

Senate Bill 193

By: Senators Unterman of the 45th, Shafer of the 48th, Burke of the 11th, Thompson of the 14th and Kirk of the 13th

**AS PASSED SENATE**

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 2 of Chapter 2A of Title 31 of the Official Code of Georgia Annotated,  
2 relating to the Positive Alternatives for Pregnancy and Parenting Grant Program, so as to  
3 revise the program mission and practice; to repeal legislative authority; to remove certain  
4 references to medically indigent women; to revise certain definitions; to amend Article 6 of  
5 Chapter 8 of Title 31, relating to the Indigent Care Trust Fund, so as to remove the Positive  
6 Alternatives for Pregnancy and Parenting Grant Program; to provide for related matters; to  
7 repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 2 of Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to  
11 Positive Alternatives for Pregnancy and Parenting Grant Program, is amended by repealing  
12 Code Section 31-2A-30, relating to legislative authority, and designating said Code section  
13 as reserved.

14 **SECTION 2.**

15 Said article is further amended in Code Section 31-2A-31, relating to definitions, by revising  
16 paragraphs (3), (5), and (8) as follows:

17 "(3) 'Contract management agency' or 'agency' means a nongovernmental charitable  
18 organization in this state which is a 501(c)(3) tax-exempt organization under the Internal  
19 Revenue Code of 1986 and whose mission and practice is to ~~provide~~ promote alternatives  
20 to abortion services ~~to medically indigent women~~ at no cost."

21 "~~(5) 'Medically indigent' means a person who is without health insurance or who has~~  
22 ~~health insurance that does not cover pregnancy or related conditions for which treatment~~  
23 ~~and services are sought and whose family income does not exceed 200 percent of the~~  
24 ~~federal poverty level as defined annually by the federal Office of Management and~~  
25 ~~Budget Reserved.~~"



59 (b) The department shall, with input from the agency, determine the maximum grant  
 60 amount to be awarded to each direct client service provider, and such grant amount shall  
 61 not exceed 85 percent of the annual revenue for the prior year of any provider.

62 (c) The grant agreement entered into between the agency and a direct client service  
 63 provider shall stipulate that the grant shall be used to provide any or all pregnancy support  
 64 services at the discretion of the service provider pursuant to Code Section 31-2A-34. The  
 65 agreement shall further stipulate that a direct client service provider shall not perform,  
 66 promote, or act as a referral for an abortion, except as otherwise provided in paragraph (9)  
 67 of subsection (a) of Code Section 31-2A-36, and that grant funds shall not be used to  
 68 promote or be otherwise expended for political or religious purposes, including, but not  
 69 limited to, counseling or written material. Nothing in this article shall be construed to  
 70 prohibit any direct client service provider from promoting or expending nongrant funds for  
 71 a political or religious purpose."

72 **SECTION 6.**

73 Article 6 of Chapter 8 of Title 31, relating to the Indigent Care Trust Fund, is amended by  
 74 revising Code Section 31-8-154, relating to authorized expenditure of contributed funds, as  
 75 follows:

76 "31-8-154.

77 All moneys contributed and revenues deposited and transferred to the trust fund pursuant  
 78 to this article and any interest earned on such moneys shall be appropriated to the  
 79 department for only the following purposes:

- 80 (1) To expand Medicaid eligibility and services;
- 81 (2) For programs to support rural and other health care providers, primarily hospitals,  
 82 who serve the medically indigent;
- 83 (3) For primary health care programs for medically indigent citizens and children of this  
 84 state; or
- 85 ~~(4) For the Positive Alternatives for Pregnancy and Parenting Grant Program established~~  
 86 ~~under Article 2 of Chapter 2A of this title; or~~
- 87 ~~(5)~~(4) Any combination of purposes specified in paragraphs (1) through ~~(4)~~ (3) of this  
 88 Code section."

89 **SECTION 7.**

90 Said article is further amended in Code Section 31-8-156, relating to appropriation of state  
 91 funds by the General Assembly, by revising subsection (b) as follows:

92 "(b) An appropriation pursuant to subsection (a) of this Code section shall specify each  
93 purpose, if any, as specified in paragraphs (1) through ~~(5)~~ (4) of Code Section 31-8-154,  
94 for which the trust funds are appropriated thereby."

95

**SECTION 8.**

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