

Senate Bill 377

By: Senators Strickland of the 17th, Millar of the 40th, Martin of the 9th, Jones of the 25th and Hufstetler of the 52nd

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To repeal Article 8 of Chapter 7 of Title 50 of the Official Code of Georgia Annotated,
2 relating to the State Workforce Development Board, and to amend Title 34 of the Official
3 Code of Georgia Annotated, relating to labor and industrial relations, so as to transfer the
4 State Workforce Development Board from the Department of Economic Development to the
5 Technical College System of Georgia; to revise duties and obligations of the State Workforce
6 Development Board; to provide for conforming changes; 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 8 of Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the
11 State Workforce Development Board, is repealed and reserved.

12 **SECTION 2.**

13 Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations,
14 is revised by amending Chapter 14, which is reserved, as follows:

15 "CHAPTER 14

16 34-14-1.

17 (a)(1) Pursuant to Public Law 105-220 and any subsequent amendment to such law, the
18 State Workforce Development Board is hereby created.

19 (2) The State Workforce Development Board shall meet federal composition
20 requirements. The Lieutenant Governor and the Speaker of the House of Representatives
21 shall each have the authority to appoint members as federal law allows. The Governor
22 shall be responsible for selecting the remainder of the members.

23 (3) The State Workforce Development Board's members' terms of service shall be
 24 established by the Governor and shall be at the discretion of the appointing authority.

25 (4) The State Workforce Development Board shall have powers and duties as specified
 26 by the Governor and as provided for in federal law.

27 (5) The State Workforce Development Board shall be authorized to establish, alter, or
 28 amend local workforce development areas in this state and shall be authorized to
 29 promulgate rules implementing and governing such local workforce development areas
 30 that are compliant with federal law.

31 (6) The State Workforce Development Board shall meet quarterly or when otherwise
 32 requested by the chairperson and shall be governed by a set of bylaws which shall be
 33 voted on and approved by the State Workforce Development Board.

34 (7) The State Workforce Development Board shall be funded by federal law.

35 (8) The State Workforce Development Board shall be authorized to promulgate rules and
 36 regulations for purposes of implementing the state's workforce policy that are compliant
 37 with federal law.

38 (b)(1) The Technical College System of Georgia is designated as the administrator of all
 39 programs for which the state is responsible pursuant to Public Law 105-220 and any
 40 subsequent amendment to such law.

41 (2) The Technical College System of Georgia shall administer such programs and their
 42 associated funds pursuant to the policies and methods of implementation which are
 43 promulgated by the State Workforce Development Board and the Governor. Reserved:

44 34-14-2.

45 (a) The State Workforce Development Board is hereby authorized to develop and facilitate
 46 the workforce programs in this state. A local workforce development area's chief local
 47 elected official may designate a local fiscal agent or a grant recipient which shall be either
 48 a municipal government, county government, consolidated government, or regional
 49 commission located within the physical boundaries of the local workforce development
 50 area and who shall be approved by the State Workforce Development Board in a procedure
 51 established through rule.

52 (b) The State Workforce Development Board may enforce the provisions of this chapter
 53 and the applicable federal law if the provisions of either are violated."

54 **SECTION 3.**

55 Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the Department
 56 of Economic Development, is amended by revising Code Section 50-7-11.1, relating to the
 57 department's authority to administer and disperse funds, as follows:

58 "50-7-11.1.

59 In the event the board accepts grants and gifts from the federal government pursuant to
60 Code Section 50-7-10, the board shall also have the authority to administer and disperse
61 those funds for any and all purposes of this article in a manner consistent with the terms
62 of the grant or gift and other applicable laws, the provisions of Code Section 50-7-11
63 notwithstanding. ~~Regarding the administration, dispersal, and use of any federal funds, or
64 the administration of programs created by the Workforce Investment Act or its
65 amendments, the board shall administer, disperse, and use those funds, and administer
66 those programs in compliance with governing federal laws, the state plan, and regulations
67 and policies promulgated by the State Workforce Development Board and the Governor."~~

68 **SECTION 4.**

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