

House Bill 737 (AS PASSED HOUSE AND SENATE)

By: Representative Caldwell of the 131<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend the Official Code of Georgia Annotated, so as to revise, modernize, correct errors  
2 or omissions in, and reenact the statutory portion of said Code, as amended, in furtherance  
3 of the work of the Code Revision Commission; to repeal portions of said Code, or Acts in  
4 amendment thereof, which have become obsolete, have been declared to be unconstitutional,  
5 or have been preempted or superseded by subsequent laws; to codify a joint resolution; to  
6 provide for other matters relating to revision, reenactment, and publication of said Code; to  
7 provide for effect in event of conflicts; to provide for an effective date; to repeal conflicting  
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 SECTION 1.

11 Title 1 of the Official Code of Georgia Annotated, relating to general provisions, is amended  
12 in:

13 (1) Code Section 1-4-1, relating to public and legal holidays and leave for observance of  
14 religious holidays not specifically provided for, in paragraph (2) of subsection (a), by  
15 inserting a comma following "designation".

16 SECTION 2.

17 Reserved.

18 SECTION 3.

19 Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, is  
20 amended in:

21 (1) Code Section 3-3-2.1, relating to notice to revenue department by county or municipality  
22 of violations concerning sale of alcoholic beverages to underage persons, in paragraph (2)  
23 of subsection (a), by replacing "state governmental" with "state government".

24 **SECTION 4.**

25 Reserved.

26 **SECTION 5.**

27 Reserved.

28 **SECTION 6.**

29 Title 6 of the Official Code of Georgia Annotated, relating to aviation, is amended in:

30 (1) Code Section 6-5-10, which is reserved, by designating said Code section as repealed.

31 **SECTION 7.**

32 Title 7 of the Official Code of Georgia Annotated, relating to banking and finance, is  
33 amended in:

34 (1) Code Section 7-1-709.2, relating to continuing effectiveness of existing licenses  
35 regarding cashing of payment instruments, by replacing "Former provisions" with "former  
36 provisions".

37 (2) Code Section 7-5-2, relating to definitions relative to credit cards and credit card banks,  
38 at the beginning of paragraph (8), by replacing "For purposes of this chapter, 'holding  
39 company'" with "'Holding company'".

40 (3) Code Section 7-9-7, relating to investigation, approval or disapproval of charter  
41 application, "conviction data" defined, background checks, and impact of disapproval, in  
42 subsection (c), by inserting "the term" following "Code section," and at the end of the third  
43 sentence of subsection (g), by replacing "bank" with "banks".

44 **SECTION 8.**

45 Reserved.

46 **SECTION 9.**

47 Title 9 of the Official Code of Georgia Annotated, relating to civil practice, is amended in:

48 (1) Code Section 9-11-9, relating to pleading special matters, in subsection (d), by inserting  
49 a comma following "official act".

50 (2) Code Section 9-12-113, relating to recognition and enforcement of foreign-country  
51 judgments, in subsection (b), at the end of paragraph (2), by deleting "or" and at the end of  
52 paragraph (3), by replacing the period with a semicolon.

53 **SECTION 10.**

54 Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, is  
55 amended in:

56 (1) Code Section 10-1-393.2, relating to requirements for health spas, in the last paragraph  
57 of the language set out in quotes in the middle of subsection (e), by inserting "on" following  
58 "delivered by midnight".

59 **SECTION 11.**

60 Title 11 of the Official Code of Georgia Annotated, relating to the Uniform Commercial  
61 Code, is amended in:

62 (1) Code Section 11-1-202, relating to notice and knowledge regarding general definitions  
63 and principles of interpretation of the Uniform Commercial Code, in the introductory  
64 language of subsection (e), by replacing "notice or notification" with "a notice or  
65 notification".

66 **SECTION 12.**

67 Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural  
68 resources, is amended in:

69 (1) Code Section 12-7-6, relating to best management practices and minimum requirements  
70 for rules, regulations, ordinances, or resolutions regarding control of soil erosion and  
71 sedimentation, in division (b)(17)(F)(ii), by replacing "prior" with "prior to" both times the  
72 term appears.

73 **SECTION 13.**

74 Reserved.

75 **SECTION 14.**

76 Reserved.

77 **SECTION 15.**

78 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended in:

79 (1) Code Section 15-18-19, relating to state paid personnel and salary schedules, in  
80 subsection (c), by replacing "Judiciary Committee of the House of Representatives and the  
81 Judiciary Committee of the Senate" with "House Committee on Judiciary and the Senate  
82 Judiciary Committee".

83 **SECTION 16.**

84 Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is  
85 amended in:

86 (1) Code Section 16-6-5.1, relating to sexual assault by persons with supervisory or  
87 disciplinary authority, sexual assault by practitioner of psychotherapy against patient, consent  
88 not a defense, and penalty upon conviction for sexual assault, at the end of paragraph (2) of  
89 subsection (b), by replacing "the such office" with "any such office".

90 (2) Code Section 16-11-129, relating to weapons carry license, temporary renewal permit,  
91 mandamus, and verification of license, in paragraph (2) of subsection (d), by replacing  
92 "subparagraph (d)(1)(B) of this subsection" with "subparagraph (B) of paragraph (1) of this  
93 subsection".

94 (3) Code Section 16-12-100.2, relating to computer or electronic pornography and child  
95 exploitation prevention, in paragraph (1) of subsection (f), by replacing "on-line" with  
96 "online" both times the term appears.

97 (4) Code Section 16-12-191, relating to possession, manufacture, distribution, or sale of low  
98 THC oil and penalties, in subsection (e), by replacing "Code Section 31-5-7" with "Code  
99 Section 31-51-7".

100 (5) Code Section 16-13-71, relating to "dangerous drug" defined, in subsection (a), by  
101 replacing "Federal" with "federal" both times the term appears.

102 **SECTION 17.**

103 Title 17 of the Official Code of Georgia Annotated, relating to criminal procedure, is  
104 amended in:

105 (1) Code Section 17-9-41, which is reserved, by designating said Code section as repealed.

106 (2) Code Section 17-12-25.1, relating to accountability court supplement paid to a circuit  
107 public defender, in subsection (a), by deleting "Standards".

108 (3) Code Section 17-15-13, relating to debt to state created, payment as condition of  
109 probation or parole, and payment into fund regarding victim compensation, in subsection (f),  
110 by replacing "supervised under by" with "supervised by".

111 **SECTION 18.**

112 Reserved.

113 **SECTION 19.**

114 Title 19 of the Official Code of Georgia Annotated, relating to domestic relations, is  
115 amended in:

- 116 (1) Code Section 19-5-1, relating to total divorces authorized, how tried, and referral for  
117 alternative dispute resolution, in subsection (a), by deleting "; provided, however, that the  
118 parties shall comply with Code Section 19-5-1.1 if it is applicable".
- 119 (2) Code Section 19-5-3, relating to grounds for total divorce, at the end of paragraph (12),  
120 by inserting "or".
- 121 (3) Code Section 19-9-6, relating to definitions regarding general provisions of child custody  
122 proceedings, at the end of paragraph (9), by replacing "boundaries this state" with  
123 "boundaries of this state".
- 124 (4) Code Section 19-11-27, relating to accident and sickness insurance coverage for  
125 children, National Medical Support Notice or other notice of enrollment, and establishment  
126 of coverage, in subsection (d), by replacing "Office of Administrative Hearings" with "Office  
127 of State Administrative Hearings".
- 128 (5) Code Section 19-15-1, relating to definitions relative to child abuse, at the end of  
129 subparagraph (B) of paragraph (6), by inserting "and", in the introductory language of  
130 paragraph (11), by replacing "that" with "such", at the beginning of the undesignated text at  
131 the end of paragraph (11), by deleting the quotation marks around "Sexual abuse", and in the  
132 introductory language of paragraph (12), by replacing "that" with "a".

133

**SECTION 20.**

134 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in:

- 135 (1) Code Section 20-1A-2, relating to definitions relative to general provisions of early care  
136 and learning, in paragraph (6), by deleting "family day-care homes," and by replacing "care  
137 learning centers" with "child care learning centers" and in paragraph (8), by replacing "fewer  
138 than 24 hours" with "less than 24 hours".
- 139 (2) Code Section 20-2-112, which is reserved, by designating said Code section as repealed.
- 140 (3) Code Section 20-2-149.2, relating to awarding of high school diploma for completion  
141 of postsecondary programs and identification of critical needs fields of study, in the  
142 introductory language of subsection (a), by replacing "Code Section 20-2-159.5" with "Code  
143 Section 20-2-161.3".
- 144 (4) Code Section 20-2-244, relating to waiver requests by local school boards, requirements  
145 for application for waiver, period of waiver, and blanket waivers, in subsection (a), by  
146 replacing "local school board" with "local board of education".
- 147 (5) Code Section 20-2-319.5, which is reserved, by designating said Code section as  
148 repealed.
- 149 (6) Code Section 20-2-320, relating to the Education Information Steering Committee,  
150 identification of data to implement the Quality Basic Education Program, and a state-wide

- 151 comprehensive educational information network, in subsection (b), by deleting  
152 "recommended by the steering committee and".
- 153 (7) Code Section 20-2-662, relating to definitions relative to student data privacy,  
154 accessibility, and transparency, at the beginning of the second sentence of paragraph (14),  
155 by deleting the quotation marks around "Targeted advertising".
- 156 (8) Code Section 20-2-666, relating to activities by operators and limitations relative to  
157 student data privacy, accessibility, and transparency, in the introductory text of  
158 subsection (c), by replacing "paragraphs (1) to (3), inclusive, of subsection (a)" with  
159 "paragraphs (1) through (3) of subsection (a)".
- 160 (9) Code Section 20-2-751.4, relating to policies prohibiting bullying, assignment to  
161 alternative school, and notice, in the undesignated text at the end of subsection (a), by  
162 replacing "this Code Section" with "this Code section".
- 163 (10) Code Section 20-2-779.1, relating to suicide prevention and awareness training and no  
164 duty of care imposed, in paragraph (1) of subsection (a), by replacing "in service training"  
165 with "in-service training".
- 166 (11) Code Section 20-2-1015, relating to instructional materials and content in digital or  
167 electronic format and funding, in the introductory language of subsection (a), by inserting  
168 a comma following "2020".
- 169 (12) Code Section 20-3-41.3, relating to the study of historical documents and public  
170 displays of the Foundations of American Law and Government, in subsection (d) in the  
171 second paragraph of the "*The Star-Spangled Banner*" under the FOUNDATIONS OF AMERICAN  
172 LAW AND GOVERNMENT DISPLAY, by replacing the period with a comma following "eye".
- 173 (13) Code Section 20-3-250.4, relating to the Nonpublic Postsecondary Education  
174 Commission and membership, in subsection (a), by replacing "terms of appointment,  
175 thereafter" with "terms of appointment; thereafter,".
- 176 (14) Code Section 20-3-250.27, relating to the Tuition Guaranty Trust Fund, in  
177 paragraph (3) of subsection (d), by replacing "\$7,750,000.00" with "\$7.75 million" and in  
178 paragraph (3) of subsection (d) and subsection (e), by inserting "that" following "provided,  
179 however,".
- 180 (15) Code Section 20-3-278, which is repealed, by designating said Code section as  
181 reserved.
- 182 (16) Code Section 20-14-91, relating to the creation of the Career and Technical Education  
183 Advisory Commission, membership, requirements, meetings, and reimbursement, in  
184 paragraph (1) of subsection (d), by replacing "head of the career and technical education  
185 program" with "director of the Career, Technical, and Agricultural Education Division".

186 **SECTION 21.**

187 Title 21 of the Official Code of Georgia Annotated, relating to elections, is amended in:

188 (1) Code Section 21-2-132, relating to filing notice of candidacy, nomination petition, and  
189 affidavit, payment of qualifying fee, pauper's affidavit and qualifying petition for exemption  
190 from qualifying fee, and military service, in subparagraph (d)(4)(A), by replacing "Office of  
191 the Secretary of State" with "office of the Secretary of State".

192 **SECTION 22.**

193 Title 22 of the Official Code of Georgia Annotated, relating to eminent domain, is amended  
194 in:

195 (1) Code Section 22-2-110, relating to award of special master and special master  
196 panel - time of filing, award to become part of record of proceedings, vesting of title in  
197 condemnor upon deposit of award into court, form of award, and use in subsequent appeal,  
198 at the beginning and end of the form in subsection (c), by inserting quotation marks.

199 **SECTION 23.**

200 Title 23 of the Official Code of Georgia Annotated, relating to equity, is amended in:

201 (1) Code Section 23-3-125, relating to civil investigative demands relative to taxpayer  
202 protection against false claims, in the undesignated text at the end of paragraph (1) of  
203 subsection (b), by replacing "determine" with "determines".

204 **SECTION 24.**

205 Reserved.

206 **SECTION 25.**

207 Reserved.

208 **SECTION 26.**

209 Title 26 of the Official Code of Georgia Annotated, relating to food, drugs, and cosmetics,  
210 is amended in:

211 (1) Code Section 26-4-116.1, relating to licensed health practitioners authorized to prescribe  
212 auto-injectable epinephrine for schools and pharmacists authorized to fill prescriptions, in  
213 subsection (b), by replacing "subsection (e.1)" with "subsection (e.1)".

214 (2) Code Section 26-4-118, relating to the Pharmacy Audit Bill of Rights, recoupment of  
215 disputed funds, appeals process for unfavorable reports, final audit report, and investigative  
216 audits based on criminal offenses, in paragraph (8) of subsection (b), by replacing "Title 49,  
217 any" with "Title 49, or any".

218 **SECTION 27.**

219 Reserved.

220 **SECTION 28.**

221 Title 28 of the Official Code of Georgia Annotated, relating to the General Assembly, is  
222 amended in:

223 (1) Code Section 28-1-14.1, which is reserved, by designating said Code section as repealed.

224 **SECTION 29.**

225 Reserved.

226 **SECTION 30.**

227 Reserved.

228 **SECTION 31.**

229 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended in:

230 (1) Code Section 31-1-14, relating to Physician Orders for Life-Sustaining Treatment  
231 (POLST) forms, in paragraph (6) of subsection (a), by replacing "hydration but" with  
232 "hydration, but" and in subparagraph (d)(1)(C), by deleting the semicolon following  
233 "reference".

234 (2) Code Section 31-2A-12, which is repealed, by designating said Code section as reserved.

235 (3) Code Section 31-7-3.2, relating to notice of cited deficiency and imposition of sanction  
236 relative to regulation of hospitals and related institutions, at the end of subsection (i), by  
237 replacing "Title 31" with "this title".

238 (4) Code Section 31-50-2, relating to members of the Georgia Commission on Medical  
239 Cannabis, in the introductory language of subsection (a), by replacing "commissioner of  
240 agriculture" with "Commissioner of Agriculture".

241 (5) Code Section 31-51-1, relating to the creation of the low THC oil research program, in  
242 subsection (d), by replacing "is permitted under this chapter" with "that is permitted under  
243 this chapter".

244 **SECTION 32.**

245 Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries,  
246 is amended in:

247 (1) Code Section 32-9-8.1, relating to installation of safety markers on utility lines to  
248 provide for adequate visual warning in use of private airstrips, is amended by redesignating  
249 said Code section as Code Section 6-1-3.



250 (2) Chapter 9, relating to mass transportation, by codifying Sections 1 through 5 of an Act  
251 creating the Metropolitan Atlanta Rapid Transit Overview Committee, Ga. L. 1999, p. 965  
252 (approved April 28, 1999), as follows:

253 "32-9-13.

254 (a) There is created the Metropolitan Atlanta Rapid Transit Overview Committee to be  
255 composed of the following 14 members: the chairperson of the State Planning and  
256 Community Affairs Committee of the House of Representatives; the chairperson of the  
257 State and Local Governmental Operations Committee of the Senate; the chairperson of the  
258 Ways and Means Committee of the House of Representatives; a member of the Banking  
259 and Financial Institutions Committee of the Senate to be selected by the President of the  
260 Senate; two members of the House of Representatives appointed by the Speaker of the  
261 House, at least one of whom shall be from the area served by the authority; two members  
262 of the Senate, to be appointed by the President thereof, at least one of whom shall be from  
263 the area served by the authority; and three members of the House of Representatives and  
264 three members of the Senate appointed by the Governor, at least two of whom shall be  
265 from the area served by the authority. The appointed members of the committee shall serve  
266 two-year terms concurrent with their terms as members of the General Assembly. The  
267 chairperson of the committee shall be appointed by the Speaker of the House from the  
268 membership of the committee, and the vice chairperson of the committee shall be  
269 appointed by the President of the Senate from the membership of the committee. The  
270 chairperson and vice chairperson shall serve terms of two years concurrent with their terms  
271 as members of the General Assembly. Vacancies in an appointed member's position or in  
272 the offices of chairperson or vice chairperson of the committee shall be filled for the  
273 unexpired term in the same manner as the original appointment. The committee shall  
274 periodically inquire into and review the operations, contracts, safety, financing,  
275 organization, and structure of the Metropolitan Atlanta Rapid Transit Authority, as well as  
276 periodically review and evaluate the success with which said authority is accomplishing  
277 its legislatively created purposes.

278 (b) The state auditor, the Georgia Department of Transportation, and the Attorney General  
279 shall make available to the committee the services of their staffs' facilities and powers in  
280 order to assist the committee in its discharge of its duties herein set forth. The committee  
281 may employ staff and secure the services of independent accountants, engineers, and  
282 consultants. Upon authorization by joint resolution of the General Assembly, the  
283 committee shall have the power while the General Assembly is in session or during the  
284 interim between sessions to compel the attendance of witnesses and the production of  
285 documents in aid of its duties. In addition, when the General Assembly is not in session,  
286 the committee shall have the power to compel the attendance of witnesses and the

287 production of documents in aid of its duties, upon application of the chairperson of the  
288 committee with the concurrence of the Speaker of the House and the President of the  
289 Senate.

290 (c) The Metropolitan Atlanta Rapid Transit Authority shall cooperate with the committee,  
291 its authorized personnel, the Attorney General, the state auditor, and the Georgia  
292 Department of Transportation in order that the charges of the committee, set forth in this  
293 Code section, may be timely and efficiently discharged. The authority shall submit to the  
294 committee such reports and data as the committee shall reasonably require of the authority  
295 in order that the committee may adequately inform itself of the activities of the authority  
296 required by this Code section. The Attorney General is authorized to bring appropriate  
297 legal actions to enforce any laws specifically or generally relating to the authority or as to  
298 any subpoenas issued by the committee. The committee shall, on or before the first day of  
299 January of each year, and at such other times as it deems to be in the public interest, submit  
300 to the General Assembly a report of its findings and recommendations based upon the  
301 review of the operations of the Metropolitan Atlanta Rapid Transit Authority, as set forth  
302 in this Code section.

303 (d) In the discharge of its duties, the committee shall evaluate the performance of the  
304 authority in providing public transportation consistent with the following criteria:

- 305 (1) Public safety;  
306 (2) Prudent, legal, and accountable expenditure of public funds;  
307 (3) Responsiveness to community needs and community desires;  
308 (4) Economic vitality of the transportation system and economic benefits to the  
309 community;  
310 (5) Efficient operation; and  
311 (6) Impact on the environment.

312 To assist in evaluating the performance of the authority, the committee may appoint a  
313 citizens' advisory committee or committees. Such citizens' advisory committee or  
314 committees shall act in an advisory capacity only.

315 (e)(1) The committee is authorized to expend state funds available to the committee for  
316 the discharge of its duties. Said funds may be used for the purposes of compensating  
317 staff personnel; paying the expenses of advertising notices of intention to amend the  
318 'Metropolitan Atlanta Rapid Transit Authority Act of 1965,' as amended; paying for  
319 services of independent accountants, engineers, and consultants; paying necessary  
320 expenses of the citizens' advisory committee or committees; and paying all other  
321 necessary expenses incurred by the committee in performing its duties.

322 (2) The members of the committee shall receive the same compensation, per diem,  
 323 expenses, and allowances for their service on the committee as is authorized by law for  
 324 members of interim legislative study committees.

325 (3) The funds necessary for the purposes of this Code section shall come from the funds  
 326 appropriated to and available to the legislative branch of government.

327 (f) Nothing contained within this Code section shall relieve the Metropolitan Atlanta Rapid  
 328 Transit Authority of the responsibilities imposed upon it under the 'Metropolitan Atlanta  
 329 Rapid Transit Authority Act of 1965,' as amended, for the planning, designing, purchasing,  
 330 acquiring, constructing, improving, equipping, financing, maintaining, administering, and  
 331 operating a system of rapid transit for the metropolitan area of Atlanta.'

332 (3) Code Section 32-10-65, relating to fixing, revising, charging, and collecting tolls and use  
 333 and disposition of tolls generally, by replacing "in respect to" with "with respect to".

334

### SECTION 33.

335 Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended in:

336 (1) Code Section 33-1-24, relating to insurance requirements for transportation network  
 337 companies and their drivers, in paragraph (2) of subsection (a), by inserting a comma  
 338 following "compensation" and in subsection (i), by replacing "this Code Section" with "this  
 339 Code section".

340 (2) Code Section 33-2-34, relating to insurance compliance self-evaluative privilege, in  
 341 subsection (h), by inserting a comma following "common law privilege".

342 (3) Code Section 33-4-6, relating to liability of insurer for damages and attorney's fees and  
 343 notice to Commissioner of Insurance and consumers' insurance advocate, in subsection (a),  
 344 by inserting "that" following "provided, however," and "provided, further,".

345 (4) Code Section 33-4-7, relating to affirmative duty to fairly and promptly adjust in  
 346 incidents covered by motor vehicle liability policies, actions for bad faith, and notice to  
 347 Commissioner of Insurance and consumers' insurance advocate, in subsection (f), by  
 348 inserting "that" following "provided, however," and "provided, further,".

349 (5) Code Section 33-10-13, relating to standard valuation, in paragraph (3) of subsection (b),  
 350 by replacing "(a)" with "(A)", by replacing "(b)" with "(B)", and by replacing "State" with  
 351 "state" each time the term appears; in subparagraph (c)(1)(B), by inserting a comma  
 352 following "manual"; in division (d)(1)(B)(i), by deleting the comma following "paragraph";  
 353 in division (d)(1)(D)(ii), by inserting a comma following "force"; in division (d)(1)(D)(vi),  
 354 by inserting a comma following "decision"; in subdivision (d)(1)(D)(x)(I), by inserting a  
 355 comma following "subparagraph"; in subparagraph (d)(2)(A), by inserting a comma  
 356 following "amounts" and "opinion"; in subparagraph (d)(2)(B), by deleting the comma  
 357 following "paragraph"; in the introductory language of subparagraph (d)(2)(C), by replacing

358 "paragraph (2) of this subsection" with "this paragraph"; in the introductory language of  
 359 subparagraph (d)(2)(D), by replacing "paragraph (2) of this subsection" with "this  
 360 paragraph"; in division (d)(2)(D)(iii), by replacing "paragraph (2) of this subsection" with  
 361 "this paragraph"; in division (d)(2)(D)(vi), by inserting a comma following "decision"; in  
 362 subparagraph (e)(1)(B), by replacing "Table or," with "Table, or"; at the end of subparagraph  
 363 (f)(2)(D), by inserting "and"; at the end of subparagraph (f)(3)(B), by inserting "and"; in the  
 364 undesignated text at the end of paragraph (1) of subsection (g), by inserting a comma  
 365 following "comparison"; in subparagraph (o)(2)(B), by inserting a comma following  
 366 "accident"; in subparagraph (o)(2)(C), by replacing "The 50 states" with "the 50 states"; in  
 367 subparagraph (o)(3)(B), by inserting a comma following "accident"; in subparagraph  
 368 (o)(4)(D), by inserting a comma following "section"; in subparagraph (p)(1)(B), by inserting  
 369 a comma following "models"; in subparagraph (p)(1)(D), by inserting a comma following  
 370 "uncertainty"; in subparagraph (r)(2)(F), by replacing "paragraph (2) of this subsection" with  
 371 "this paragraph"; in subparagraph (r)(2)(H), by inserting a comma following "consultants";  
 372 and in the introductory language of paragraph (1) of subsection (s), by inserting "that"  
 373 following "provided".

374 (6) Code Section 33-13-32, relating to definitions regarding Own Risk and Solvency  
 375 Assessment Summary Report, in the introductory language, by replacing "chapter" with  
 376 "article".

377 (7) Code Section 33-13-36, relating to exemption from the requirements of the article, in  
 378 subsection (e), in paragraph (1), by replacing "ORSA and" with "ORSA, and" and by  
 379 inserting a comma following "circumstances" and in paragraph (2), by replacing "for  
 380 company" with "for a company" and by replacing "to Commissioner's" with "to the  
 381 Commissioner's".

382 (8) Code Section 33-13-38, relating to confidentiality and protection regarding Own Risk  
 383 and Solvency Assessment Summary Report, in subsection (a), by deleting the comma  
 384 following "article" and by replacing "to contain" with "containing" and in paragraph (2) of  
 385 subsection (c), by replacing "materials or" with "materials, or".

386 (9) Code Section 33-24-44, relating to cancellation of insurance policies generally, in  
 387 paragraph (3) of subsection (c), by replacing "however," with "however, that".

388 (10) Code Section 33-29-22, relating to notice of premium increase and notification of  
 389 impact of Patient Protection and Affordable Care Act, at the beginning of the text, by  
 390 deleting the "(a)" subsection designation.

391 **SECTION 34.**

392 Reserved.

393 **SECTION 35.**

394 Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and  
395 agencies, is amended in:

396 (1) Code Section 35-3-33, relating to the powers and duties of the Georgia Crime  
397 Information Center generally, in division (a)(1)(A)(ii), by replacing "sex offenses" with  
398 "sexual offenses".

399 (2) Code Section 35-3-36, relating to duties of state criminal justice agencies as to the  
400 submission of fingerprints, photographs, and other identifying data to the Georgia Crime  
401 Information Center and responsibility for accuracy, in subsection (b), by replacing  
402 "department" with "Department".

403 (3) Code Section 35-6A-7, relating to the functions and authority of the Criminal Justice  
404 Coordinating Council, in paragraph (7), by replacing "with a state-wide impact, which  
405 studies and projects cross traditional system component lines" with "which cross traditional  
406 system component lines with a state-wide impact".

407 **SECTION 36.**

408 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended  
409 in:

410 (1) Code Section 36-61-2, relating to definitions relative to urban redevelopment, in  
411 paragraph (15), by replacing "'Pocket of blight' also means" with "Pocket of blight also  
412 means".

413 (2) Code Section 36-61-4, relating to encouragement of private enterprise relative to urban  
414 redevelopment, in subdivision (b)(3)(C)(ii)(II), by replacing "respondent pursuant" with  
415 "respondents pursuant".

416 **SECTION 37.**

417 Title 37 of the Official Code of Georgia Annotated, relating to mental health, is amended in:

418 (1) Code Section 37-2-6, relating to community mental health, developmental disabilities,  
419 and addictive diseases service boards - Community service board creation, membership,  
420 participation of counties, transfer of powers and duties, alternate method of establishment,  
421 bylaws, and reprisals prohibited, in the last sentence of subsection (h), by replacing "For the  
422 purposes" with "For purposes" and by replacing "shall mean" with "means".

423 (2) Code Section 37-2-6.1, relating to community service boards - Executive director, staff,  
424 budget, facilities, powers and duties, and exemption from state and local taxation, in  
425 paragraph (11) of subsection (b), by replacing "Article 1 of Chapter 2 of Title 37" with "this  
426 article".

427 (3) Code Section 37-7-41, relating to emergency involuntary psychiatric/mental health  
428 treatment, who may certify need, delivery for examination, and report of delivery required,  
429 at the end of subsection (d), by replacing "psychiatric mental health" with  
430 "psychiatric/mental health".

431 **SECTION 38.**

432 Title 38 of the Official Code of Georgia Annotated, relating to military, emergency  
433 management, and veterans affairs, is amended in:

434 (1) Code Section 38-2-1001, relating to definitions relative to general provisions of the  
435 Georgia Code of Military Justice, in paragraph (16), by replacing "constitution" with  
436 "Constitution".

437 (2) Code Section 38-2-1015, relating to commanding officer's disciplinary punishment,  
438 regulations limiting, officers in charge, appeal, and effect on more serious offenses, in  
439 paragraph (5) of subsection (b), by replacing "seven-day's" with "seven days".

440 (3) Code Section 38-2-1038, relating to trial counsel relative to military trial procedures, in  
441 paragraph (5) of subsection (b) and in subparagraph (b)(6)(B), by replacing "subparagraph  
442 (b)(3)(B) of this Code section" with "subparagraph (B) of paragraph (3) of this subsection"  
443 and "subparagraph (b)(3)(A) of this Code section" with "subparagraph (A) of paragraph (3)  
444 of this subsection".

445 (4) Code Section 38-2-1103, relating to captured or abandoned property and trading and  
446 looting prohibited relative to the punitive provisions under the Georgia Code of Military  
447 Justice, in paragraph (1) of subsection (b), by replacing "subsection (a)" with "subsection (a)  
448 of this Code section".

449 (5) Code Section 38-2-1111, relating to driving while under the influence of drugs or alcohol  
450 relative to punitive provisions under the Georgia Code of Military Justice, in paragraph (2),  
451 by inserting a comma following "aircraft".

452 (6) Code Section 38-2-1112.1, relating to use, possession, manufacture, distribution, or  
453 importation of certain controlled substances and exceptions relative to punitive provisions  
454 under the Georgia Code of Military Justice, in paragraph (2) of subsection (b), by inserting  
455 a comma following "Section 801".

456 (7) Code Section 38-2-1140, relating to delegation of authority by Governor, by replacing  
457 "sub delegation" with "subdelegation".

458 **SECTION 39.**

459 Reserved.

460 **SECTION 40.**

461 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is  
462 amended in:

463 (1) Code Section 40-1-195, relating to inclusion of license number issued by department in  
464 advertising and requirements for signage or emblem approved by Department of Public  
465 Safety, in subsection (a), by replacing "this Code Section" with "this Code section".

466 (2) Code Section 40-2-1, relating to definitions relative to general provisions of registration  
467 and licensing of motor vehicles, in paragraph (1), by inserting a comma following  
468 "prejudice".

469 (3) Code Section 40-2-20, relating to registration and license requirements, extension of  
470 registration period, penalties, and two-year registration option for new motor vehicles, in  
471 subsection (d), by replacing "Code section provided" with "Code section, provided".

472 (4) Code Section 40-2-86, relating to special license plates promoting certain beneficial  
473 projects and supporting certain worthy agencies, funds, or nonprofit corporations with  
474 proceeds disbursed to the general fund and the agency, fund, or nonprofit corporation, in  
475 subparagraph (n)(1)(A), by inserting a comma following "agent" and in paragraph (2) of  
476 subsection (n), in the first sentence by replacing "Special license plates" with "A special  
477 license plate", in the second sentence by replacing "these special license plates" with "this  
478 special license plate", and in the third sentence by replacing "Such license plates" with "Such  
479 license plate".

480 (5) Code Section 40-5-2, relating to keeping of records of applications for drivers' licenses  
481 and information on licensees and furnishing of information, in divisions (c)(1)(B)(i) and  
482 (c)(1)(B)(ii), by replacing "on-line" with "online".

483 (6) Code Section 40-5-83, relating to establishment, approval, and operation of driver  
484 improvement clinics and programs, out-of-state certificates of completion, instructor licenses,  
485 fees, and submission of fingerprints by applicants, in the first sentence of subsection (d), by  
486 replacing "June, 30, 2015," with "June 30, 2015,".

487 (7) Code Section 40-16-7, relating to the budget of the Department of Driver Services, in  
488 subsection (c), by replacing "total fine or forfeiture" with "total fine or bond forfeiture".

489 **SECTION 41.**

490 Reserved.

491 **SECTION 42.**

492 Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, is amended  
493 in:

494 (1) Code Section 42-3-115, relating to authorization to impose administrative sanctions,  
495 petition, hearing, and administrative proceeding relative to probation management, in  
496 subsection (b), by replacing "paragraphs (4) through (7)" with "paragraphs (4) through (6)".

497 **SECTION 43.**

498 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,  
499 is amended in:

500 (1) Code Section 43-1-19, relating to grounds for refusing to grant or revoking licenses,  
501 application of the Administrative Procedure Act, subpoena powers, disciplinary actions,  
502 judicial review, reinstatement, investigations, complaints, notice, failure to appear, voluntary  
503 surrender, application, and probationary license, in subsection (o), by replacing "limit" with  
504 "limits".

505 (2) Code Section 43-10-9, relating to application for certificate of registration relative to  
506 barbers and cosmetologists, near the beginning of paragraph (1) of subsection (b), by deleting  
507 "person".

508 (3) Code Section 43-10-15, relating to suspension, revocation, cancellation, or restoration  
509 of certificates of registration, reprimand of certificate holders, and fines relative to barbers  
510 and cosmetologists, in subsection (b), by replacing "pursuant to this paragraph" with  
511 "pursuant to this subsection".

512 (4) Code Section 43-10-18, relating to home beauty shops, beauty salons, or barber shops,  
513 in subsection (a), by inserting a comma following "beauty salon".

514 **SECTION 44.**

515 Reserved.

516 **SECTION 45.**

517 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,  
518 is amended in:

519 (1) Code Section 45-9-81, relating to definitions relative to the Georgia State  
520 Indemnification Fund, in paragraph (10), by replacing "community supervision officer" with  
521 "community supervision officer".

522 (2) Code Section 45-9-102, relating to payment of temporary disability compensation, 12  
523 month limitation, benefits subordinate to workers' compensation benefits, and appeal of  
524 decision, in subsection (b), by replacing "subparagraph (2)(B)" with "subparagraph (B) of  
525 paragraph (3)".



526 (3) Code Section 45-10-25, relating to exceptions to prohibitions on transactions with state  
 527 agencies, in subparagraph (a)(8)(A), by replacing the commas with semicolons following  
 528 "chaplain", "firefighter", "university", "psychologist", and "practical nurse".

529 (4) Code Section 45-12-22, relating to suspension of collection of taxes by the Governor,  
 530 in the first sentence of subsection (b), by replacing "state motor fuel under" with "state motor  
 531 fuel taxes under".

532 (5) Code Section 45-13-70, relating to the creation of the Capitol Art Standards  
 533 Commission, membership, appointment, and staffing, in subsection (a), by replacing "Office  
 534 of the Secretary of State" with "office of the Secretary of State".

535 (6) Code Section 45-16-43, which is repealed, by designating said Code section as reserved.

536 (7) Code Section 45-22-7, relating to material safety data sheets, notice to employees, and  
 537 rights of employees, in subsection (f), by replacing "shall mean" with "means" and by  
 538 replacing "his" with "his or her"; in paragraphs (2) and (4) of subsection (k), by replacing  
 539 "he" with "he or she"; and in paragraph (3) of subsection (k), by replacing "he or his  
 540 employees" with "such contractor, subcontractor, or employees thereof".

541 **SECTION 46.**

542 Title 46 of the Official Code of Georgia Annotated, relating to public utilities and public  
 543 transportation, is amended in:

544 (1) Code Section 46-3-70, which is repealed, by designating said Code section as reserved.

545 (2) Code Section 46-5-1, relating to exercise of power of eminent domain by telephone  
 546 companies, placement of posts and other fixtures, regulation of construction of fixtures,  
 547 posts, and wires near railroad tracks, liability of telephone companies for damages, required  
 548 information, and due compensation, in subparagraph (b)(1)(D), by replacing "or as  
 549 supplement" with "or as a supplement".

550 **SECTION 47.**

551 Reserved.

552 **SECTION 48.**

553 Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is  
 554 amended in:

555 (1) Code Section 48-1-2, relating to definitions relative to the "Georgia Public Revenue  
 556 Code," in paragraph (14), by replacing "Section 168(k)(2)(E)" with "Section 168(k)(2)(E))".

557 (2) Code Section 48-2-36, relating to extension of time for returns, in paragraph (3) of  
 558 subsection (c), by replacing "office of state administrative hearings" with "Office of State  
 559 Administrative Hearings".

560 (3) Code Section 48-5-7.6, relating to "brownfield property" defined, related definitions,  
561 qualifying for preferential assessment, disqualification of property receiving preferential  
562 assessment, responsibilities of owners, transfers of property, costs, appeals, creation of lien  
563 against property, and extension of preferential assessment, in subparagraph (a)(4)(C), by  
564 inserting a comma following "i.e."

565 (4) Code Section 48-5-41, relating to property exempt from taxation, in subsection (a), at the  
566 end of subparagraph (A) of paragraph (2.1), by replacing "; and" with a period; at the end of  
567 subparagraph (A) of paragraph (5) and subparagraphs (A) and (B) of paragraph (12), by  
568 replacing the semicolons with periods; at the end of subparagraph (A) of paragraph (14), by  
569 replacing "; or" with a period; and in paragraph (15), by replacing "an historical" with "a  
570 historical" and by inserting a comma following "paragraph".

571 (5) Code Section 48-5-311, relating to creation of county boards of equalization, duties,  
572 review of assessments, and appeals, in division (b)(2)(B)(i), by inserting a comma following  
573 "board of equalization"; in subparagraph (h)(1)(A), by replacing "employee, that" with  
574 "employee who"; and in paragraph (3) of subsection (h), by replacing "and, the taxpayer"  
575 with "and the taxpayer".

576 (6) Code Section 48-5C-1, relating to definitions relative to alternative ad valorem tax on  
577 motor vehicles, exemption from taxation, allocation and disbursement of proceeds collected  
578 by tag agents, fair market value of vehicle appealable, and reports, in division (b)(1)(B)(xv),  
579 by replacing "division (b)(1)(B)(ii) of this Code section" with "division (ii) of this  
580 subparagraph".

581 (7) Code Section 48-7-29.8, relating to tax credits for rehabilitation of historic structures and  
582 conditions and limitations, in subparagraph (a)(5)(A), by inserting a comma following "area".

583 (8) Code Section 48-8-2, relating to definitions relative to state sales and use tax, in  
584 paragraph (31), at the end of subparagraph (F), by replacing the semicolon with "; or"; at the  
585 end of subparagraph (G), by replacing "; or" with a period; and by deleting repealed  
586 subparagraph (H).

587 (9) Code Section 48-8-3, relating to exemptions from state sales and use tax, by deleting  
588 paragraph (29.1), which is designated as reserved.

589 (10) Code Section 48-8-103, relating to submission to voters to determine the imposition of  
590 homestead option sales and use tax, in the first sentence of subsection (a), by replacing  
591 "geographic" with "geographical".

592 (11) Code Section 48-8-106, relating to submission to voters of the question as to whether  
593 to discontinue the homestead option sales and use tax, in the first sentence of subsection (a),  
594 by replacing "geographic" with "geographical".

595 (12) Code Section 48-8-109.4, relating to the role of election superintendent relative to the  
 596 equalized homestead option sales tax, in the first sentence of subsection (a), by replacing  
 597 "geographic" with "geographical".

598 (13) Code Section 48-8-109.7, relating to referendum on discontinuation of taxation and  
 599 ballots relative to the equalized homestead option sales tax, in the first sentence of  
 600 subsection (a), by replacing "geographic" with "geographical".

601 (14) Code Section 48-8-241, relating to the creation of special districts and tax rate relative  
 602 to the special district transportation sales and use tax, at the beginning of paragraph (5) of  
 603 subsection (d), by replacing "For motor fuel" with "Motor fuel".

604 (15) Code Section 48-8-269.6, relating to annual publication of report relative to the special  
 605 district mass transportation sales and use tax, by replacing "qualifying" with "qualified".

606

### SECTION 49.

607 Title 49 of the Official Code of Georgia Annotated, relating to social services, is amended  
 608 in:

609 (1) Code Section 49-5-8, relating to the powers and duties of the Department of Human  
 610 Services relative to children and youth services, at the end of subparagraph (a)(3)(D), by  
 611 replacing "Chapter 4B of Title 49" with "Chapter 4B of this title".

612 (2) Code Section 49-5-24, relating to interagency efforts to gather and share comprehensive  
 613 data, legislative findings, state-wide system for sharing data regarding care and protection  
 614 of children, interagency data protocol, interagency agreements, and waivers from certain  
 615 federal regulations, in paragraph (1) of subsection (g), by replacing "nullify any memoranda"  
 616 with "nullify any memorandum" and "creation of memoranda" with "creation of  
 617 memorandums".

618 (3) Code Section 49-5-41, relating to persons and agencies permitted access to child abuse  
 619 and deprivation records, at the end of subparagraph (a)(6)(H), by replacing the period with  
 620 a semicolon and in subsection (f), by replacing "such reports" with "such report" both times  
 621 that term appears.

622 (4) Code Section 49-5-180, relating to definitions relative to central child abuse registry, in  
 623 subparagraph (A) of paragraph (5), by replacing "Article 1 or Article 2" with "Article 1 or 2"  
 624 and "subsections (b) or (c)" with "subsection (b) or (c)" and in paragraphs (11) and (12), by  
 625 replacing "has the same meaning" with "shall have the same meaning".

626 (5) Code Section 49-5-182, relating to notice to division of substantiated case resulting from  
 627 investigation by abuse investigator, notice of conviction by prosecutor, and contents of  
 628 notice, in paragraph (2) of subsection (b), by inserting a comma following "both".

629 (6) Code Section 49-5-183, relating to division to update central child abuse registry upon  
 630 notification of substantiated case, notice to alleged abuser, representation of alleged minor

631 child abuser, and hearing on expungement of name from registry, in subsection (e), by  
632 inserting a comma following "article".

633 (7) Code Section 49-5-184, relating to information to be included in central child abuse  
634 registry upon notification of child abuse conviction and expungement hearing, in  
635 subsection (c), by inserting a comma following "hearings".

636 (8) Code Section 49-5-185, relating to access to information in central child abuse registry,  
637 statistical analysis of substantiated cases and convictions entered into child abuse registry,  
638 and requests to determine if one's name is included in registry, in paragraph (3) of  
639 subsection (a), by replacing "entity may" with "entity, which may" and "regulation or  
640 policy," with "regulation, or policy" and in paragraph (4) of subsection (a), by inserting "  
641 which" following "Learning".

642 (9) Code Section 49-5-186, relating to confidentiality of information in central child abuse  
643 registry and penalties for unauthorized use of information, in subsection (a), by inserting a  
644 comma following "Title 50".

645 (10) Code Section 49-6-86, relating to reasonable fees for licensure of adult day centers and  
646 use of fees, by replacing "rulemaking" with "rule-making".

647 **SECTION 50.**

648 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended  
649 in:

650 (1) Code Section 50-5-122, relating to legislative intent relative to small business assistance,  
651 in subsection (b), by inserting a comma following "encourage such competition".

652 (2) Code Section 50-7-91, relating to authorization to develop and facilitate state workforce  
653 programs, duties and obligations, creation of contracting guidelines, and enforcement and  
654 corrective actions, in paragraph (1) of subsection (b), by replacing "One-Stop" with  
655 "one-stop".

656 (3) Code Section 50-18-96, which is repealed, by designating said Code section as reserved.

657 (4) Code Section 50-27-102, relating to role of corporation relative to Class B accounting  
658 terminals, implementation and certification, separation of funds and accounting, and disputes,  
659 in subsection (b) and paragraph (2) of subsection (d), by replacing "this Code Section" with  
660 "this Code section".

661 **SECTION 51.**

662 Title 51 of the Official Code of Georgia Annotated, relating to torts, is amended in:

663 (1) Code Section 51-1-29.6, relating to liability of health care institutions and providers  
664 regarding THC oil, in subsection (b), by replacing "provider provided" with "provider,  
665 provided".

666 **SECTION 52.**

667 Title 52 of the Official Code of Georgia Annotated, relating to waters of the state, ports, and  
668 watercraft, is amended in:

669 (1) Code Section 52-2-9, relating to powers of authority generally relative to the Georgia  
670 Ports Authority, in paragraph (7), by replacing "non-federal" with "nonfederal".

671 **SECTION 53.**

672 Reserved.

673 **SECTION 54.**

674 (a) Except for Title 47, the text of Code sections and title, chapter, article, part, subpart,  
675 Code section, subsection, paragraph, subparagraph, division, and subdivision numbers and  
676 designations as contained in the Official Code of Georgia Annotated published under  
677 authority of the state by The Michie Company in 1982 and contained in Volumes 3  
678 through 40 of such publication or replacement volumes thereto, as amended by the text and  
679 numbering of Code sections as contained in the 2015 supplements to the Official Code of  
680 Georgia Annotated published under authority of the state in 2015 by LEXIS Publishing, are  
681 hereby reenacted.

682 (b) Annotations; editorial notes; Code Revision Commission notes; research references;  
683 notes on law review articles; opinions of the Attorney General of Georgia; indexes; analyses;  
684 title, chapter, article, part, and subpart captions or headings, except as otherwise provided in  
685 the Code; catchlines of Code sections or portions thereof, except as otherwise provided in  
686 the Code; and rules and regulations of state agencies, departments, boards, commissions, or  
687 other entities which are contained in the Official Code of Georgia Annotated are not enacted  
688 as statutes by the provisions of this Act. Material which has been added in brackets or  
689 parentheses and editorial, delayed effective date, effect of amendment, or other similar notes  
690 within the text of a Code section by the editorial staff of the publisher in order to explain or  
691 to prevent a misapprehension concerning the contents of the Code section and which is  
692 explained in an editorial note is not enacted by the provisions of this section and shall not be  
693 considered a part of any statutes.

694 (c) The reenactment of the statutory portion of the Official Code of Georgia Annotated by  
695 subsection (a) of this section shall not affect, supersede, or repeal any Act of the General  
696 Assembly, or portion thereof, which is not contained in the Official Code of Georgia  
697 Annotated and which was not repealed by Code Section 1-1-10, specifically including those  
698 Acts which have not yet been included in the text of the Official Code of Georgia Annotated  
699 because of effective dates which extend beyond the effective date of the Code or the  
700 publication date of the Code or its supplements. This subsection shall not apply to any Act

701 or portion thereof which was superseded due to conflict as provided by subsection (b) of  
702 Code Section 28-9-5.

703 (d) The provisions contained in Sections 1 through 53 of this Act and in the other Acts  
704 enacted at the 2015 regular session of the General Assembly of Georgia shall supersede the  
705 provisions of the Official Code of Georgia Annotated ratified and reenacted by subsection (a)  
706 of this section.

707 (e) In the event of a conflict between a provision in Sections 1 through 53 of this Act and  
708 a provision of another Act enacted at the 2016 regular session of the General Assembly, the  
709 provision of such other Act shall control over the conflicting provision in Sections 1  
710 through 53 of this Act to the extent of the conflict.

711 **SECTION 55.**

712 This Act shall become effective upon its approval by the Governor or upon its becoming law  
713 without such approval.

714 **SECTION 56.**

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