains are located, who shall determine whether investigation of the death is required
 467 under Code Section 45-16-24. If investigation of the death is not required, the coroner or
 468 medical examiner shall immediately notify the local governing authority of the county or
 469 municipality in which the remains are found and the Department of Natural Resources. ~~If~~
 470 ~~the remains are believed to be those of one or more aboriginal or prehistoric ancestors of~~
 471 ~~or American Indians, then the Department of Natural Resources shall notify the Council~~
 472 ~~on American Indian Concerns.~~ All land-disturbing activity likely to further disturb the
 473 human remains shall cease until:

- 474 (1) The county coroner or medical examiner, after determining that investigation of the
 475 death is required, has completed forensic examination of the site;
- 476 (2) A permit is issued for land use change and disturbance pursuant to Code Section
 477 36-72-4; a permit is issued or a contract is let pursuant to subsection (d) of Code Section
 478 12-3-52; or written permission is obtained from the landowner for the conduct of an
 479 archeological excavation; or
- 480 (3) If such a permit is not sought, the Department of Natural Resources arranges with the
 481 landowner for the protection of the remains."

482 **SECTION 21-7.**

483 Code Section 31-21-45 of the Official Code of Georgia Annotated, relating to public exhibit
 484 or display of dead human bodies of American Indians or American Indian human remains,
 485 is amended by revising paragraph (3) of subsection (a) as follows:

486 "(3) Educational exhibits or displays as may be allowed only with the express written
 487 permission of the lineal descendants of the deceased where such descendants can be
 488 identified or by the agent of the deceased's estate ~~or, where there is no lineal descendant~~
 489 ~~or agent of the deceased's estate, by the Council on American Indian Concerns created~~
 490 ~~by Code Section 44-12-280."~~

491 **SECTION 21-8.**

492 Code Section 36-72-5 of the Official Code of Georgia Annotated, relating to applications for
 493 permits regarding abandoned cemeteries and burial grounds, is amended by revising
 494 paragraph (4) as follows:

495 "(4) A plan prepared by a genealogist for identifying and notifying the descendants of
 496 those buried or believed to be buried in such cemetery. If those buried or believed to be
 497 buried are of aboriginal or American Indian descent, the genealogist, ~~in preparing the~~
 498 ~~notification plan, shall consult with the Council on American Indian Concerns created~~
 499 ~~pursuant to Code Section 44-12-280~~ and shall include in the notification plan not only
 500 any known descendants of those presumed buried but also any American Indian tribes as
 501 defined in paragraph (2) of Code Section 44-12-260 that are culturally affiliated; and"

502 **SECTION 21-9.**

503 Code Section 44-12-260 of the Official Code of Georgia Annotated, relating to definitions
 504 regarding American Indian human remains and burial objects held by museums, is amended
 505 by deleting and reserving paragraph (5).

506 **SECTION 21-10.**

507 Code Section 44-12-261 of the Official Code of Georgia Annotated, relating to inventory of
 508 American Indian human remains or burial objects in possession of museum, additional
 509 documentation upon request of American Indian tribe, construction of part, extension of time
 510 to complete inventory and identification, and notification of affected tribes, is amended by
 511 revising paragraph (3) of subsection (b) and the undesignated text at the end of subsection
 512 (f) as follows:

513 "(3) Made available to the Secretary of State ~~and the council~~ both during the time
 514 conducted and afterward."

515 "A copy of each notice shall be sent to the Secretary of State ~~and to the Council on~~
 516 ~~American Indian Concerns.~~"

517 **PART XXII**

518 **SECTION 22-1.**

519 Chapter 6 of Title 49 of the Official Code of Georgia Annotated, relating to services for the
 520 aging, is amended by repealing Article 3, relating to the Georgia Silver-Haired Legislature,
 521 and designating said article as reserved.

522 **SECTION 22-2.**

523 Any assets of the Georgia Silver-Haired Legislature existing as of June 30, 2018, shall
524 devolve by operation of law and without further action to the State of Georgia on July 1,
525 2018. Any liabilities and obligations of the Georgia Silver-Haired Legislature existing as of
526 June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such
527 instruments as may be required to maintain the same.

528 **PART XXIII**

529 **SECTION 23-1.**

530 Article 4 of Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to
531 halls of fame, is amended by repealing Part 3, relating to the Georgia Aviation Hall of Fame,
532 and designating said part as reserved.

533 **SECTION 23-2.**

534 Any assets of the Georgia Aviation Hall of Fame Board existing as of June 30, 2018, shall
535 devolve by operation of law and without further action to the State of Georgia on July 1,
536 2018. Any liabilities and obligations of the Georgia Aviation Hall of Fame Board existing
537 as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such
538 instruments as may be required to maintain the same."

539 **PART XXIV**

540 **SECTION 24-1.**

541 This Act shall become effective on July 1, 2018.

542 **SECTION 24-2.**

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