

House Bill 90 (AS PASSED HOUSE AND SENATE)

By: Representative Willard of the 51<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5 or have been preempted or superseded by subsequent laws; to provide for other matters  
6 relating to revision, reenactment, and publication of said Code; to provide for effect in event  
7 of conflicts; to provide for an effective date; to repeal conflicting laws; and for other  
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Reserved.

12 **SECTION 2.**

13 Reserved.

14 **SECTION 3.**

15 Reserved.

16 **SECTION 4.**

17 Reserved.

18 **SECTION 5.**

19 Reserved.

20 **SECTION 6.**

21 Reserved.

22

**SECTION 7.**

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

25 (1) Code Section 7-1-95, which is repealed, by designating said Code section as reserved.

26 (2) Code Section 7-1-621, relating to definitions relative to interstate acquisitions of banks  
27 and bank holding companies, in subparagraph (A) of paragraph (4), by deleting "the Office  
28 of Thrift Supervision," which refers to an obsolete entity.

29 (3) Code Section 7-1-650, relating to the powers of operation and regulation relative to  
30 credit unions, at the end of paragraph (9), by inserting "and".

31 (4) Code Section 7-1-668, relating to the conversion of state and federal credit unions, at the  
32 end of paragraph (2) of subsection (b), by inserting "and".

33 (5) Code Section 7-1-683.1, relating to locations for conduct of business, contracting with  
34 authorized agent, and requirements of an agent in the sale of payment instruments, in  
35 paragraph (5) of subsection (c), by replacing "but not limited," with "but not limited to,".

36 (6) Code Section 7-1-685, relating to the expiration and renewal of licenses relative to the  
37 sale of payment instruments, at the end of the second sentence, by replacing "regulation"  
38 with "regulations".

39 (7) Code Section 7-1-689, relating to record keeping, investigations and examinations by the  
40 Department of Banking and Finance, subpoenas, confidentiality, and limitations on civil  
41 liability, in paragraphs (1), (5), and (6) of subsection (1), by replacing "fax" with "facsimile".

42 (8) Code Section 7-1-698, relating to the continuing effectiveness of existing licenses  
43 relative to the sale of checks and money orders, by replacing "Article 4 of Chapter 1 of this  
44 title" with "the former provisions of this article".

45 (9) Code Section 7-1-706, relating to record keeping obligations, investigations and  
46 examinations by the department, examination fees, administration of oaths and issuing of  
47 subpoenas, confidentiality, and civil liability, in paragraphs (1) and (5) of subsection (1), by  
48 replacing "fax" with "facsimile".

49 (10) Code Section 7-1-709.2, relating to the continuing effectiveness of existing licenses  
50 relative to the cashing of payment instruments, by replacing "Article 4 of Chapter 1 of this  
51 title" with "the former provisions of this article".

52 (11) Code Section 7-1-1000, relating to definitions relative to licensing of mortgage lenders  
53 and mortgage brokers, in paragraph (11), by deleting "the Director of the Office of Thrift  
54 Supervision," which refers to an obsolete entity and in paragraph (22), by replacing  
55 "paragraph (5) of subsection (a) of Code Section 7-1-1002" with "subsection (a.1) of Code  
56 Section 7-1-1002".

57 (12) Code Section 7-1-1002, relating to the transaction of business without a license,  
58 registration, or exemption prohibited, knowing purchase of mortgage loan from unlicensed

59 or nonexempt broker or lender prohibited, and liability of persons controlling violators, in  
 60 subsection (a), in paragraph (2), by deleting "a person", in paragraph (3), by deleting "such  
 61 person" and by adding "or" at the end, in paragraph (4), by replacing "; or" with a period at  
 62 the end, and in paragraph (5), by redesignating said paragraph as subsection (a.1) and in  
 63 subsection (c), by replacing "subsection (a)" with "subsection (a), (a.1)".

64 (13) Code Section 7-1-1019, relating to criminal penalties relative to the licensing of  
 65 mortgage lenders and mortgage brokers, in paragraph (1), by replacing "subsection (a)" with  
 66 "subsection (a) or (a.1)".

67 **SECTION 8.**

68 Title 8 of the Official Code of Georgia Annotated, relating to buildings and housing, is  
 69 amended in:

70 (1) Code Section 8-2-24, relating to the appointment of an advisory committee,  
 71 reimbursement of members for expenses, use of subcommittees, submittal of proposed  
 72 amendments, modifications, and new provisions to committee and meeting times of  
 73 committee relative to the Department of Community Affairs, in paragraph (1) of  
 74 subsection (a), by replacing "Georgia Safety Fire Commissioner" with "Safety Fire  
 75 Commissioner".

76 (2) Code Section 8-2-131, relating to definitions relative to manufactured homes, in  
 77 paragraph (1), by replacing "Georgia Safety Fire Commissioner" with "Safety Fire  
 78 Commissioner".

79 (3) Code Section 8-2-160, relating to definitions relative to installation of manufactured  
 80 homes and mobile homes, in paragraph (1), by replacing "Georgia Safety Fire  
 81 Commissioner" with "Safety Fire Commissioner".

82 **SECTION 9.**

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

84 (1) Code Section 9-11-124, relating to the form of motion for production of documents  
 85 under Code Section 9-11-34, near the end of the form, by deleting the comma following  
 86 "A.B."

87 **SECTION 10.**

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

90 (1) Code Section 10-5-30, relating to registration requirements for broker-dealers and  
 91 exemptions, in paragraph (2) of subsection (b), by replacing "the Federal Deposit Insurance

92 Corporation, or the Office of Thrift Supervision" with "or the Federal Deposit Insurance  
93 Corporation", as the Office of Thrift Supervision is an obsolete entity.

94 **SECTION 11.**

95 Reserved.

96 **SECTION 12.**

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

99 (1) Code Section 12-2-8, relating to promulgation of minimum standards and procedures for  
100 protection of natural resources, environment, and vital areas of state and stream and reservoir  
101 buffers, at the end of subparagraphs (g)(1)(A) and (g)(2)(B), by deleting "and".

102 (2) Code Section 12-5-546.2, relating to the notification in advance of any state funded  
103 augmentation projects relative to the Flint River, in subsection (c), by replacing "board of  
104 natural resources" with "board".

105 **SECTION 13.**

106 Reserved.

107 **SECTION 14.**

108 Title 14 of the Official Code of Georgia Annotated, relating to corporations, partnerships,  
109 and associations, is amended in:

110 (1) Code Section 14-5-5, which is repealed, by designating said Code section as reserved.

111 (2) Code Section 14-5-10, which is repealed, by designating said Code section as reserved.

112 **SECTION 15.**

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

114 (1) Code Section 15-1-16, relating to mental health court divisions, by redesignating  
115 paragraph (10) of subsection (b) as new paragraph (3) of subsection (a) and in such newly  
116 redesignated paragraph, by replacing "As used in this Code section, the term 'risk and needs  
117 assessment'" with "'Risk and needs assessment'".

118 (2) Code Section 15-6-28.1, which is reserved, by designating said Code section as repealed.

119 (3) Code Section 15-6-88.2, relating to the monthly contingent expense allowance schedule  
120 for the operation of the office of clerk of the superior court, in the right-hand column of the  
121 schedule heading, by replacing "Expense" with "Expenses".

122 (4) Code Section 15-9-64.1, relating to the monthly contingent expense allowance schedule  
 123 for the operation of the office of judge of the probate court, in the right-hand column of the  
 124 schedule heading, by replacing "Expense" with "Expenses".

125 (5) Code Section 15-10-23.1, relating to the monthly contingent expense allowance for the  
 126 operation of the office of magistrate court, in the right-hand column of the schedule heading,  
 127 by replacing "Expense" with "Expenses".

128 (6) Code Section 15-10-54, relating to the use of personally identifiable data in court  
 129 documentation and redaction relative to civil proceedings in the magistrate court, at the end  
 130 of the introductory paragraph of subsection (a), by replacing "birth date" with "birth date  
 131 shall include only".

132 (7) Code Section 15-10-105.2, relating to the monthly contingent expense allowance for the  
 133 operation of the office of magistrate court, in the right-hand column of the schedule heading,  
 134 by replacing "Expense" with "Expenses".

135 (8) Code Section 15-11-481, relating to victim impact statement in delinquency proceedings,  
 136 in subsection (f), by replacing "subsection (b)" with "subsection (d)" both times the term  
 137 appears.

138 (9) Code Section 15-16-20.2, relating to the monthly contingent expense allowance for the  
 139 operation of the sheriff's office, in the right-hand column of the schedule heading, by  
 140 replacing "Expense" with "Expenses".

141 **SECTION 16.**

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

144 (1) Code Section 16-8-14.1, relating to refund fraud, in subsection (c), at the end of  
 145 paragraph (1), by replacing the semicolon with a period and at the end of paragraph (2), by  
 146 replacing "; and" with a period.

147 (2) Code Section 16-11-90, relating to the prohibition on nude or sexually explicit electronic  
 148 transmissions, in subsection (e), at the end of paragraph (4), by deleting "or" and at the  
 149 beginning of paragraph (6), by replacing "The transmission is" with "A transmission that is".

150 (3) Code Section 16-11-127.1, relating to carrying weapons within school safety zones, at  
 151 school functions, or on a bus or other transportation furnished by a school, in paragraph (1)  
 152 of subsection (b), by replacing "within a school safety zone or at a school function" with  
 153 "within a school safety zone, at a school function".

154 (4) Code Section 16-11-138, relating to defense of self or others as an absolute defense  
 155 relative to the carrying and possession of firearms, by replacing "Title 16" with "this title".

156 (5) Code Section 16-11-160, relating to the use of machine guns, sawed-off rifles, sawed-off  
 157 shotguns, or firearms with silencers during the commission of certain offenses and enhanced

- 158 criminal penalties, in paragraph (1) of subsection (a), by replacing "or a firearm" with "or  
159 firearm".
- 160 (6) Code Section 16-11-171, relating to definitions relative to the Brady law regulations, at  
161 the end of paragraph (2), by deleting ", or Chapter 16 of Title 43."
- 162 (7) Code Section 16-12-129, relating to defense of self or others as an absolute defense to  
163 any violation under the "Transportation Passenger Safety Act," by replacing "Title 16" with  
164 "this title".
- 165 (8) Code Section 16-13-21, relating to definitions relative to the "Georgia Controlled  
166 Substances Act," in the introductory language of paragraph (10), by inserting a comma  
167 following "United States", in paragraph (23), subparagraphs (A) and (B), by replacing "or  
168 to administer" with "or administer" and subparagraphs (C) and (D), by replacing "federal  
169 Drug Enforcement Administration" with "DEA", and in paragraph (26.1), by replacing  
170 "Federal" with "federal".
- 171 (9) Code Section 16-13-29, relating to Schedule V controlled substances under the "Georgia  
172 Controlled Substances Act," in paragraph (5), by deleting "(OTC)", by replacing "U.S. Drug  
173 Enforcement Administration (DEA)" with "DEA", and by replacing "recordkeeping" with  
174 "record keeping".
- 175 (10) Code Section 16-13-31, relating to trafficking in cocaine, illegal drugs, marijuana, or  
176 methamphetamine and penalties, in division (g)(2)(D)(ii), by deleting the second extraneous  
177 quotation mark after "Firearm".
- 178 (11) Code Section 16-13-31.1, relating to trafficking in ecstasy, sentencing, and variation,  
179 in the introductory language of paragraph (4) of subsection (b), by replacing "paragraph"  
180 with "subsection".
- 181 (12) Code Section 16-13-71, relating to the definition of a "dangerous drug," in  
182 paragraphs (512.5) and (671) of subsection (b), by replacing "see" with "See" and in  
183 paragraph (8) of subsection (e), by replacing "Federal" with "federal".
- 184 (13) Code Section 16-14-3, relating to definitions relative to the "Georgia RICO (Racketeer  
185 Influenced and Corrupt Organizations) Act," by deleting paragraph (5), as such definition is  
186 not used in Chapter 14, and redesignating current paragraphs (6) through (12) as new  
187 paragraphs (5) through (11).

188 **SECTION 17.**

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

- 191 (1) Code Section 17-5-52.1, relating to disposal of forfeited or abandoned firearms, innocent  
192 owners, auctions, record keeping, and liability of government entities, in paragraphs (1)

193 and (2) of subsection (d), by deleting ", and Chapter 16 of Title 43 and who are authorized  
194 to receive such firearms under the terms of such license."

195 (2) Code Section 17-10-1, relating to the fixing of a sentence, suspension or probation of  
196 sentence, change in sentence, eligibility for parole, prohibited modifications, and exceptions,  
197 in subsection (d), by inserting "of subsection (a)" following "paragraph (2)".

198 **SECTION 18.**

199 Title 18 of the Official Code of Georgia Annotated, relating to debtor and creditor, is  
200 amended in:

201 (1) Code Section 18-5-3, relating to exemption for debt adjustment by certain individuals  
202 or entities, by deleting "the Office of Thrift Supervision," , which refers to an obsolete entity.

203 **SECTION 19.**

204 Reserved.

205 **SECTION 20.**

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

207 (1) Code Section 20-2-182, relating to program weights to reflect funds for payment of  
208 salaries and benefits, maximum class size, reporting requirements, and application to specific  
209 school years, in subsection (h), by deleting "pursuant to Code Section 20-2-232", as such  
210 reference is obsolete.

211 (2) Code Section 20-2-200, relating to regulation of certificated professional personnel by  
212 the Professional Standards Commission, rules and regulations, and fees, in paragraphs (2)  
213 and (3) of subsection (b), by replacing "course work" with "coursework".

214 (3) Code Section 20-2-217, relating to professional and staff development stipends relative  
215 to the State Board of Education, by deleting "required under Code Section 20-2-232", as such  
216 reference is obsolete.

217 (4) Code Section 20-2-320, relating to the Education Information Steering Committee,  
218 identification of data to implement the Quality Basic Education Program, and a state-wide  
219 comprehensive educational information network, in subsection (c), by replacing "the House  
220 Budget and Research Office; the House Research Office; and the Senate Research Office"  
221 with "and the House Budget and Research Office" and by replacing "Appropriation  
222 Committees" with "Appropriations Committees".

223 (5) Code Section 20-2-327, relating to recognition of advanced proficiency/honors courses  
224 and counseling and development of individual graduation plans, in paragraph (2) of  
225 subsection (a), by replacing "course work" with "coursework".

226 (6) Code Section 20-3-45.1, relating to the powers and duties of the Georgia Historical  
227 Records Advisory Council, in paragraph (10), by replacing "this article" with "this part" each  
228 time the term appears.

229 (7) Code Section 20-3-47.1, relating to the Division of Archives and History of the  
230 University System of Georgia as administrator of surplus state books, by replacing "this  
231 article" with "this part".

232 (8) Code Section 20-3-519, relating to definitions relative to HOPE scholarships and grants,  
233 in paragraphs (26.1) and (27), by replacing "student that" with "student who" each time the  
234 term appears.

235 (9) Code Section 20-3-519.5, relating to student eligibility requirements for a HOPE grant,  
236 in paragraph (1) of subsection (a), by replacing "towards" with "toward" and in  
237 subsection (c), by replacing "course work" with "coursework".

238 **SECTION 21.**

239 Reserved.

240 **SECTION 22.**

241 Reserved.

242 **SECTION 23.**

243 Reserved.

244 **SECTION 24.**

245 Reserved.

246 **SECTION 25.**

247 Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety, is  
248 amended in:

249 (1) Code Section 25-2-6, relating to the state fire marshal as head of the Safety Fire  
250 Division, by replacing "office of Commissioner" with "office of the Commissioner".

251 (2) Code Section 25-2-12, relating to the adoption of state fire safety standards and  
252 enforcement, investigations, excuse from compliance with standards, and interpretation of  
253 standards and granting variances therefrom by the Commissioner of Insurance, at the end of  
254 subsection (b), by replacing "subsection (a) of Code Section 25-2-12" with "subsection (a)  
255 of this Code section".

256 (3) Code Section 25-2-32, relating to the maintenance of records of fire losses, reports of  
257 losses by insurance companies, and reports of fires under provisions of the regulation of fire



258 and other hazards to persons and property generally, in subsection (b), by replacing "office  
259 of the Safety Fire Commissioner" with "office of Safety Fire Commissioner".

260 (4) Code Section 25-2-40, relating to the requirement of smoke detectors in new dwellings  
261 and dwelling units and exceptions, in subsection (h), by replacing "office of the Safety Fire  
262 Commissioner" with "office of Safety Fire Commissioner".

263 (5) Code Section 25-3-24, relating to the authority of the executive director of the Georgia  
264 Firefighter Standards and Training Council to determine compliance of minimum  
265 requirements by local fire departments generally, by replacing "Georgia Forestry  
266 Commission" with "State Forestry Commission".

267 (6) Code Section 25-4-3, relating to the Georgia Firefighter Standards and Training Council  
268 and its establishment and organization, advisory committee, and expenses and allowances,  
269 in the introductory language of subsection (a), by replacing "eleven" with "11".

270 (7) Code Section 25-9-6, relating to the prerequisites to blasting or excavating and the  
271 marking of sites near utility facilities, in the introductory language of subsection (a), by  
272 replacing "facilities are either" with "facilities either are" and in subsection (b), by replacing  
273 "so as to not to obstruct signs" with "so as not to obstruct signs".

274 (8) Code Section 25-9-13, relating to penalties for violations under the "Georgia Utility  
275 Facility Protection Act," bonds, enforcement, advisory committee, and dispose of settlement  
276 recommendations, in the introductory language of subsection (a), by replacing "subsections"  
277 with "subsection".

278 (9) Code Section 25-11-8, relating to the requirement that installation, repair, or other work  
279 be performed or supervised by a certificate holder, in subsection (g), by replacing "Office of  
280 the Commissioner of Insurance" with "office of the Commissioner of Insurance".

## 281 **SECTION 26.**

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

284 (1) Code Section 26-2-4, relating to the labeling, sale, or advertising of spring water, in  
285 subsection (a), by replacing "provided, however, water" with "provided, however, that  
286 water".

287 (2) Code Section 26-2-231, relating to definitions relative to milk and milk products, by  
288 revising paragraphs (1) through (8) of subsection (b) as follows:

289 "(1) 'Grade A buttermilk' ~~'Raw cow's milk'~~;

290 (2) 'Grade A chocolate milk' ~~'Grade A whole milk'~~;

291 (3) 'Grade A milk, pasteurized';

292 (4) 'Grade A modified solids milk' ~~'Grade A skim milk'~~;

293 (5) 'Grade A skim milk' ~~'Grade A buttermilk'~~;

- 294 (6) 'Grade A whole milk' ~~'Grade A chocolate milk'~~;
- 295 (7) 'Pasteurization' ~~'Grade A modified solids milk'~~; and
- 296 (8) 'Raw cow's milk.' ~~'Pasteurization.'~~.
- 297 (3) Code Section 26-2-249, relating to unlawful acts relative to milk and milk products, at  
298 the end of paragraph (11), by inserting "or".
- 299 (4) Code Section 26-2-261, relating to classification of eggs, at the end of paragraph (1) of  
300 subsection (a), by inserting "and".
- 301 (5) Code Section 26-2-296, relating to duties of the Commissioner of Agriculture, at the end  
302 of paragraph (1) of subsection (a), by replacing the period with "; and".
- 303 (6) Code Section 26-3-8, relating to when a drug or device is deemed misbranded, at the end  
304 of paragraph (10), by inserting "or".
- 305 (7) Code Section 26-4-5, relating to definitions relative to pharmacists and pharmacies, in  
306 paragraph (9), by replacing "eoasimilar" with "similar".
- 307 (8) Code Section 26-4-21, relating to the eligibility requirements for members of the Georgia  
308 State Board of Pharmacy and their oath of office, in subsection (c), by replacing "Office of  
309 the Governor" with "office of the Governor" both times those terms appear.

310 **SECTION 27.**

- 311 Title 27 of the Official Code of Georgia Annotated, relating to game and fish, is amended in:
- 312 (1) Code Section 27-2-3.1, relating to hunting licenses, sportsman's license, license card  
313 carrier requirements, and creation of lifetime sportsman's licenses, by deleting reserved  
314 subsections (a) and (b) and redesignating current subsections (c) through (j) as new  
315 subsections (a) through (h), respectively.
- 316 (2) Code Section 27-2-30, relating to the establishment of the Wildlife Endowment Fund and  
317 limitations on expenditures from the fund, in subsection (b), by replacing "subsection (f)"  
318 with "subsection (d)".

319 **SECTION 28.**

- 320 Title 28 of the Official Code of Georgia Annotated, relating to the General Assembly, is  
321 amended in:
- 322 (1) Code Section 28-9-5, relating to publication of the Official Code of Georgia Annotated,  
323 authority of the Code Revision Commission to make corrections and editorial changes, effect  
324 of changes, treatment of multiple amendments enacted at the same session, duty to prepare  
325 and have introduced legislation reenacting and correcting the Code, and effect of reenacting  
326 the Code, in subsection (b), by replacing "the order in which bills became law" with "the  
327 order in which bills became Acts" and in subsection (c), by replacing "Except as otherwise  
328 provided by law," with "Except as otherwise provided by general law,".

329 **SECTION 29.**

330 Reserved.

331 **SECTION 30.**

332 Reserved.

333 **SECTION 31.**

334 Reserved.

335 **SECTION 32.**

336 Reserved.

337 **SECTION 33.**

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

339 (1) Code Section 33-8-8.3, relating to the funding of services, or the reduction of ad valorem  
340 taxes, in unincorporated areas of counties and the powers and duties of a governing authority,  
341 at the end of subparagraph (a)(1)(D), by inserting "and".

342 (2) Code Section 33-23-43, relating to the authority of insurance adjusters and penalty for  
343 violation, in the introductory language of paragraph (4) of subsection (c), by replacing  
344 "subsection" with "paragraph".

345 (3) Code Section 33-23-43.1, relating to the requirements for public insurance adjuster  
346 contracts, at the beginning of the introductory language of subsection (a), by replacing  
347 "Requirements for public adjusters" with "Public adjusters".

348 (4) Code Section 33-24-44, relating to cancellation of insurance policies generally, in  
349 subsection (b), by replacing "Code Section 33-24-14 in person" with "Code Section  
350 33-24-14, in person," and by replacing "United States mails" with "United States mail" and  
351 in subsection (e), by replacing "United States mails" with "United States mail".

352 (5) Code Section 33-24-44.1, relating to procedure for cancellation of insurance policy by  
353 insured and notice, in subsection (b), by replacing "Code Section 33-24-14 in person" with  
354 "Code Section 33-24-14, in person,".

355 (6) Code Section 33-24-45, relating to the cancellation or nonrenewal of automobile or  
356 motorcycle insurance policies and procedure for review by the Commissioner of Insurance,  
357 in paragraph (1) of subsection (e) and in subsection (m), by replacing "Code Section  
358 33-24-14 in person" with "Code Section 33-24-14, in person," and by replacing "United  
359 States mails" with "United States mail".

360 (7) Code Section 33-24-46, relating to the cancellation or nonrenewal of certain property  
361 insurance policies, in subsections (d) and (h), by replacing "Code Section 33-24-14 in

362 person" with "Code Section 33-24-14, in person," and by replacing "United States mails"  
 363 with "United States mail".

364 (8) Code Section 33-24-47, relating to notice required of termination or nonrenewal,  
 365 increase in premium rates, or change restricting coverage and failure of insurer to comply,  
 366 in subsection (b), by replacing "Code Section 33-24-14 in person" with "Code Section  
 367 33-24-14, in person," and in subsection (f), by replacing "Code Section 33-24-14 by" with  
 368 "Code Section 33-24-14 or by".

369 (9) Code Section 33-24-47.1, relating to the notice prior to cancellation or nonrenewal of an  
 370 individual or group accident and sickness insurance policy, in subsection (b), by replacing  
 371 "United States mails" with "United States mail".

372 (10) Code Section 33-30-13, relating to notices of premium increases to be mailed or  
 373 delivered to group insurance policyholder and notification of impact of federal Patient  
 374 Protection and Affordable Care Act, in subsections (b) and (c), by redesignating current  
 375 subsection (c) as new subsection (b), as current subsection (b) was repealed on December 31,  
 376 2014.

377 (11) Code Section 33-45-1, relating to definitions relative to continuing care providers and  
 378 insurance facilities, by redesignating current paragraph (12) as new paragraph (13) and by  
 379 redesignating current paragraph (13) as new paragraph (12), respectively, and reordering  
 380 such paragraphs so as to put definitions in alphabetical order.

381 **SECTION 34.**

382 Reserved.

383 **SECTION 35.**

384 Reserved.

385 **SECTION 36.**

386 Reserved.

387 **SECTION 37.**

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

389 (1) Code Section 37-2-6.1, relating to community service boards and the executive director,  
 390 staff, budget, and facilities, powers and duties, and exemption from state and local taxation,  
 391 by redesignating current paragraph (1) of subsection (a) as new subsection (a.1).

392 (2) Code Section 37-4-40.1, which is reserved, by designating said Code section as repealed.

393 (3) Code Section 37-4-40.2, which is reserved, by designating said Code section as repealed.

394 (4) Code Section 37-4-40.3, which is reserved, by designating said Code section as repealed.

395 (5) Code Section 37-4-40.4, which is reserved, by designating said Code section as repealed.

396 (6) Code Section 37-4-40.5, which is reserved, by designating said Code section as repealed.

397 **SECTION 38.**

398 Reserved.

399 **SECTION 39.**

400 Title 39 of the Official Code of Georgia Annotated, relating to minors, is amended in:

401 (1) Code Section 39-2-10, which is repealed, by designating said Code section as reserved.

402 **SECTION 40.**

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

405 (1) Code Section 40-1-1, relating to definitions relative to motor vehicles and traffic, by  
406 redesignating current paragraphs (15.3), (15.5), and (15.6) as new paragraphs (15.1), (15.2),  
407 and (15.3), respectively.

408 (2) Code Section 40-5-81, relating to program optional and certification and approval of  
409 courses relative to restoration of licenses, at the end of subsection (a), by adding a period.

410 **SECTION 41.**

411 Title 41 of the Official Code of Georgia Annotated, relating to nuisances, is amended in:

412 (1) Code Section 41-2-6, which is repealed, by designating said Code section as reserved.

413 **SECTION 42.**

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

416 (1) Code Section 42-8-112, relating to timing for issuance of ignition interlock device  
417 limited driving permit, documentation required, and reporting requirement, in  
418 subparagraph (b)(2)(A), by replacing "permit" with "probationary license".

419 **SECTION 43.**

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

422 (1) Code Section 43-3-6, relating to the duties of executive director serving as the chief  
423 executive officer of the Georgia State Board of Accountancy, at the end of paragraph (5) of  
424 subsection (a), by replacing the period with a semicolon.

425 (2) Code Section 43-10A-13, relating to requirements for licensure in marriage and family  
 426 therapy, in paragraph (1) of subsection (a) and in subparagraphs (a)(2)(B) and (a)(2)(C), by  
 427 replacing "course work" with "coursework".

428 (3) Code Section 43-14-6, relating to powers and duties of divisions relative to electrical  
 429 contractors, plumbers, conditioned air contractors, low-voltage contractors, and utility  
 430 contractors, in subparagraph (a)(4)(G), by replacing "conditioned air work" with  
 431 "conditioned air contracting" each time the term appears.

432 (4) Code Section 43-14-13, relating to applicability of chapter relative to electrical  
 433 contractors, plumbers, conditioned air contractors, low-voltage contractors, and utility  
 434 contractors, in subsection (j), by replacing "conditioned air work" with "conditioned air  
 435 contracting".

436 (5) Code Section 43-26-53, relating to reportable incidents relative to mandatory reporting  
 437 requirements for nurses, in subsection (b), by replacing "applicable board" with "board" each  
 438 time the term appears.

439 **SECTION 44.**

440 Title 44 of the Official Code of Georgia Annotated, relating to property, is amended in:

441 (1) Code Section 44-14-65, which is repealed, by designating said Code section as reserved.

442 **SECTION 45.**

443 Reserved.

444 **SECTION 46.**

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

447 (1) Code Section 46-5-1, relating to exercise of power of eminent domain by telephone  
 448 companies, placement of posts and other fixtures, regulation of construction of fixtures,  
 449 posts, and wires near railroad tracks, liability of telephone companies for damages, required  
 450 information, and due compensation, in subparagraph (b)(9)(I), by replacing "32.5320" with  
 451 "32.5230".

452 **SECTION 47.**

453 Reserved.

454 **SECTION 48.**

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

457 (1) Code Section 48-5C-1, relating to definitions, exemption from taxation, allocation and  
 458 disbursement of proceeds collected by tag agents, fair market value of vehicle appealable,  
 459 and report relative to alternative ad valorem tax on motor vehicles, in  
 460 subparagraph (d)(15)(D), by replacing "this title" with "Title 40".

461 (2) Code Section 48-8-2, relating to definitions relative to state sales and use tax, in  
 462 paragraph (30.1), which is repealed, by deleting said paragraph designation; at the beginning  
 463 of the second and third sentences of paragraph (37), by deleting the quotation marks around  
 464 "Tangible personal property"; in the second sentence of the introductory text of  
 465 paragraph (39), by deleting the quotation marks around "telecommunications service" and  
 466 at the beginning of the third sentence, by deleting the quotation marks around  
 467 "Telecommunications service"; and at the beginning of the second sentence of  
 468 paragraph (43), by deleting the quotation marks around "Voice mail service".

469 **SECTION 49.**

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

472 (1) Code Section 49-4-6, relating to reserves, income, and resources to be disregarded  
 473 relative to public assistance, by deleting subsection (b), which contains obsolete references,  
 474 and redesignating current subsection (c) as new subsection (b).

475 **SECTION 50.**

476 Reserved.

477 **SECTION 51.**

478 Reserved.

479 **SECTION 52.**

480 Reserved.

481 **SECTION 53.**

482 Title 53 of the Official Code of Georgia Annotated, relating to wills, trusts, and  
 483 administration of estates, is amended in:

484 (1) Code Section 53-11-11, relating to authentication or exemplification of document to be  
 485 filed in the probate court, by replacing "Code Section 24-7-922" with "Code Section  
 486 24-9-922".

487

**SECTION 54.**

488 (a) Except for Title 47, the text of Code sections and title, chapter, article, part, subpart,  
489 Code section, subsection, paragraph, subparagraph, division, and subdivision numbers and  
490 designations as contained in the Official Code of Georgia Annotated published under  
491 authority of the state by The Michie Company in 1982 and contained in Volumes 3  
492 through 40 of such publication or replacement volumes thereto, as amended by the text and  
493 numbering of Code sections as contained in the 2014 supplements to the Official Code of  
494 Georgia Annotated published under authority of the state in 2014 by LEXIS Publishing, are  
495 hereby reenacted.

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

508 (c) The reenactment of the statutory portion of the Official Code of Georgia Annotated by  
509 subsection (a) of this section shall not affect, supersede, or repeal any Act of the General  
510 Assembly, or portion thereof, which is not contained in the Official Code of Georgia  
511 Annotated and which was not repealed by Code Section 1-1-10, specifically including those  
512 Acts which have not yet been included in the text of the Official Code of Georgia Annotated  
513 because of effective dates which extend beyond the effective date of the Code or the  
514 publication date of the Code or its supplements.

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

519 (e) In the event of a conflict between a provision in Sections 1 through 53 of this Act and  
520 a provision of another Act enacted at the 2015 regular session of the General Assembly, the  
521 provision of such other Act shall control over the conflicting provision in Sections 1  
522 through 53 of this Act to the extent of the conflict.



523

**SECTION 55.**

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

526

**SECTION 56.**

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