



STATE OF GEORGIA  
OFFICE OF THE GOVERNOR  
ATLANTA 30334-0090

Brian P. Kemp  
GOVERNOR

May 7, 2024

The Honorable Burt Jones  
Lieutenant Governor  
240 State Capitol  
Atlanta, Georgia 30334

The Honorable Jon Burns  
Speaker of the Georgia House of Representatives  
332 State Capitol  
Atlanta, Georgia 30334

Dear Gentlemen:

Please be advised that I have identified language to disregard for the following sections in House Bill 916:

**Non-Binding Information Language to Disregard:**

1. Section 8, pertaining to the Prosecuting Attorneys, page 11, line 327.
2. Section 8, pertaining to the Prosecuting Attorneys, page 11, line 328.
3. Section 9, pertaining to Superior Courts, page 13, line 395.
4. Section 17, pertaining to the Department of Community Health, page 38, line 1184.
5. Section 24, pertaining to the Department of Education, page 56, line 1799.
6. Section 24, pertaining to the Department of Education, page 61, line 1955.
7. Section 25, pertaining to the Employees' Retirement System, page 64, line 2045.
8. Section 37, pertaining to the Georgia Public Defender Council, page 95, line 3089.
9. Section 37, pertaining to the Georgia Public Defender Council, page 95, line 3091.
10. Section 37, pertaining to the Georgia Public Defender Council, page 95, line 3095.
11. Section 44, pertaining to the Georgia Student Finance Commission, page 123, line 4048.
12. Section 50, pertaining to the Georgia State Financing and Investment Commission, page 141, line 4603.

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The messages for the previously referenced items are attached.

Sincerely,



Brian P. Kemp

BPK:rbw

Attachment

cc: The Honorable Brad Raffensperger, Secretary of State  
The Honorable Chris Carr, Attorney General  
The Honorable Blake Tillery, Chairman, Senate Appropriations Committee  
The Honorable Matt Hatchett, Chairman, House Appropriations Committee  
Mr. David A. Cook, Secretary of the Senate  
Mr. Bill Reilly, Clerk of the Georgia House of Representatives  
Ms. Betsy Howerton, Legislative Counsel



## HB 916 – FY 2025 APPROPRIATIONS BILL

### INTENT LANGUAGE CONSIDERED NON-BINDING

#### **Section 8, pertaining to the Prosecuting Attorneys, page 11, line 327:**

The General Assembly seeks to appropriate \$237,228 in state general funds to the Prosecuting Attorneys for the District Attorneys program to fund three assistant district attorneys for new judgeships in Douglas, Houston, and Tifton Judicial Circuits. Of these funds, \$79,076 was added for SB 347 to provide for an additional judge in the Douglas Judicial Circuit. As SB 347 was not passed by the General Assembly during the 2024 Session, these funds are not needed in FY 2025. Therefore, the agency is instructed to disregard the language in Line 327 regarding the additional judgeship in the Douglas Judicial Circuit.

#### **Section 8, pertaining to the Prosecuting Attorneys, page 11, line 328:**

The General Assembly seeks to instruct the State Commission on Compensation to convene, research and provide recommendations on salary plans for the job titles of assistant district attorneys and assistant public defenders and report final recommendations by August 1, 2024, to include for consideration in the FY 2026 budget. The State Commission on Compensation is authorized under O.C.G.A. § 45-7-90 to assist the General Assembly in setting the compensation of officers and other state positions whose compensation is set by Constitution, by law, or by Act of the General Assembly. As the salaries of assistant district attorneys and assistant public defenders are not set by state law, review of their salary plans is outside the scope provided for in O.C.G.A. § 45-7-90, and therefore, associated recommendations from the Commission for these positions shall be considered unofficial recommendations.

#### **Section 9, pertaining to Superior Courts, page 13, line 395:**

The General Assembly seeks to appropriate \$218,555 in state general funds to the Superior Courts for the Superior Court Judges program to fund one additional judgeship for the Douglas Judicial Circuit pursuant to SB 347. As SB 347 was not passed by the General Assembly during the 2024 Session, these funds are not needed in FY 2025. Therefore, the agency is instructed to disregard the language in Line 395 regarding the Douglas Judicial Circuit judgeship.

#### **Section 17, pertaining to the Department of Community Health, page 38, line 1184:**

The General Assembly seeks to appropriate \$6,200,000 in state general funds to the Department of Community Health for the State Health Benefit Plan program to provide one-time funding for a \$3 per prescription dispensing fee for independent pharmacists to be administered by a pharmacy benefits manager that has been in business for at least 10 years, agrees to act as a fiduciary for the State of Georgia, has experience administering pharmacy benefits for the State of Georgia or a Georgia municipality or county, and has no ownership directly or through a subsidiary or affiliate company in an insurer licensed under Title 33 or a retail, mail order, or specialty pharmacy licensed or holding a non-



resident pharmacy permit under Title 26. The procurement process necessary to identify a provider able to meet the above requirements could result in a lengthy delay in administering the underlying \$3 per prescription dispensing fee increase for independent pharmacists. Therefore, the agency is authorized to utilize existing resources to implement the interim dispensing fee increase for independent pharmacists.

**Section 24, pertaining to the Department of Education, page 56, line 1799:**

The General Assembly seeks to appropriate \$6,111,300 in state general funds to the Department of Education in the Curriculum Development – Special Project program for Regional Education Service Agencies (RESAs) for regional literacy coaches, with at least one at each RESA (\$4,000,000); supplements for 950 school literacy leads upon the completion of an accredited training model (\$1,022,675); and training for local coaches, teachers, and supplemental training for ESOL teachers, prioritizing training to schools identified by the RESA as needing additional literacy intervention (\$1,088,625). In administering the Special Project, the Department shall also ensure that RESAs literacy initiatives funded through this program are aligned with the recommendations of the Georgia Literacy Council to maintain consistency statewide in addressing student literacy needs.

**Section 24, pertaining to the Department of Education, page 61, line 1955:**

The General Assembly seeks to appropriate \$108,905,000 in state general funds to the Department of Education in the School Security Grants program to establish school security grants for safety infrastructure and POST certified personnel. In order to ensure that school systems have flexibility to meet the needs of both their system and individual schools, the Department shall implement the grant program to provide flexibility for local education agencies to utilize funds for school security needs including, but not limited to, safety infrastructure and POST certified personnel as well as training, equipment, planning, or other school safety needs as identified by the local education agency.

**Section 25, pertaining to the Employees' Retirement System, page 64, line 2045:**

The General Assembly seeks to appropriate \$6,000 in state general funds to the Employees' Retirement System of Georgia for the System Administration (ERS) program to implement HB 472. As HB 472 was not passed by the General Assembly during the 2024 Session, these funds are not needed for FY 2025. Therefore, the agency is instructed to disregard the language in Line 2045 and withhold spending the associated appropriation.

**Section 37, pertaining to the Georgia Public Defender Council, page 95, line 3089:**

The General Assembly seeks to appropriate \$211,169 in state general funds to the Georgia Public Defender Council for the Public Defenders program to fund three assistant public defender positions for new judgeships in Douglas, Houston, and Tifton Judicial Circuits. \$61,188 was specifically added for SB 347 to provide for an additional judge in the Douglas Judicial Circuit. As SB 347 was not passed by the General Assembly during the



2024 Session, these funds are not needed in FY 2025. Therefore, the agency is instructed to disregard the language in Line 3089 regarding the Douglas Judicial Circuit judgeship.

**Section 37, pertaining to the Georgia Public Defender Council, page 95, line 3091:**

The General Assembly seeks to appropriate \$431,795 in state general funds to the Georgia Public Defender Council for the Public Defenders program for seven attorney positions at the Atlanta Judicial Circuit. The funding as appropriated would not support seven additional positions on an annualized basis. Therefore, the agency is instructed to disregard the language in line 3091 specifying seven additional positions and instead shall hire only positions for which a full twelve months of expense is provided for in this appropriation.

**Section 37, pertaining to the Georgia Public Defender Council, page 95, line 3095:**

The General Assembly seeks to instruct the State Commission on Compensation to convene, research and provide recommendations on salary plans for the job titles of assistant district attorneys and assistant public defenders and report final recommendations by August 1, 2024, to include for consideration in the FY 2026 budget. The State Commission on Compensation is authorized under O.C.G.A. § 45-7-90 to assist the General Assembly in setting the compensation of officers and other state positions whose compensation is set by Constitution, by law, or by Act of the General Assembly. As the salaries of assistant district attorneys and assistant public defenders are not set by state law, review of their salary plans is outside the scope provided for in O.C.G.A. § 45-7-90, and therefore, associated recommendations from the Commission for these positions shall be considered unofficial recommendations.

**Section 44, pertaining to the Georgia Student Finance Commission, page 123, line 4048:**

The General Assembly seeks to appropriate \$1,644,170 in state general funds to the Georgia Student Finance Commission for the Inclusive Postsecondary Education (IPSE) Grant program to meet projected needs. The IPSE Grant program is administered by the Georgia Student Finance Authority. In accordance with the powers and duties granted to the Authority pursuant to O.C.G.A. §§ 20-3-316 and 20-3-494, the Authority shall promulgate rules and regulations pursuant to implementing the grant program, including but not limited to establishing maximum rates, eligible expenses, or per pupil maximum awards, to ensure consistency and program access for the greatest possible number of qualifying participants.

**Section 50, pertaining to the Georgia State Financing and Investment Commission, page 141, line 4603:**

The General Assembly seeks to appropriate \$8,750,000 in state general funds to the Georgia State Financing and Investment Commission for the Capital Projects Fund program to construct the Treatment Mall at East Central Regional Hospital, Augusta, Richmond County (\$8,000,000) and renovate the Boland Building, Milledgeville,

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Baldwin County (\$750,000) for hurricane evacuations for the Department of Behavioral Health and Developmental Disabilities (DBHDD). GSFIC's construction division has performed a comprehensive review of DBHDD's facilities statewide to develop a prioritized list of urgent and significant facility needs. The projects in this line item were not identified as prioritized needs in the GSFIC assessment. Therefore, the agency is instructed to disregard the language included in Line 4603 and instead work with GSFIC to incorporate these projects into the existing prioritized list based on statewide facility needs.