

Senate Bill 416

By: Senators Cowser of the 46th, Harbison of the 15th, Harper of the 7th, Thompson of the 14th and Dugan of the 30th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to the
2 Georgia Bureau of Investigation, so as to establish the Georgia Information Sharing and
3 Analysis Center within the Georgia Bureau of Investigation; to provide for a fusion center
4 for the sharing and analysis of homeland security activity information; to provide for
5 definitions; to provide for operations and responsibilities; to provide for membership; to
6 amend Code Section 38-3-20 of the Official Code of Georgia Annotated, relating to Georgia
7 Emergency Management Agency created, director, staff, offices, director's duties, and
8 disaster coordinator, so as to expand the duties of the director of emergency management;
9 to provide for related matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to the Georgia
13 Bureau of Investigation, is amended by adding a new article to read as follows:

14 "ARTICLE 9

15 35-3-200.

16 As used in this article, the term:

17 (1) 'Center' means the Georgia Information Sharing and Analysis Center.

18 (2) 'Fusion center' means collaborative effort which combines resources, expertise,
19 intelligence, and other information from various agencies of state and local governments
20 with the goal of maximizing the ability of this state to detect, prevent, and respond to
21 criminal activities or to otherwise engage in homeland security activities.

22 (3) 'Homeland security activity' means any activity related to the prevention or discovery
23 of, response to, or recovery from:

24 (A) A terrorist attack;

- 25 (B) A hostile military or paramilitary action;
26 (C) An extraordinary law enforcement emergency; or
27 (D) A fire or medical emergency requiring resources beyond the capabilities of a local
28 jurisdiction.

29 35-3-201.

30 There is established the Georgia Information Sharing and Analysis Center within the
31 Georgia Bureau of Investigation. The center shall be a fusion center maintaining a
32 terrorism analytical component.

33 35-3-202.

34 (a) Responsibility for the development, maintenance, and operations of the center shall be
35 vested in the director.

36 (b) The director shall appoint and maintain the necessary professional and support staff to
37 enable the center to effectively and efficiently carry out its duties and responsibilities under
38 this article.

39 35-3-203.

40 (a) The director through the center shall share and provide homeland security activity
41 information to the director of emergency management, including, but not limited to,
42 threats, warnings, and developing situations, when an investigation reveals conduct of a
43 terroristic nature or in material support of terroristic activities, recruitment of terrorists, or
44 information on the activities of known terrorist organizations.

45 (b) The center shall liaise with the bureau, the Federal Bureau of Investigation, Joint
46 Terrorism Task Force, United States Department of Homeland Security, and other local,
47 state, and federal intelligence and law enforcement officials for purposes of carrying out
48 its duties and responsibilities under this article.

49 (c) The center shall allow unrestricted access to secure communications equipment to the
50 director of emergency management and his or her representatives who possess the
51 appropriate federally approved security clearances for the dissemination of homeland
52 security activity information by the United States Department of Homeland Security.

53 (d) The director of emergency management shall serve as this state's security manager for
54 the purpose of identifying and processing state personnel for security clearances through
55 the United States Department of Homeland Security.

56 35-3-204.

57 (a) Membership in the center shall consist of the director, the director of emergency
 58 management, the commissioner of public safety, the commissioner of natural resources, the
 59 commissioner of corrections, the state fire marshal, the Attorney General, and the adjutant
 60 general of this state. Such persons shall assign or make available their analysts or other
 61 personnel to the center as such need is determined by the director.

62 (b) The director, in consultation with the director of emergency management, shall provide
 63 for further membership in the center to consist of other state or local law enforcement,
 64 emergency management, and intelligence officials or their analysts or personnel as
 65 homeland security activity needs arise and change."

66 **SECTION 2.**

67 Code Section 38-3-20 of the Official Code of Georgia Annotated, relating to Georgia
 68 Emergency Management Agency created, director, staff, offices, director's duties, and
 69 disaster coordinator, is amended by revising subsection (e) as follows:

70 "(e) The director, subject to the direction and control of the Governor, shall be the
 71 executive head of the Georgia Emergency Management Agency and shall be responsible
 72 to the Governor for carrying out the program for emergency management in this state. He
 73 or she shall coordinate the activities of all organizations for emergency management within
 74 the state, shall maintain liaison with and cooperate with emergency management agencies
 75 and organizations of other states and of the federal government, and shall have such
 76 additional authority, duties, and responsibilities authorized by Article 1, this article, and
 77 Article 3 of this chapter as may be prescribed by the Governor and such additional
 78 authority, duties, and responsibilities as described in Article 9 of Chapter 3 of Title 35 and
 79 Part 4 of Article 2 of Chapter 5 of Title 46, the 'Georgia Emergency Telephone Number
 80 9-1-1 Service Act of 1977,' as amended."

81 **SECTION 3.**

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