

House Bill 264 (AS PASSED HOUSE AND SENATE)

By: Representatives Carter of the 175th, Wilkinson of the 52nd, Stephens of the 164th, Collins of the 27th, and Huckaby of the 113th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 2 of Chapter 12 of Title 50 of the Official Code of Georgia
2 Annotated, relating to general provisions relative to the Georgia Council for the Arts, so as
3 to revise certain provisions as to the power, authority, duties, and related matters of the
4 director of the Office of Planning and Budget and the Office of Planning and Budget so that
5 such power, authority, duties, and related matters shall now be vested in and carried out by
6 the commissioner of economic development and the Department of Economic Development;
7 to provide for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 SECTION 1.

10 Part 1 of Article 2 of Chapter 12 of Title 50 of the Official Code of Georgia Annotated,
11 relating to general provisions relative to the Georgia Council for the Arts, is amended by
12 revising subsection (b) of Code Section 50-12-22, relating to appointment of members,
13 terms, vacancies, expenses, removal, chairman, and meetings, as follows:

14 "(b) Members shall be entitled to reimbursement for expenses incurred in the work of the
15 council when authorized in advance by the ~~director of the Office of Planning and Budget~~
16 commissioner of economic development."

17 SECTION 2.

18 Said part is further amended by revising Code Section 50-12-23, relating to powers and
19 duties generally, as follows:

20 "50-12-23.

21 The council shall advise the Governor through the ~~Office of Planning and Budget~~
22 Department of Economic Development concerning methods and programs to:

- 23 (1) Stimulate and encourage the study and development of the arts as well as public
24 interest and participation therein;
- 25 (2) Encourage public interest in the cultural heritage of ~~the~~ this state;

- 26 (3) Expand ~~the~~ this state's cultural resources;
- 27 (4) Encourage and assist freedom of artistic expression essential for the well-being of the
- 28 arts;
- 29 (5) Assist the communities and organizations within ~~the~~ this state in originating and
- 30 creating their own cultural and artistic programs; and
- 31 (6) Survey public and private institutions engaged within ~~the~~ this state in cultural
- 32 activities, including, but not limited to, architecture, dance, folk arts and applied arts and
- 33 crafts, literature, music, painting, photography, sculpture, and theater."

34 **SECTION 3.**

35 Said part is further amended by revising Code Section 50-12-24, relating to the annual report,

36 as follows:

37 "50-12-24.

38 The council shall submit an annual report to the Governor and to the commissioner of

39 economic development concerning the appropriate methods to encourage participation in

40 and appreciation of the arts in order to meet the legitimate needs and aspirations of persons

41 in all parts of ~~the~~ this state."

42 **SECTION 4.**

43 Said part is further amended by revising Code Section 50-12-25, relating to the powers and

44 authority of the Office of Planning and Budget as to the council, as follows:

45 "50-12-25.

46 ~~The Office of Planning and Budget~~ Department of Economic Development shall have the

47 powers and authority necessary to carry out the purposes established by this article,

48 including, but not limited to, the powers:

- 49 (1) To establish overall policy for grant awards, evaluations, and programs recommended
- 50 by the council;
- 51 (2) To hold hearings, make and sign any agreements, and do and perform any acts which
- 52 may be necessary, desirable, or proper to carry out the purposes of this article;
- 53 (3) To request from any department, division, board, bureau, commission, or other
- 54 agency of the state such reasonable assistance and data as will enable it properly to carry
- 55 out its powers and duties;
- 56 (4) To accept, on behalf of the state, any federal funds granted by act of Congress or by
- 57 executive order for all or any of the purposes of this article; and, upon appropriation by
- 58 the General Assembly, to expend such funds for the purposes set forth in the
- 59 appropriations Act;

- 60 (5) To accept any grants, gifts, donations, or bequests for all or any of the purposes of
61 this article;
- 62 (6) To propose methods to encourage private initiative in the arts; and
- 63 (7) To advise and consult with the Governor; the General Assembly; national
64 foundations; and other local, state, and federal departments and agencies on methods to
65 coordinate and assist existing resources and facilities, with the purpose of fostering
66 artistic and cultural endeavors generally."

67 **SECTION 5.**

68 Said part is further amended by revising Code Section 50-12-26, relating to the appointment
69 of personnel for council, as follows:
70 "50-12-26.
71 ~~The director of the Office of Planning and Budget~~ commissioner of economic development
72 shall select and appoint such personnel as the ~~director~~ commissioner shall determine to be
73 necessary to support the council and the programs undertaken pursuant to this article."

74 **SECTION 6.**

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