

Senate Bill 398

By: Senators Kirkpatrick of the 32nd, Robertson of the 29th, Walker III of the 20th, Watson of the 1st, Anderson of the 24th and others

**AS PASSED**

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 5 of Chapter 4 of Title 20 of the Official Code of Georgia Annotated,  
2 relating to the Georgia Joint Defense Commission, so as to revise the commission's  
3 operations; to expand the commission's membership; to revise the term lengths of  
4 commission members; to provide that the Department of Economic Development shall  
5 assume certain responsibilities with regard to the commission in lieu of the Technical  
6 College System of Georgia; to expand the scope of responsibilities of the commission; to  
7 revise reporting requirements; to revise definitions; to amend Chapter 7 of Title 50 of the  
8 Official Code of Georgia Annotated, relating to the Department of Economic Development,  
9 so as to authorize the Department of Economic Development to assist the Georgia Joint  
10 Defense Commission in certain activities; to provide for related matters; to repeal conflicting  
11 laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

14 Article 5 of Chapter 4 of Title 20 of the Official Code of Georgia Annotated, relating to the  
15 Georgia Joint Defense Commission, is amended by revising Part 1, relating to general  
16 provisions regarding the Georgia Joint Defense Commission, as follows:

S. B. 398

- 1 -

17 "Part 1

18 20-4-120.

19 (a) There is hereby created the Georgia Joint Defense Commission, which shall consist  
20 of ~~19~~ 23 members as follows:

21 (1) The chairperson of the Senate Veterans, Military and Homeland Security Committee;

22 (2) The chairperson of the Senate Economic Development and Tourism Committee;

23 (3) Four members of the House of Representatives and one member from the public at  
24 large to be appointed by the Speaker of the House of Representatives;

25 (4) Two members of the Senate, one each from the majority party and the minority party,  
26 to be appointed by the ~~Lieutenant Governor~~ President of the Senate;

27 (5) One citizen member from each of the state's eight military installation regions to be  
28 appointed by the Governor;

29 (6) The ~~director of the Governor's Defense Initiative~~ commissioner of the Department  
30 of Economic Development or his or her designee;

31 (7) The chancellor of the University System of Georgia or his or her designee;

32 (8) One representative of a defense industry contractor to be appointed by the President  
33 of the Senate;

34 (9) One representative of a public or private organization engaged in military or defense  
35 research to be appointed by the Governor;

36 ~~(7)~~(10) The adjutant general of the Georgia National Guard or his or her designee; and

37 ~~(8)~~(11) The commissioner of the Technical College System of Georgia or his or her  
38 designee.

39 (b)(1) The members of the commission appointed pursuant to paragraphs (1) through (4)  
40 and (6), (7), (10), and (11) of subsection (a) of this Code section shall serve ~~two-year~~  
41 terms concurrent with their terms of office.

42 (2) The members of the commission appointed pursuant to ~~paragraph (5)~~ paragraphs (5),  
43 (8), and (9) of subsection (a) of this Code section shall serve four-year terms, ~~provided~~  
44 ~~that of the initial appointees, two shall serve an initial two-year term, two shall serve an~~  
45 ~~initial three-year term, and four shall serve an initial four-year term.~~

46 ~~(3) The members of the commission appointed pursuant to paragraphs (6) and (7) of~~  
47 ~~subsection (a) of this Code section shall serve the duration of their respective terms in~~  
48 ~~office.~~

49 (c) The commission chairperson shall be the ~~director of the Governor's Defense Initiative~~  
50 commissioner of the Department of Economic Development or his or her designee. The  
51 commission shall meet at such times and places as it deems necessary or convenient to  
52 perform its duties. The commission shall also meet upon the written call of the  
53 commission chairperson or of three of its members. The commission shall maintain  
54 minutes of its meetings and such other records as it deems necessary.

55 (d)(1) Members of the commission shall serve without compensation, but shall receive  
56 for each day of attendance at commission meetings a daily expense allowance in the  
57 amount specified in subsection (b) of Code Section 45-7-21, plus reimbursement for  
58 actual transportation costs while traveling by public carrier, or the legal mileage rate for  
59 use of a personal car in connection with such attendance.

60 (2) The daily expense allowance and reimbursement of transportation costs provided for  
61 by this subsection:

62 (A) Shall be paid by funds appropriated to the ~~Technical College System of Georgia~~  
63 Department of Economic Development; and

64 (B) Shall not be received by any member of the commission for more than five days  
65 unless additional days are authorized by the Governor.

66 (e) Appointed members ~~Members~~ of the commission shall serve at the pleasure of the  
67 Governor, President of the Senate, or Speaker of the House of Representatives, in  
68 accordance with who appointed them.

69 20-4-121.

70 The Georgia Joint Defense Commission shall:

71 (1) Advise the Governor and the General Assembly on ~~defense and military~~ issues  
72 relating to the military, the defense industry, defense research and technology, military  
73 families, and veterans affairs within the state and nationally;

74 (2) Make recommendations regarding policies and plans to support the long-term  
75 viability and development of the defense industry and the military, both active and  
76 civilian, in this state;

77 (3) Develop methods to assist defense-dependent communities in the design and  
78 execution of programs that enhance each community's relationship with military  
79 installations and ~~defense-related business~~ the defense industry;

80 (4) Serve as a task force to seek advice on and prepare for potential base realignment or  
81 closure of military installations in the state;

82 (5) Develop and implement a plan to navigate potential base realignment or closure of  
83 military installations studies and proceedings; and

84 (6) Produce and distribute a detailed annual report no later than December 1, ~~2018, and~~  
85 ~~annually thereafter, each year~~ regarding the status of the state's defense industry, defense  
86 research efforts, and military installations, as well as a strategic plan for navigating any  
87 potential base realignment or closure of military installations in the state. Such annual  
88 reports shall be distributed to the Governor, the President of the Senate, the Speaker of  
89 the House of Representatives, and the General Assembly and shall be made publicly  
90 available.

91 20-4-122.

92 Staff of the ~~Technical College System of Georgia~~ Department of Economic Development  
93 shall provide administrative support for the Georgia Joint Defense Commission."

94

**SECTION 2.**

95 Said article is further amended by revising Part 2, relating to the Defense Community  
96 Economic Development Grant Program, as follows:

97

**"Part 2**

98 20-4-130.

99 As used in this part, the term:

100 (1) 'Federal review' means any review of a military installation by a federal entity for the  
101 purpose of determining the viability of such military installation, including, but not  
102 limited to, any review directly or indirectly related to the Defense Base Closure and  
103 Realignment Commission.

104 (2) 'Grant goal' means any project, event, or activity that promotes a military installation,  
105 including, but not limited to:

106 (A) The promotion of recruitment, expansion, or retention of jobs at such military  
107 installation or within the military community in which it is located; or

108 (B) Preparation for any federal review.

109 (3) 'Military community' means a municipality or county that has within its jurisdiction  
110 a military installation or any other municipality or county that after reasonable review the  
111 ~~workforce development division~~ Department of Economic Development determines is  
112 economically impacted to a similar degree by the presence of a nearby military  
113 installation.

114 (4) 'Military installation' means a facility owned and operated by United States Army,  
115 Air Force, Navy, Marines, Space Force, or Coast Guard that shelters military equipment  
116 and personnel and facilitates training and operations for such organizations.

117 (5) 'Public official' shall have the same meaning as in Code Section 50-36-2 or 2 U.S.C.  
118 Section 1602.

119 20-4-131.

120 (a) Subject to appropriations by the General Assembly, the commissioner of the ~~Technical~~  
121 ~~College System of Georgia~~ Department of Economic Development shall administer a grant  
122 program to be called the Defense Community Economic Development Grant Program,  
123 which shall serve the purpose of awarding grants to assist military communities with grant  
124 goals.

125 (b) The commissioner of the ~~Technical College System of Georgia~~ Department of  
126 Economic Development shall administer such program and such program's associated  
127 funds.

128 (c) All funds that were appropriated for the provision of the Defense Community  
129 Economic Development Fund shall be transferred to the ~~workforce development division~~  
130 Department of Economic Development for the provision of the Defense Community  
131 Economic Development Grant Program.

132 20-4-132.

133 (a) The amount of any grant awarded pursuant to this part shall be determined by the  
134 commissioner of the ~~Technical College System of Georgia~~ Department of Economic  
135 Development on a case-by-case review of applications which shall include, but shall not  
136 be limited to, a consideration of the grant goal being proposed and the extent to which it:

137 (1) Furthers the relationship between the military community and military installation;

138 (2) Furthers the military installation's economic development investment into the military  
139 community; or

140 (3) Assists in efforts to defend the viability of a military installation from a federal  
141 review.

142 (b) Each military community shall be required as a condition of receipt of any grant  
143 awarded pursuant to this part to match such awarded funds. The commissioner of the  
144 ~~Technical College System of Georgia~~ Department of Economic Development shall

145 prescribe conditions for releasing grant funds based upon a military community matching  
146 such funds.

147 (c) The commissioner of the ~~Technical College System of Georgia~~ Department of  
148 Economic Development shall be authorized to charge such fees as are reasonable and  
149 necessary to offset costs associated with processing applications submitted pursuant to this  
150 part.

151 20-4-133.

152 Any military community may submit an application to the commissioner of the ~~Technical~~  
153 ~~College System of Georgia~~ Department of Economic Development for a grant to assist in  
154 the pursuance of a grant goal. Such application shall be submitted on a form and in a  
155 manner to be prescribed by the commissioner of the ~~Technical College System of Georgia~~  
156 Department of Economic Development. Each application shall, at a minimum, include a  
157 statement from the military community applying for such grant as to how such grant goal  
158 will contribute to the economic viability of the military installation within such military  
159 community.

160 20-4-134.

161 The commissioner of the ~~Technical College System of Georgia~~ Department of Economic  
162 Development shall promulgate rules and regulations necessary to implement the purposes  
163 of this ~~part~~ article."

164

### SECTION 3.

165 Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the Department  
166 of Economic Development, is amended by revising Article 10, which is reserved, as follows:

167 "ARTICLE 10

168 50-7-120.

169 The Department of Economic Development is authorized to administer and support the  
170 activities of the Georgia Joint Defense Commission in accordance with Article 5 of  
171 Chapter 4 of Title 20 of the Official Code of Georgia Annotated. Reserved."

172 **SECTION 4.**

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