

House Bill 970

By: Representatives Lumsden of the 12<sup>th</sup>, Powell of the 32<sup>nd</sup>, Hitchens of the 161<sup>st</sup>, Jasperse of the 11<sup>th</sup>, Atwood of the 179<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 25 of the Official Code of Georgia Annotated, relating to fire protection and  
2 safety, so as to revise requirements for the issuance of certificates of compliance for fire  
3 departments; to revise and to provide for definitions; to expand the functions and powers of  
4 the Georgia Firefighter Standards and Training Council; to revise qualifications for  
5 firefighters; to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety, is  
9 amended by revising Code section 25-3-22, relating to notification that organization meets  
10 requirements and issuance of certificate of compliance, as follows:

11 "25-3-22.

12 In order for a fire department to be legally organized to operate in the State of Georgia, the  
13 chief administrative officer of the fire department shall notify and submit all required  
14 documentation to the executive director that demonstrates that the organization meets the  
15 minimum requirements specified in Code Section 25-3-23 and the rules and regulations of  
16 the Georgia Firefighter Standards and Training Council to function as a fire department.

17 If the ~~council~~ executive director is satisfied that the fire department meets the minimum  
18 requirements contained in Code Section 25-3-23 and the rules and regulations of the  
19 Georgia Firefighter Standards and Training Council, he or she shall recommend to the  
20 Georgia Firefighter Standards and Training Council that a certificate of compliance be  
21 issued by the council to the fire department. If the council issues such certificate of  
22 compliance, the fire department shall be authorized to exercise the general and emergency  
23 powers set forth in Code Sections 25-3-1 and 25-3-2."

24 **SECTION 2.**

25 Said title is further amended by in Code section 25-4-2, relating to definitions, by revising  
26 paragraph (6) and adding a new paragraph as follows:

27 "(6) 'Firefighter' means a recruit or a trained individual who is a full-time employee,  
28 part-time employee, or volunteer for a municipal, county, state, or private incorporated  
29 fire department and as such has duties of responding to mitigate a variety of emergency  
30 and nonemergency situations where life, property, or the environment is at risk, which  
31 may include without limitation fire suppression; fire prevention activities; emergency  
32 medical services; hazardous materials response and preparedness; technical rescue  
33 operations; search and rescue; disaster management and preparedness; community service  
34 activities; response to civil disturbances and terrorism incidents; nonemergency functions  
35 including training, preplanning, communications, maintenance, and physical  
36 conditioning; and other related emergency and nonemergency duties as may be assigned  
37 or required; provided, however, that a firefighter's assignments may vary based on  
38 geographic, climatic, and demographic conditions or other factors including training,  
39 experience, and ability."

40 "(8.1) 'Recruit' means a prospective firefighter who has not yet been certified or  
41 registered by the council as having met the requirements of Code Section 25-4-8 and the  
42 rules and regulations to be a firefighter as provided for by the council."

43 **SECTION 3.**

44 Said title is further amended by in Code section 25-4-7, relating to the functions and powers  
45 of the Georgia Firefighter Standards and Training Council, by revising paragraphs (4) and  
46 (9) as follows:

47 "(4) To establish uniform minimum standards for the employment and training of  
48 full-time, part-time, or volunteer firefighters, airport firefighters, fire and life safety  
49 educators, fire inspectors, ~~and~~ fire investigators, and other such firefighting service  
50 professionals as determined by the council including qualifications, certifications,  
51 recertifications, decertifications, and probations for certified individuals and suspensions  
52 for noncertified individuals, and requirements, which are consistent with this chapter;"

53 "(9) To establish basic firefighter training requirements for full-time, part-time, contract,  
54 and volunteer firefighters, including airport firefighters;"

55 **SECTION 4.**

56 Said title is further amended in Code section 25-4-8, relating to qualifications of firefighters  
57 generally, by revising subsection (a) as follows:

58 "(a) Except as provided in Code Section 25-4-12, any ~~person employed~~ employee,  
 59 volunteer, or private contractor of a fire department operating in this state or certified as  
 60 a firefighter shall, as prescribed by the council:

61 (1) Be at least 18 years of age;

62 (2) Not have been convicted of, or pleaded guilty to, a felony in any jurisdiction or of a  
 63 crime which if committed in this state would constitute a felony under the laws of this  
 64 state within ten years prior to employment, provided that a person who has been  
 65 convicted of a felony more than five but less than ten years prior to employment may be  
 66 certified and employed as a firefighter when the person has:

67 (A) Successfully completed a training program following the Georgia Fire Academy  
 68 curriculum and sponsored by the Department of Corrections;

69 (B) Been recommended to a fire department by the proper authorities at the institution  
 70 at which the training program was undertaken; and

71 (C) Met all other requirements as set forth in this chapter.

72 The council shall be the final authority with respect to authorizing the employment,  
 73 appointment, and certification of a person who has been convicted of a felony more than  
 74 five but less than ten years prior to seeking employment when the person is seeking  
 75 employment as a firefighter for any municipal, county, or state fire department which  
 76 employs three or more firefighters who work a minimum of 40 hours per week and has  
 77 the responsibility of preventing and suppressing fires, protecting life and property, and  
 78 enforcing municipal, county, and state codes, as well as enforcing any law pertaining to  
 79 the prevention and control of fires;

80 (3) Have a good moral character as determined by investigation under procedure  
 81 approved by the council;

82 (4) Be fingerprinted and a search made of local, state, and national fingerprint files to  
 83 disclose any criminal record;

84 (5) Be in good physical condition as determined by a medical examination and  
 85 successfully pass the minimum physical agility requirements as established by the  
 86 council; and

87 (6) Possess or achieve within 12 months after employment a high school diploma or a  
 88 general education development equivalency."

89 **SECTION 5.**

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