

The Senate Committee on Government Oversight offered the following substitute to HB 783:

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 a revision;  
4 to provide for related matters; to provide an effective date; to repeal conflicting laws; and for  
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**PART I**

**SECTION 1-1.**

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

**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.  
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**PART II**

**SECTION 2-1.**

19 Said title is further amended by repealing Chapter 18, relating to the Georgia Tobacco  
20 Community Development Board, and designating said chapter as reserved.  
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**SECTION 2-2.**

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

**SECTION 2-3.**

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

"(a) Each member of the boards and commissions enumerated in this Code section shall receive the same expense allowance per day as that received by a member of the General Assembly for each day such member of a board or commission is in attendance at a meeting of such board or commission, plus reimbursement for actual transportation costs while traveling by public carrier or the legal mileage rate for the use of a personal automobile in connection with such attendance. The expense allowance and reimbursement provided for in this Code section shall be paid in lieu of any per diem, allowance, or other remuneration now received by any such member for such attendance. The existing law relative to any limitation on the number of meeting days and remuneration for service on committees or subcommittees of any such board or commission shall remain in effect. The boards and commissions to which this Code section shall be applicable are as follows:

- (1) State Board of Education;
- (2) Board of Regents of the University System of Georgia;
- ~~(2.1)~~(3) Board of Community Supervision;
- ~~(3)~~(4) Board of Corrections;
- ~~(4)~~(5) Board of Economic Development;
- ~~(5)~~(6) Board of Natural Resources;
- ~~(6) Reserved;~~
- (7) Dental Education Board;
- (8) Georgia Student Finance Commission;
- (9) Veterans Service Board;
- (10) Georgia Agricultural Exposition Authority;
- (11) Georgia Board for Physician Workforce;
- (12) Georgia Music Hall of Fame Authority;
- (13) Georgia Sports Hall of Fame Authority;

59 (14) Georgia Rail Passenger Authority;  
 60 ~~(15) Georgia Tobacco Community Development Board;~~  
 61 ~~(16)~~(15) State Board of the Technical College System of Georgia; and  
 62 ~~(17)~~(16) Civil War Commission; and  
 63 ~~(18) The delegation from the State of Georgia to the Southern Dairy Compact~~  
 64 ~~Commission."~~

65 **SECTION 2-4.**

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

68 "(1) 'Agency' means each state board, bureau, commission, department, activity, or  
 69 officer authorized by law expressly to make rules and regulations or to determine  
 70 contested cases, except the General Assembly; the judiciary; the Governor; the State  
 71 Board of Pardons and Paroles; the State Financing and Investment Commission; the State  
 72 Properties Commission; the Board of Bar Examiners; the Board of Corrections and its  
 73 penal institutions; the State Board of Workers' Compensation; all public authorities  
 74 except as otherwise expressly provided by law; the State Personnel Board; the  
 75 Department of Administrative Services or commissioner of administrative services; the  
 76 Technical College System of Georgia; the Nonpublic Postsecondary Education  
 77 Commission; the Department of Labor when conducting hearings related to  
 78 unemployment benefits or overpayments of unemployment benefits; the Department of  
 79 Revenue when conducting hearings relating to alcoholic beverages, tobacco, or bona fide  
 80 coin operated amusement machines or any violations relating thereto; ~~the Georgia~~  
 81 ~~Tobacco Community Development Board;~~ the Georgia Higher Education Savings Plan;  
 82 the Georgia ABLE Program Corporation; any school, college, hospital, or other such  
 83 educational, eleemosynary, or charitable institution; or any agency when its action is  
 84 concerned with the military or naval affairs of this state. The term 'agency' shall include  
 85 the State Board of Education and Department of Education, subject to the following  
 86 qualifications:

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

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

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**PART III**

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**SECTION 3-1.**

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

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**PART IV**

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**SECTION 4-1.**

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

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**PART V**

108

**SECTION 5-1.**

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

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**SECTION 5-2.**

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

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**SECTION 5-3.**

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

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

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**PART VI**

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**SECTION 6-1.**

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

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**PART VII**

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**SECTION 7-1.**

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

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**SECTION 7-2.**

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

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**PART VIII**

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**SECTION 8-1.**

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

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**SECTION 8-2.**

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

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**PART IX**

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**SECTION 9-1.**

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

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**SECTION 9-2.**

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

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**PART X**

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**SECTION 10-1.**

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

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**SECTION 10-2.**

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

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**PART XI**

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**SECTION 11-1.**

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

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"(a) The board shall adopt rules to implement this chapter, including but not limited to requirements for the issuance, renewal, denial, suspension, and revocation of a license to

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179 operate an end stage renal disease facility. The rules adopted by the board pursuant to this  
 180 Code section shall not conflict with any federal law or regulation applicable to end stage  
 181 renal disease facilities or personnel thereof and shall set forth minimum standards for the  
 182 health, safety, and protection of the patient being served.

183 ~~(b) The department shall establish a Renal Dialysis Advisory Council to advise the~~  
 184 ~~department regarding licensing and inspection of end stage renal disease facilities. The~~  
 185 ~~council shall be composed of a minimum of 13 persons appointed by the board: one~~  
 186 ~~member recommended by the Dogwood Chapter of the American Nephrology Nurses~~  
 187 ~~Association; one member recommended by the Georgia Association of Kidney Patients;~~  
 188 ~~two physicians specializing in nephrology recommended by the Georgia Renal Physicians~~  
 189 ~~Association; one member recommended by the National Kidney Foundation of Georgia;~~  
 190 ~~two administrators of facilities certified as outpatient dialysis facilities in Georgia; three~~  
 191 ~~members of the general public, two of whom shall be dialysis patients or family members~~  
 192 ~~of dialysis patients; one member representing technicians working in renal dialysis~~  
 193 ~~facilities; one member representing social workers working in renal dialysis facilities; and~~  
 194 ~~one member representing dietitians working in renal dialysis facilities.~~

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

201 **SECTION 11-2.**

202 Any assets of the Renal Dialysis Advisory Council existing as of June 30, 2018, shall  
 203 devolve by operation of law and without further action to the State of Georgia on July 1,  
 204 2018. Any liabilities and obligations of the Renal Dialysis Advisory Council existing as of  
 205 June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such  
 206 instruments as may be required to maintain the same.

207 **PART XII**

208 **SECTION 12-1.**

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

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

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

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

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

231 **SECTION 12-2.**

232 Any assets of the Arthritis Prevention and Control Program advisory panel existing as of  
 233 June 30, 2018, shall devolve by operation of law and without further action to the State of  
 234 Georgia on July 1, 2018. Any liabilities and obligations of the Arthritis Prevention and  
 235 Control Program advisory panel existing as of June 30, 2018, shall be transferred to and  
 236 assumed by the State of Georgia, by such instruments as may be required to maintain the  
 237 same.

238 **PART XIII**

239 **SECTION 13-1.**

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



243 **SECTION 13-2.**

244 Any assets of the Special Advisory Commission on Mandated Health Insurance Benefits  
 245 existing as of June 30, 2018, shall devolve by operation of law and without further action to  
 246 the State of Georgia on July 1, 2018. Any liabilities and obligations of the Special Advisory  
 247 Commission on Mandated Health Insurance Benefits existing as of June 30, 2018, shall be  
 248 transferred to and assumed by the State of Georgia, by such instruments as may be required  
 249 to maintain the same.

250 **PART XIV**

251 **SECTION 14-1.**

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

255 **SECTION 14-2.**

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

261 **PART XV**

262 **SECTION 15-1.**

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

266 **SECTION 15-2.**

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

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**PART XVI**

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**SECTION 16-1.**

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

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**SECTION 16-2.**

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

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**PART XVII**

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**SECTION 17-1.**

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Code Section 50-7-115 of the Official Code of Georgia Annotated, relating to the placing of signage at film and television production sites along the Georgia Film and Television Trail, is amended by revising subsection (c) as follows:

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"(c) Notwithstanding the provisions of any other statute concerning the improvement of land held in fee simple by the State of Georgia, the Department of Transportation shall be authorized to expend state funds, subject to appropriations, for construction, placement, and maintenance of the signs indicating the film or television production locations designated by the department ~~and may through purchase, easement, lease, or donation.~~"

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**PART XVIII**

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**SECTION 18-1.**

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This Act shall become effective on July 1, 2018.

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**SECTION 18-2.**

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