



**34<sup>th</sup> Biennial Institute**  
FOR **Georgia Legislators**

# **Introduction to State Government, Legislating and Budgeting for New Members**



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**Introduction to  
State Government  
and the  
Legislative and  
Budget Processes**

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# The Organization of State Government

## *Non sibi sed aliis*

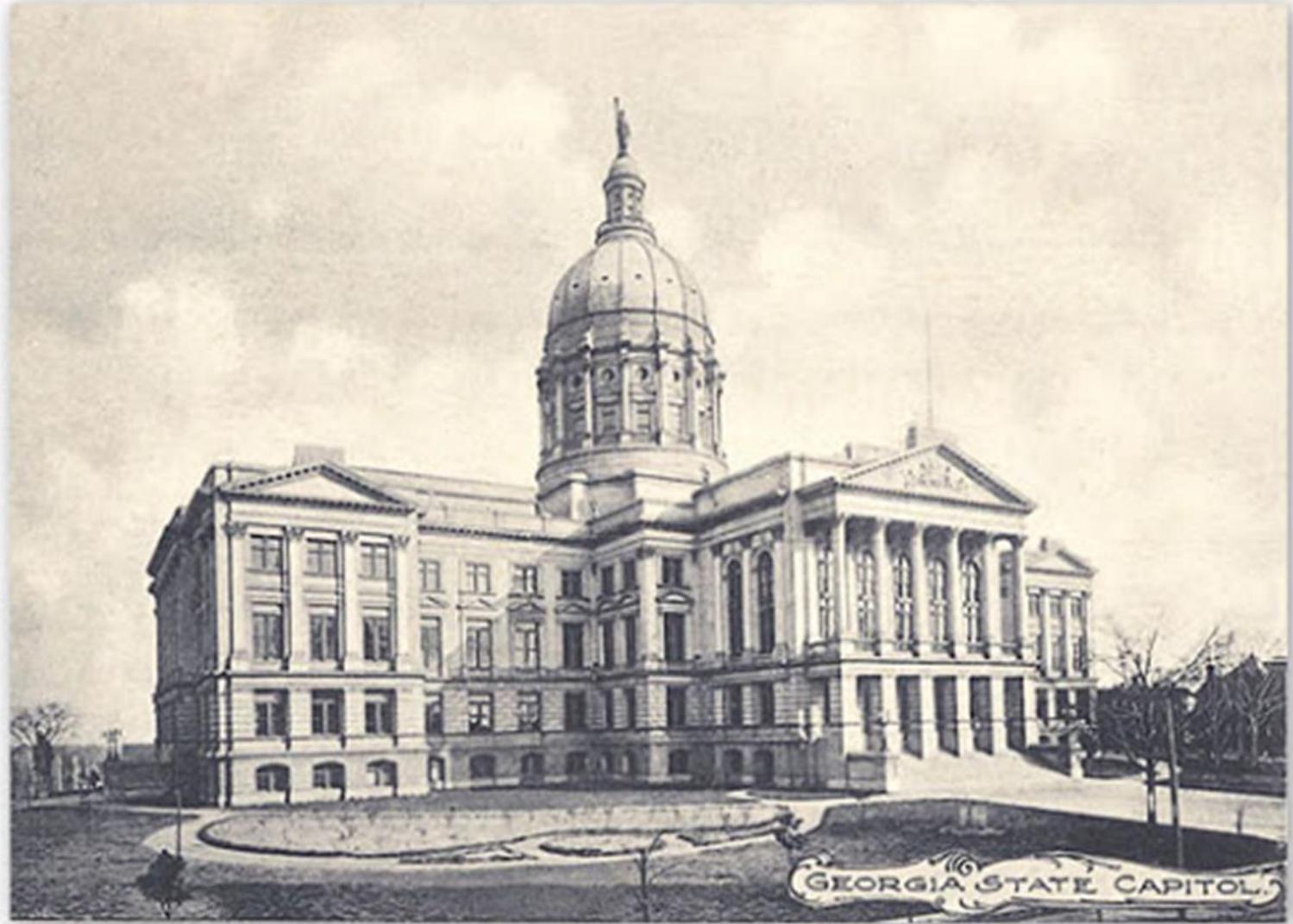
- Settled in 1733 by James Oglethorpe
- Legislature dates to 1751
- Commons House of Assembly 1755
- Georgia's first state legislature 1777

# Colonial Georgia



# The Organization of State Government

- Capitol built 1889
- Georgia population less than 2 million people
- Authority dispersed to local governments



# Georgia's Population

1733	114
1790	82,548
1860	1,057,286
1900	2,216,331
1940	3,123,723
1980	5,463,087
2020	10,711,908

# The Growing State



# Serving the Citizens of Georgia



UNIVERSITY SYSTEM OF GEORGIA



GEORGIA  
DEPARTMENT OF CORRECTIONS



Technical College  
System of Georgia



GDVS



GEORGIA DEPARTMENT  
OF COMMUNITY HEALTH



GEORGIA DEPARTMENT OF  
COMMUNITY SUPERVISION  
— WHERE PUBLIC SAFETY AND PROGRESS MEET —



Georgia Department of  
Public Safety



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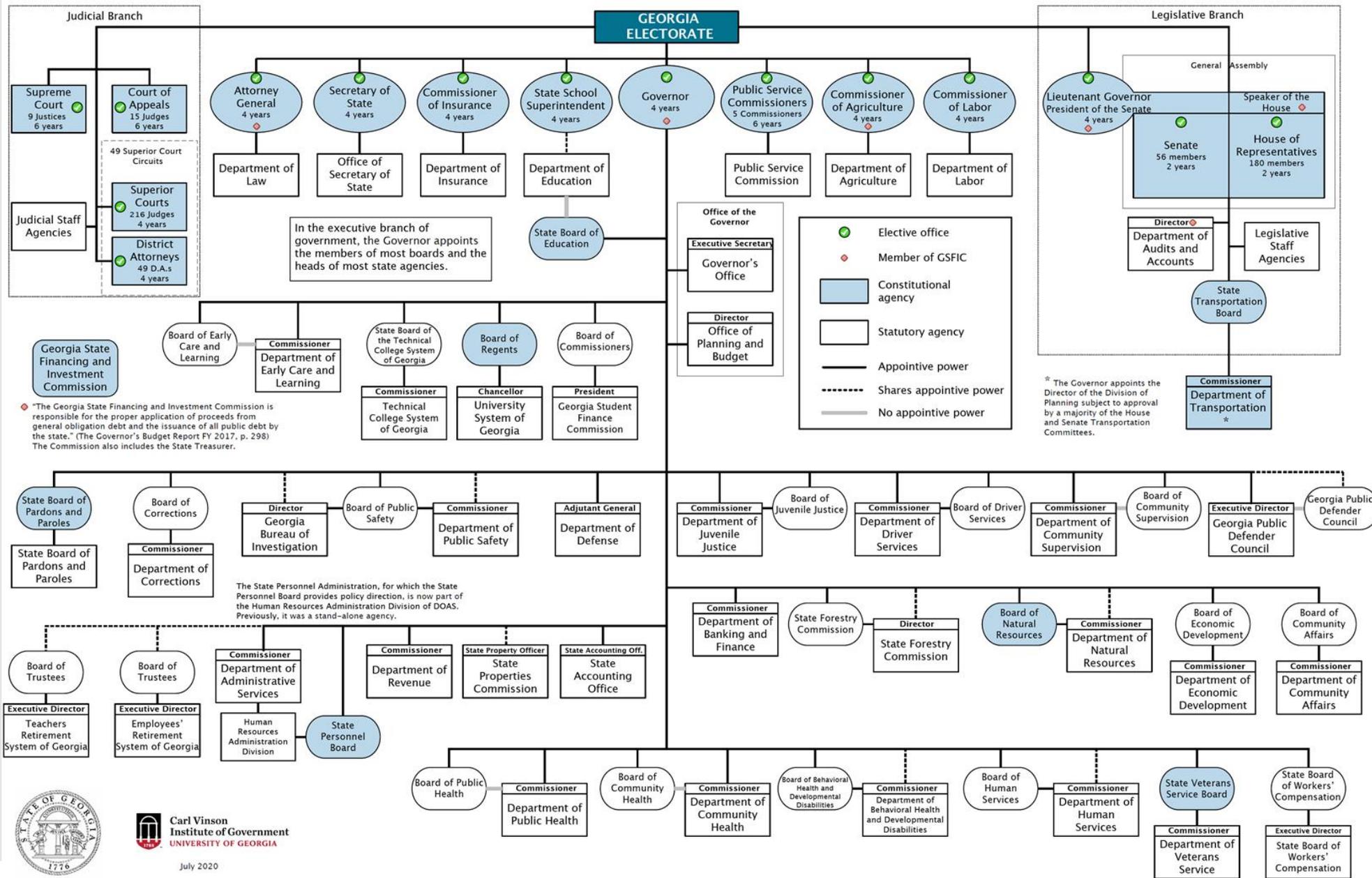
# BY THE NUMBERS

State Agencies:  
80+

Total Entities:  
+ 120

State Employees:  
68,400 +

State government is the  
largest employer in  
Georgia.

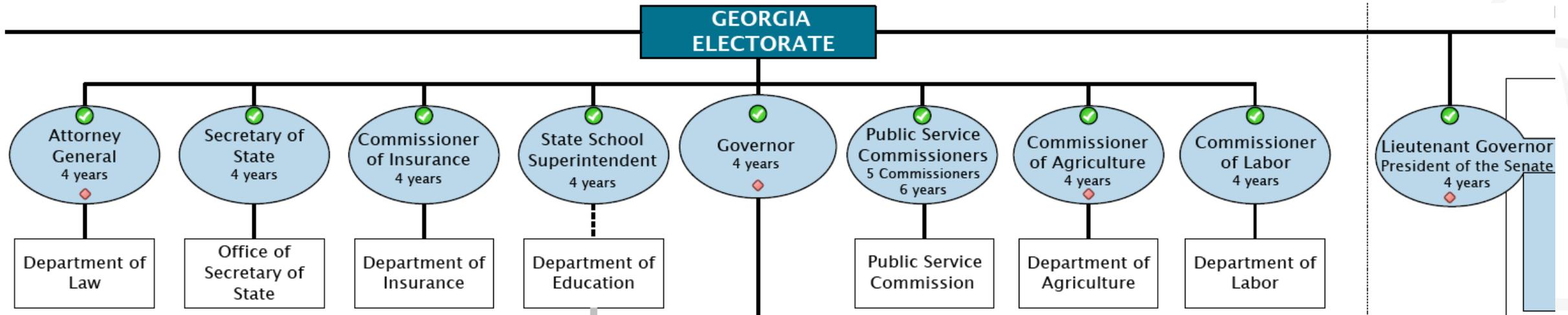


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July 2020



# Constitutional Officers



# Constitutional Agencies

State Board of Education

GSFIC

Board of Regents

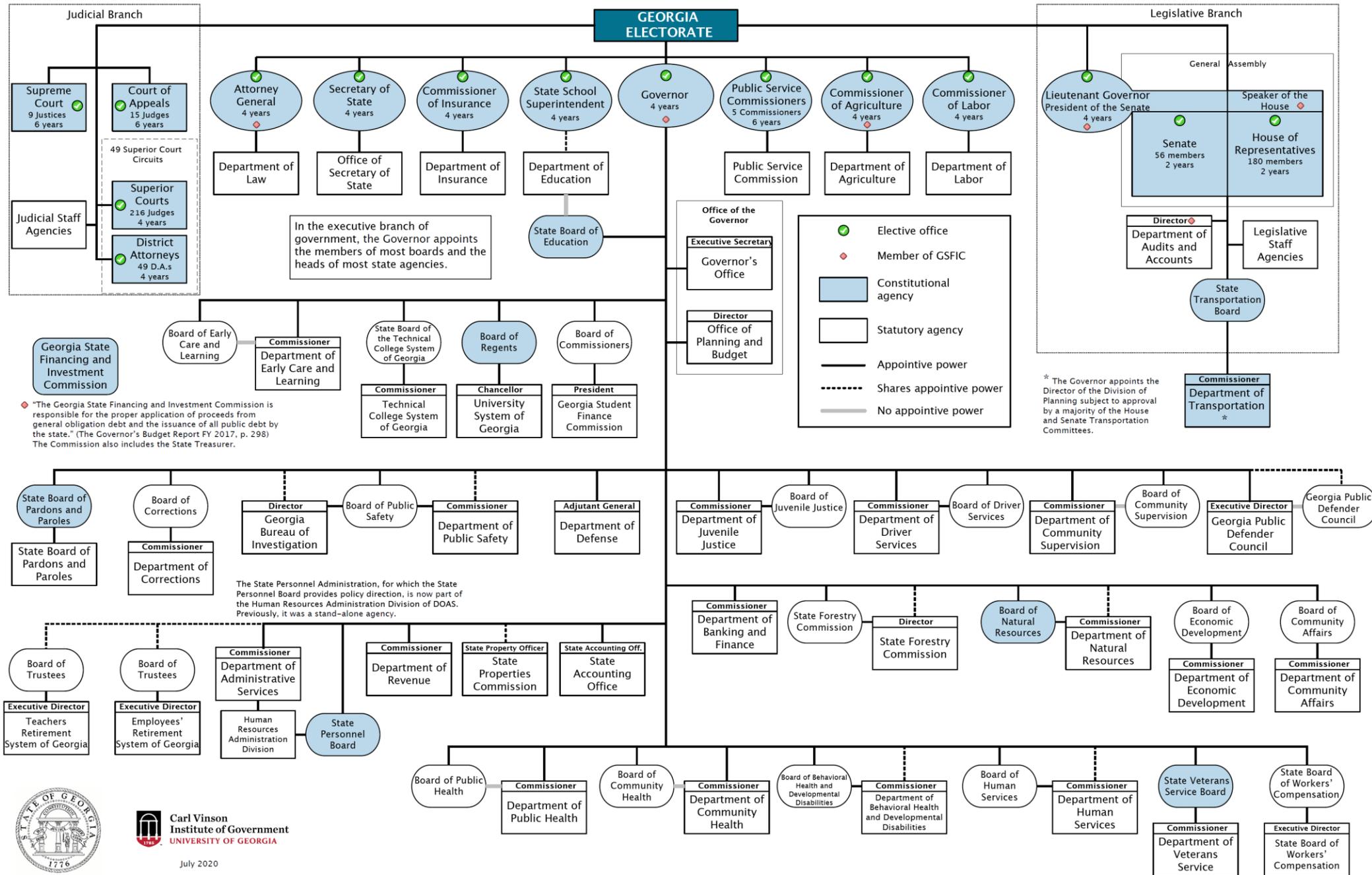
DOT & State Transportation Board

State Board of Pardons & Paroles

Board of Natural Resources

State Personnel Board

Department of Veterans Service & Board

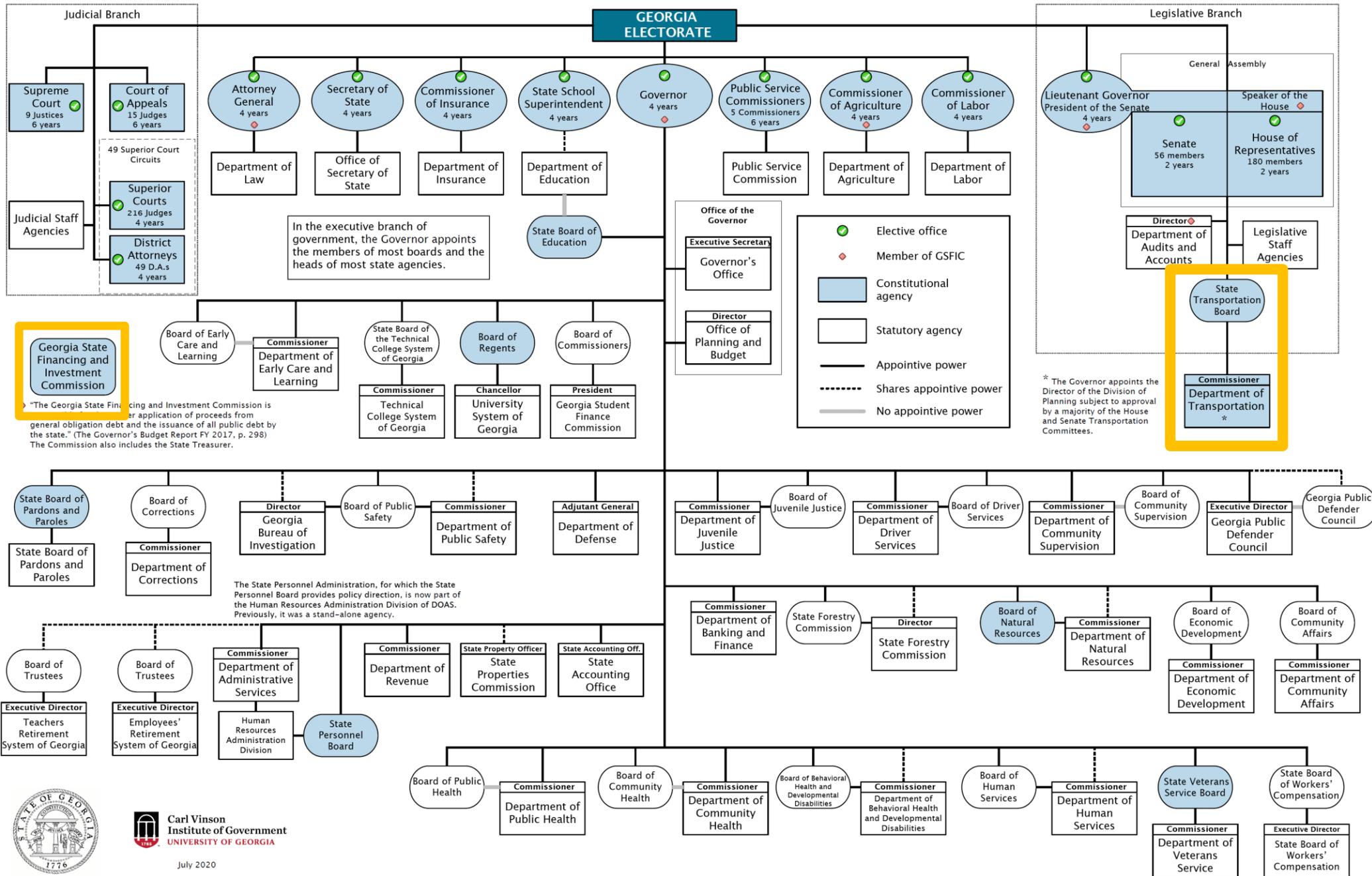


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July 2020



# Agencies with High Constituent Interactions

- Department of Revenue
- Department of Driver Services
- Department of Human Services
- Department of Community Health
- Department of Behavioral Health and Developmental Disabilities
- Department of Labor
- Department of Community Affairs
- Department of Economic Development
- Department of Agriculture
- Department of Transportation

# Agencies with High Constituent Interactions

- Georgia Bureau of Investigation
- Georgia Emergency Management and Homeland Security Agency

# Georgia Department of Revenue

## The Department of Revenue:

- Administers collection of state income tax, motor fuel tax, property tax, and sales and use taxes
- Administers tax laws
- Enforces laws and regulations for alcoholic beverages and tobacco products
- Manages motor vehicle tag and title services
- Promotes taxpayer compliance
- Administers unclaimed property

<https://dor.georgia.gov/unclaimed-property-program>

State Revenue  
Commissioner  
Frank O'Connell

1800 Century  
Boulevard, NE  
Atlanta, GA 30345

[www.dor.georgia.gov](http://www.dor.georgia.gov)



Thanksgiving Holiday – Office Closed November 28 & 29 | November 28 & 29 are state holidays. We reopen on Monday

## Hurricane Helene Relief Measures



**IRP/IFTA**



**Dyed Diesel**



**Deadline Extension**



## 2025 Georgia Surplus Tax Refund

This surplus refund is pending action of the Georgia General Assembly.

[Learn more](#)

# Georgia Department of Revenue: Motor Services Division

## Top Online Services for Motor Vehicles



Tag Renewal



Lookup Vehicle Status



Pay Insurance Fines



New to Georgia?  
Welcome!



Vehicle Registration &  
License Plates



Insurance  
Requirements



Motor Vehicle Titles



Buy, Sell or Transfer  
Ownership of Car



Dealers & Business  
Partners



Commercial Vehicles



DRIVES e-Services



# Georgia Department of Revenue: Tax Services

## Taxes

All Tax Forms

Check my Refund Status

Register a New Business

Refunds

Audits and Collections

Tax Rules and Policies

Power of Attorney

Tax Credits

## Taxes for Individuals



**Check my  
Refund  
Status**



**Sign Up for  
GTC**



**Payment  
Options**

### Information for Tax Season

2023 Georgia income tax returns must be received or postmarked by the **April 15 due date**.

- [File Income Tax Return](#)
- [File for Free](#)
- [Requesting an Extension](#)
- [Find Approved Software](#)
- [Get 1099 Forms](#)
- [Why Should I File Electronically?](#)

*How to File Individual Income Tax* →



# Georgia Department of Driver Services



DDS Online Services

Commissioner  
Spencer R. Moore

2206 East View Parkway  
Conyers, GA 30013

[www.dds.georgia.gov](http://www.dds.georgia.gov)



## Card Services

Manage your Permit, Drivers License, ID card or change your address.

- > [Create Account/Sign In](#)
- > [Address Change](#)
- > [Renew or Replace a License/ID](#)



## Pay Fees

View and pay your pending suspension, super speeder, reinstatement, or billable invoice fees.

- > [Super Speeder](#)
- > [Reinstatement](#)
- > [Pending suspensions](#)



## Customer Service Center

Planning on visiting a customer service center or new to Georgia? Click Start Here to begin a pre-application.

- > [Start Here](#)
- > [Real ID Requirements](#)
- > [Find a Customer Service Center](#)



## Commercial Driver

Maintain your CDL compliance by uploading your new medical certificate.

- > [Submit CDL Self-Certification / Documents](#)



## Motor Vehicle Report

Purchase a copy of your driving history (MVR) or check the status of a license.

- > [Purchase Driving History \(MVR\)](#)
- > [Check License Status](#)
- > [Check Suspension or Reinstatement Information](#)



## Scheduling

Schedule a driver, motorcycle or CDL road test.

- > [Schedule Road Test](#)
- > [Check Road Test Reservation](#)
- > [Motorcycle Safety Training](#)

# Georgia Department of Human Services

Commissioner  
Candice L. Broce

47 Trinity Ave. S.W.  
Atlanta, GA 30334

[www.dhs.georgia.gov](http://www.dhs.georgia.gov)

The Department of Human Services is comprised  
of three divisions:

- Division of Aging Services
- Division of Child Support Services
- Division of Family and Children Services

# Georgia Department of Human Services

## Who to Call

We make it easy for you to connect someone if you have a question, compliment about your DHS service. Whether its a question about your application or you need to resolve a with a child support order, you have ways to get in touch with us. There are ways to get help, you can choose your preferred form of communication k

### DHS General Directory

Contact	Phone	Email	Notes
DHS Constituent Services	Primary: (877) 423-4746	<a href="mailto:customerservicedhs@dhs.ga.gov">customerservicedhs@dhs.ga.gov</a>	

DAS

## Division of Family & Children Services

CONTACT

DHS Presente

Office of Gene  
Counsel

Office of Hum  
Resources

Office of Insp  
General

Online Contac  
Residential Cl

Director of  
Communica  
Brown

## DFCS

Main contact  
inquiries. For  
visit the [DFCS](#)

Contact

Adoption & F

Benefits Appl  
Questions

It's My Turn N

Type here to s

Type here to sea

## Division of Aging Services

CONTACT

## DAS

Providing int  
Services, Cor  
Advocacy, G  
Services, and

- To find s  
office
- To file a

Contact

Adult Day Ca

Long Term C

## Division of Child Support Services

CONTACT

## DCSS

For information regarding Child Access & Visitation, Debit Card & Direct Deposit, Family Support Registry, Fatherhood Program, Georgia Healthy Marriage Initiative, Grandparents Raising Grandchildren, Intergovernmental Cases, and Paternity Establishment.

[Division of Child Support Services Web](#)

Primary: (877) 423-4746



# Georgia Department of Human Services

## Welcome

The Division of Family & Children Services provides numerous support services and programs to help Georgia families and children in need.



[Apply for SNAP \(Food Stamps\)](#)



[Apply for Medicaid](#)



[Report Child Abuse/Neglect](#)



[Foster a Child](#)



[Adopt a Child](#)



[Georgia Gateway](#)



[Nondiscrimination and Disability](#)



[Contact Us](#)

# Georgia Department of Human Services

An official website of the State of Georgia. How you know ▾

English ☰ Organizations



GEORGIA DEPARTMENT *of* HUMAN SERVICES  
DIVISION *of* AGING SERVICES

SEARCH

About ▾ Programs & Services ▾ Report Elder Abuse ▾ Tools & Resources ▾ Get Involved ▾ DHS Home [↗](#)

## Get Involved



**Volunteer to Assist  
Older Georgians**



**Sponsor a  
Vulnerable Georgian**



**Georgia Council on  
Aging**



**Find a Career in  
Aging**

## Other Resources

- [Dementia Resources](#)
- [Yellow Dot Program](#)
- [Caregiver Resources](#)
- [Senior Hunger](#)
- [Honor a Centenarian](#)

# Georgia Department of Human Services



Department of Human Services  
**Division of Child Support Services**



Search

▼ About

▼ Programs & Services

▼ My Case

▼ Legal Resources

DHS Home

## Welcome

The Division of Child Support Services works to increase the consistency of financial support children receive from parents.



## Programs and Services



[Apply for  
Child Support](#)



[Driver's  
License  
Reinstatement](#)



[Paternity  
Establishment](#)



[Fatherhood  
Program](#)



[Parental  
Accountability  
Court  
Program](#)



[Child Access  
& Visitation](#)



[Grandparents  
Raising  
Grandchildren](#)



[Georgia  
Employer  
Hub](#)



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FOR Georgia Legislators

# Georgia Department of Community Health

## The Department of Community Health administers:

Commissioner  
Russel Carlson

2 Martin Luther King Jr.  
Drive SE  
East Tower  
Atlanta, GA 30334

[www.dch.georgia.gov](http://www.dch.georgia.gov)

- Medicaid
- PeachCare for Kids
- State Health Benefit Plan (SHBP)
- Healthcare Facility Regulation
- Certificate of Need (CON) program
- Indigent Care Trust Fund
- State Office of Rural Health
- Mental Health Parity Complaints
- Georgia Pathways to Coverage
- Healthcare Workforce Commission



About Medical Assistance Plans



Medicaid Member Programs



PeachCare for Kids®



State Health Benefit Plan

# Georgia Department of Community Health



About Medical Assistance Plans



Medicaid Member Programs



PeachCare for Kids®



Georgia Pathways to Coverage™



State Health Benefit Plan



Healthcare Facility Regulation



State Office of Rural Health



Public Notices



# Georgia Department of Community Health

Home and Community Based Services (HCBS) ^
Community-Based Services v
Money Follows the Person
HCBS Incident Reporting System v
HCBS Transition Plan v
Indigent Care Trust Fund (ICTF)
Medicaid Promoting

## Home and Community Based Services

Waiver programs help people who are elderly or have disabilities and need help to live in their home or community instead of an institution such as a nursing home or ICF-MR.

### Home and Community Services Guide Available

A guide to Medicaid Waiver Programs in Georgia is now available.

 [HCBS Guide](#) (2.39 MB)

<https://dch.georgia.gov/document/document/hcbs-guide-11916-3-rev-rd-07092021/download>



# Georgia Department of Behavioral Health and Developmental Disabilities

Commissioner  
Kevin Tanner

200 Piedmont Ave, S.E.  
W. Tower, 14th Floor  
Atlanta, GA 30334

[www.dbhdd.georgia.gov](http://www.dbhdd.georgia.gov)

## The Department of Behavioral Health and Developmental Disabilities administers:

- Behavioral Health (MH/SA) Services
- Intellectual and Developmental Disability Services
- Hospital Services
  - Five State Hospitals



# Georgia Department of Behavioral Health and Developmental Disabilities

DBHDD Resources	
Resources for Educators and Students	
Resources for Businesses	
Mental Health & Substance Abuse	▼
Intellectual & Developmental Disabilities	▼
Deaf Services	
The Opioid Crisis	▼

## The Crisis System of Georgia

### Someone To Talk To

For access please call the Georgia Crisis and Access Line (GCAL) at 1-800-715-4225. GCAL professionals will:

- Provide telephonic intervention services
- Dispatch mobile crisis teams
- Assist individuals in finding an open crisis or detox bed across the state
- Link individuals with urgent appointment services

In addition, GCAL will help you to access a state-funded provider in your area in a non-emergency. GCAL is a nationally accredited crisis center and partner to the National Suicide Prevention Lifeline (NSPL) available 24 hours a day, 7 days a week, and 365 days a

# Georgia Department of Labor

## The Department of Labor administers:

- Unemployment Insurance (UI)
- Career Centers
- Employment Programs
  - Youth Work Permits
  - Veterans Employment Services
- Disaster Unemployment Assistance
- Workforce Statistics & Economic Research

Commissioner  
Vacant

148 Andrew Young  
Int'l Blvd, NE  
Atlanta, GA 30303

[www.dol.georgia.gov](http://www.dol.georgia.gov)

## Find a Career Center

Search

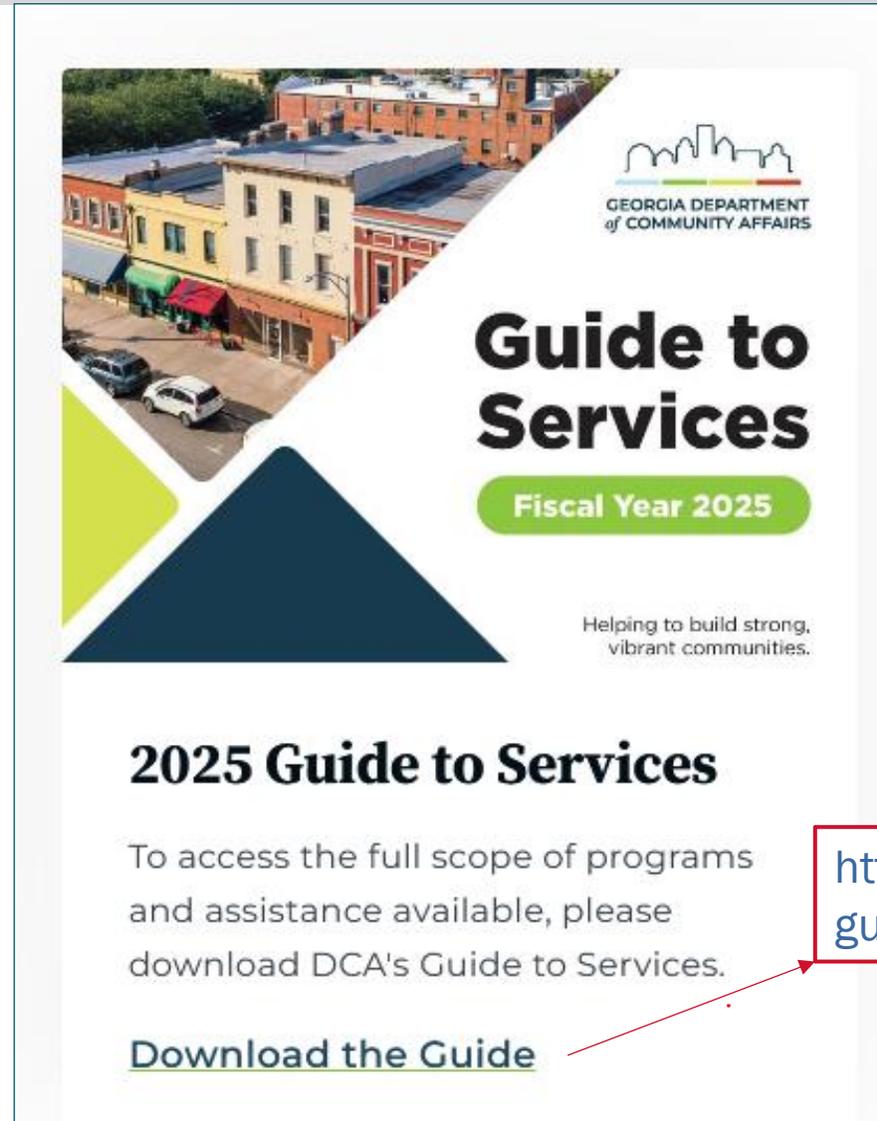
Location Name	Areas Served	Address
<a href="#">Albany</a>	Calhoun, Dougherty, Lee, Terrell, Worth	1608 South Slappey Blvd. Albany, GA 31701-2632
<a href="#">Americus</a>	Crisp, Dooly, Macon, Marion, Schley, Sumter, Taylor, Webster	120 West Church Street Americus, GA 31709-3508
<a href="#">Athens</a>	Barrow, Clarke, Elbert, Greene, Jackson, Madison, Morgan, Oconee, Oglethorpe	150 Evelyn C. Neely Drive Athens, GA 30601
<a href="#">Atlanta</a>	Douglas, Fulton	223 Courtland St. N.E.

# Georgia Department of Community Affairs

Commissioner  
Christopher Nunn

60 Executive Park South, NE  
Atlanta, GA 30329

[www.dca.georgia.gov](http://www.dca.georgia.gov)



GEORGIA DEPARTMENT  
of COMMUNITY AFFAIRS

## Guide to Services

Fiscal Year 2025

Helping to build strong,  
vibrant communities.

### 2025 Guide to Services

To access the full scope of programs  
and assistance available, please  
download DCA's Guide to Services.

[Download the Guide](https://issuu.com/ga_dca/docs/guide_to_services_fy2025_final)

[https://issuu.com/ga\\_dca/docs/guide\\_to\\_services\\_fy2025\\_final](https://issuu.com/ga_dca/docs/guide_to_services_fy2025_final)

# Georgia Department of Community Affairs



Georgia Dream  
Mortgage Products



Rural Workforce  
Housing Initiative



Mortgage Assistance  
Program



Disaster Recovery  
Program



Housing Choice  
Voucher



Local Planning



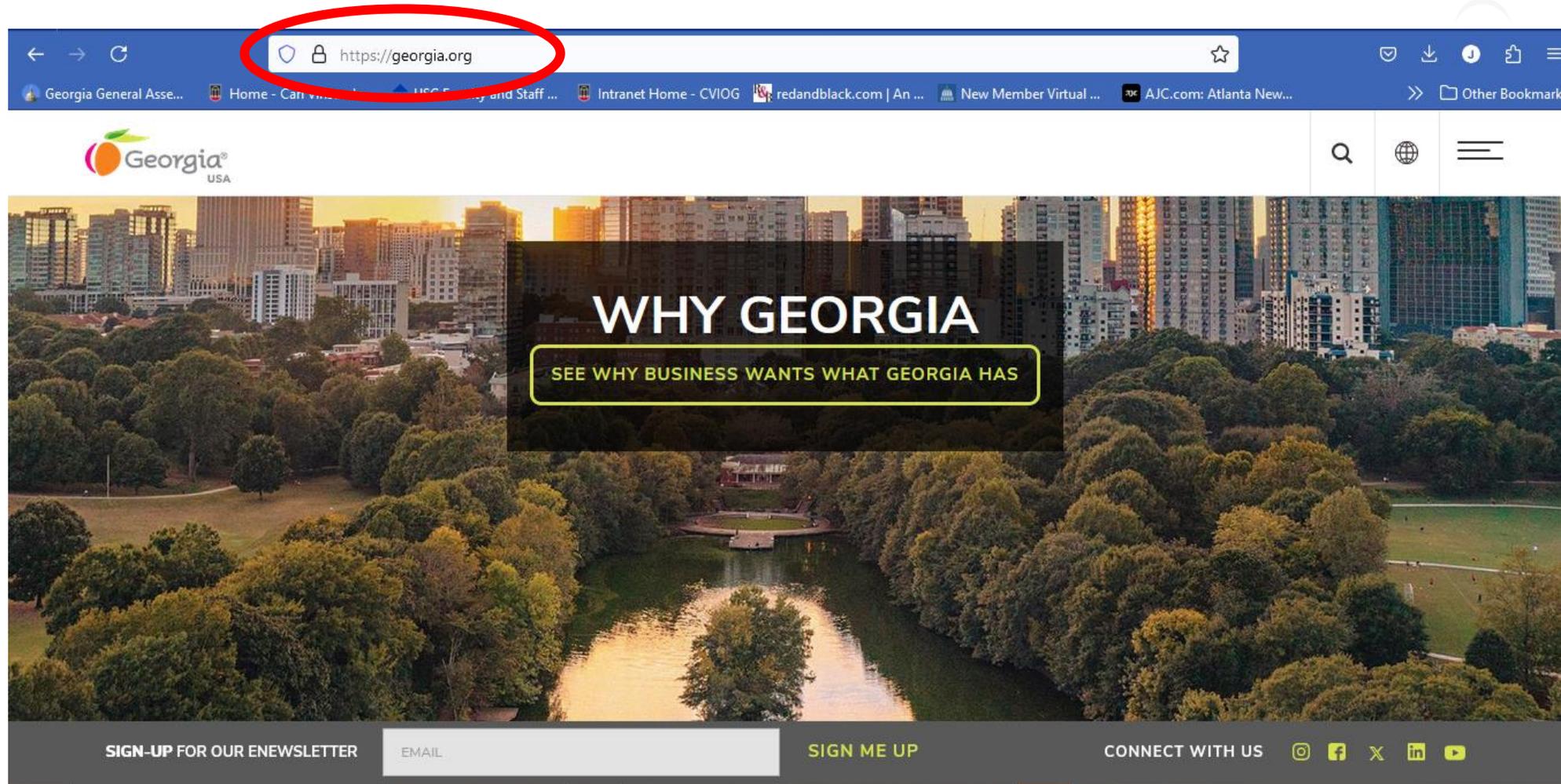
Infrastructure



Incentives



# Georgia Department of Economic Development



Commissioner  
Pat Wilson

Technology Square,  
75 5th Street N.W.  
Suite 1200  
Atlanta, GA 30308

[www.georgia.org](http://www.georgia.org)



# Georgia Department of Agriculture

The Department of Agriculture regulates, monitors, or assists:

Commissioner  
Tyler Harper

19 MLK, Jr. Dr., S.W.  
Atlanta, Georgia 30334

[www.agr.georgia.gov](http://www.agr.georgia.gov)

## Food Safety and Consumer Protection:

- Grocery stores & convenience stores
- Food manufacturing & warehousing
- Pet dealers/breeders
- Gasoline quality and pump calibration
- Weights and measures
- Structural pest control
- Nurseries and garden centers

## Agriculture:

- Plant diseases, pesticides, insect threat eradication
- Seed, fertilizer, animal feed, and potting soil quality
- State farmers markets
- Livestock health/State Veterinarian's Office
- Hemp program
- Agricultural product marketing/commodities promotion
- Agritourism



# Georgia Department of Agriculture

Licensing

Market Bulletin

Search



[Animals](#) ▾

[Food and Fuel](#) ▾

[Plants and Soil](#) ▾

[Pest Control](#) ▾

[Agribusiness](#) ▾

[Ag Programs](#) ▾

[News/About](#) ▾



[Home](#)

## Ag Programs

The Georgia Department of Agriculture administers a wide variety of programs which all have a primary goal - to maintain the state's farming industry and protect the consuming public.



# Georgia Department of Agriculture



## NEW Hemp License Applications Now Open!

New licensing requirements have been introduced for various hemp-related activities in Georgia. Click here to learn about obtaining licenses, understanding state laws, and meeting all requirements.



## GATE Program

The 2025 GATE season is now open!

Apply for a new 2025 - 2027 GATE card or renew an expiring card here.



## 150th anniversary

Celebrating our 150th anniversary, the Georgia Department of Agriculture, established in 1874, stands as the United States first State Department of Agriculture.



## Hurricane Helene

The Georgia Department of Agriculture is working with state, federal, and industry partners to promote the safety of citizens, evacuees, livestock, and companion animals.

# Georgia Department of Transportation

Commissioner  
Russell McMurry

One Georgia Center  
600 W. Peachtree, NW  
Atlanta, GA 30308

www.dot.georgia.gov

The screenshot displays the Georgia Department of Transportation (GDOT) website. At the top left is the GDOT logo. To its right is a 'Quicklinks' dropdown menu with a 'Go' button, followed by a 'Contact Us' button and a 'Real-Time Traffic Info (511)' button. A search bar on the right contains the text 'What can we help you find?'. Below the navigation bar are several menu items: 'Projects', 'Travel Info & Data', 'Doing Business With GDOT', 'Local Government', 'Programs & Funding' (which is highlighted with a yellow bar), and 'About GDOT'. The main content area is titled 'Programs & Funding Overview' and features a grid of program cards. On the left, a vertical sidebar lists: 'Transportation Plans & Programs' (highlighted with a yellow arrow), 'Current & Future Investments', 'Business Partnership', and 'Environmental Sustainability'. The main grid includes cards for 'Transit', 'Freight', 'Rail', 'Bridges', 'Bicyclists & Pedestrians', 'Waterways', 'Airport Aid', and 'Transportation Plans'. Two larger cards are featured: 'Statewide Transportation Improvement Program (STIP)' and 'Statewide Strategic Transportation Plan (SSTP)'. Other cards include 'Georgia Express Lanes', 'Major Mobility Investment Program (MMIP)', 'Transportation Asset Management (TAM)', and 'Governor's Road Improvement Program'. A small blue icon of a person is visible in the bottom right corner of the main content area.

**Jeff McCord**  
**Carl Vinson Institute of Government**  
**116 Coverdell Legislative Office Building**  
**Atlanta, GA 30334**

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**404-463-6802**  
**jeff.mccord@uga.edu**



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# State Budget Process – The Basics

What is the current population of Georgia?

- A. 9.8M
- B. 10.5M
- C. 11.0M
- D. 12.2M

What is the number one  
agricultural product  
grown/produced in Georgia?

- A. Cotton
- B. Peaches
- C. Blueberries
- D. Poultry



How many executive branch state agencies are part of state government?

A. 40

B. 53

C. 82

D. 107

# How do people get on the State Transportation Board?

- A. Appointed by the Governor
- B. Elected by the county commissioners in the congressional district
- C. Elected by the state legislators from the congressional district
- D. Jointly appointed by the Governor, Lt. Governor and Speaker of the House



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# What is a budget?

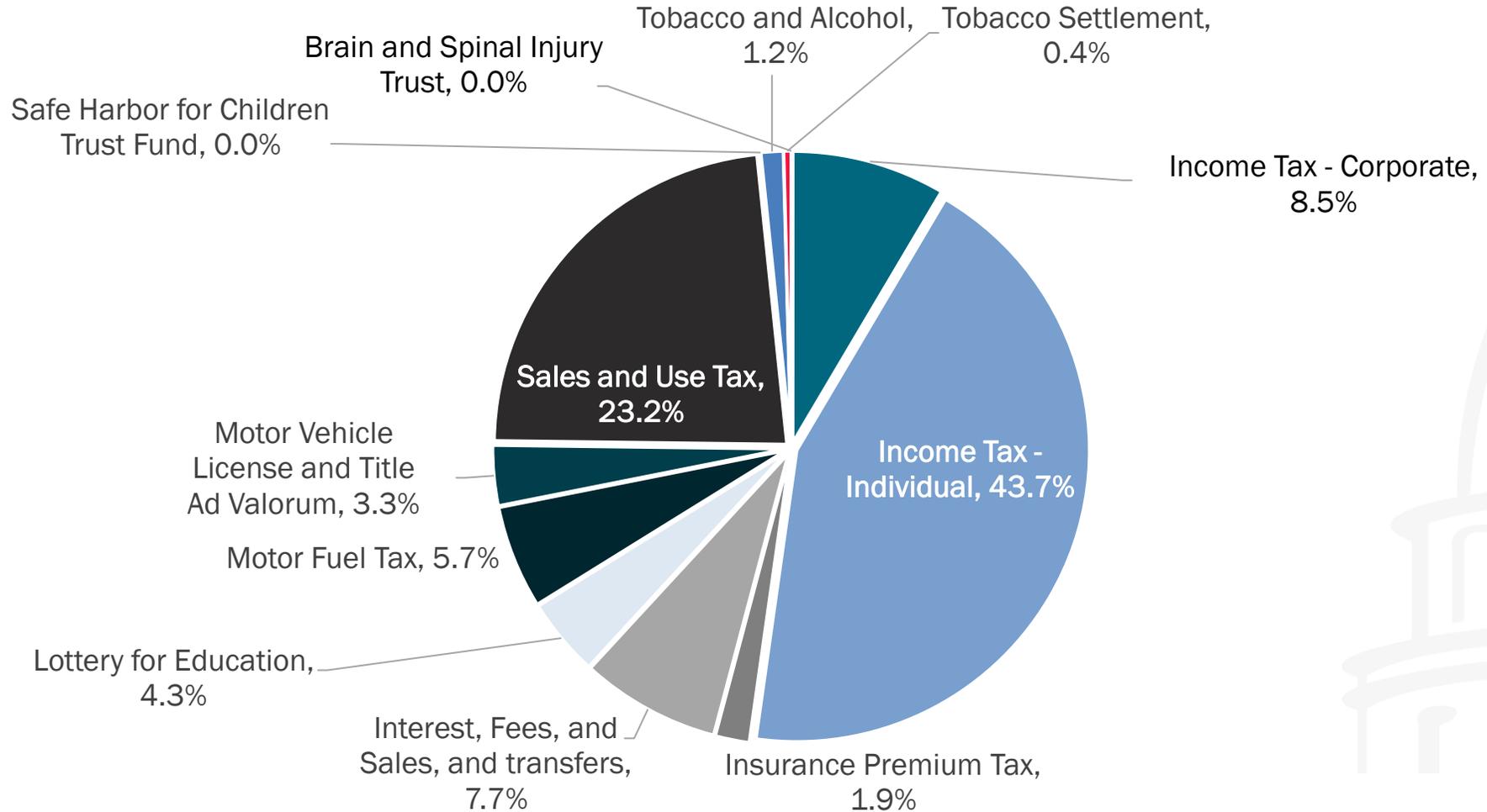


# What is a budget?

- Communication tool
- Action Plan
- Allocation of revenue
- Policy Document – leader’s priorities
- Control on expenses
- Constraint, boundaries
- Describes what government does
- Vehicle for open debate

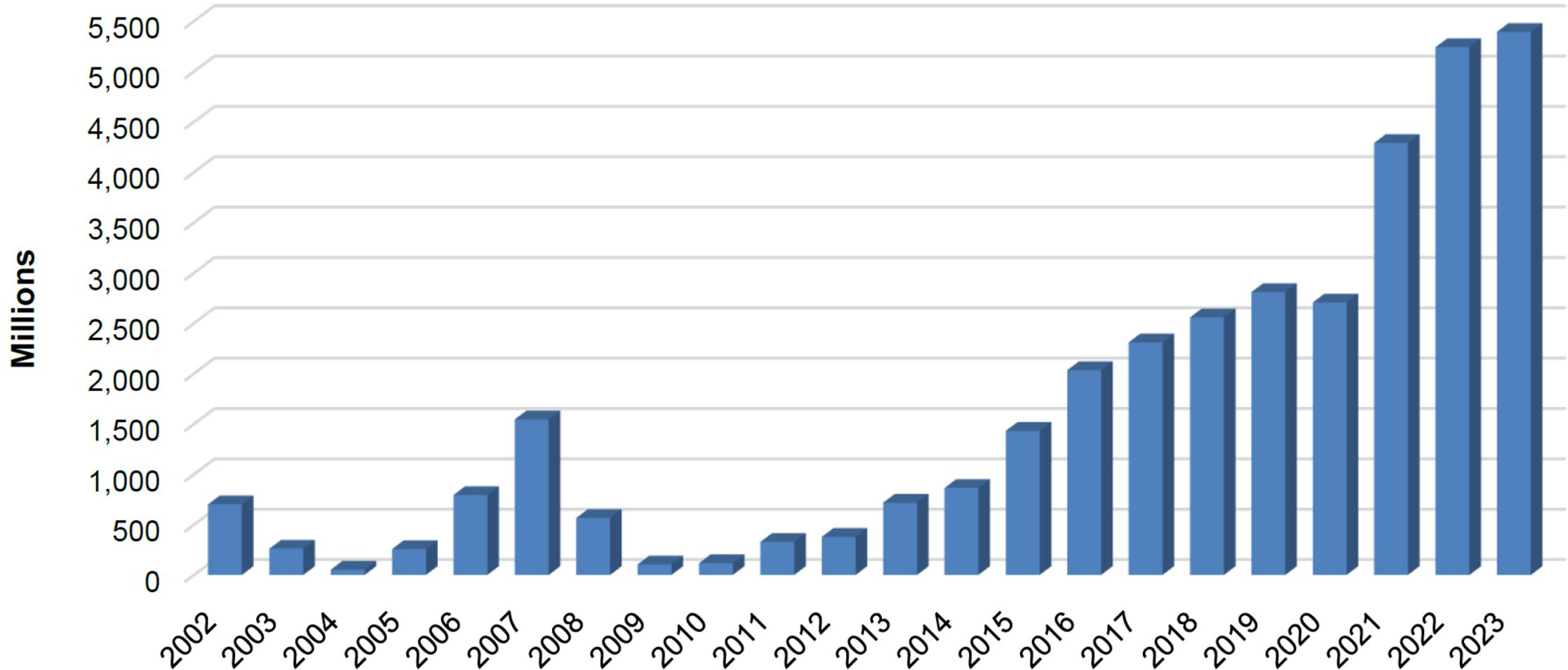
# FY 2025 State Revenue Estimate

State Funds \$36,136,224,227



# Short Fall Reserves

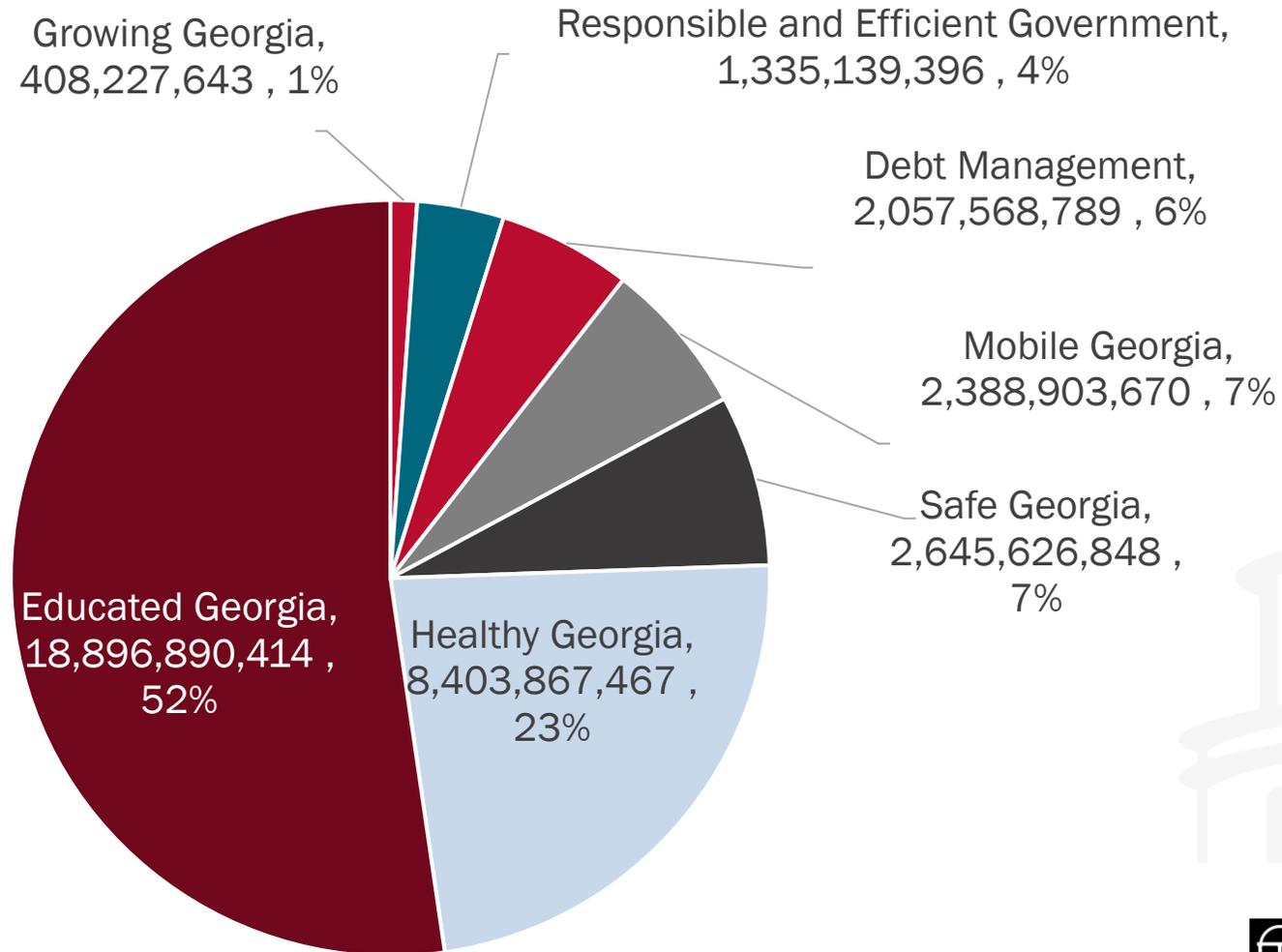
## Revenue Shortfall Reserve Amounts by Fiscal Year



# FY 2025 State Fund Appropriations

State Funds \$36,136,224,227

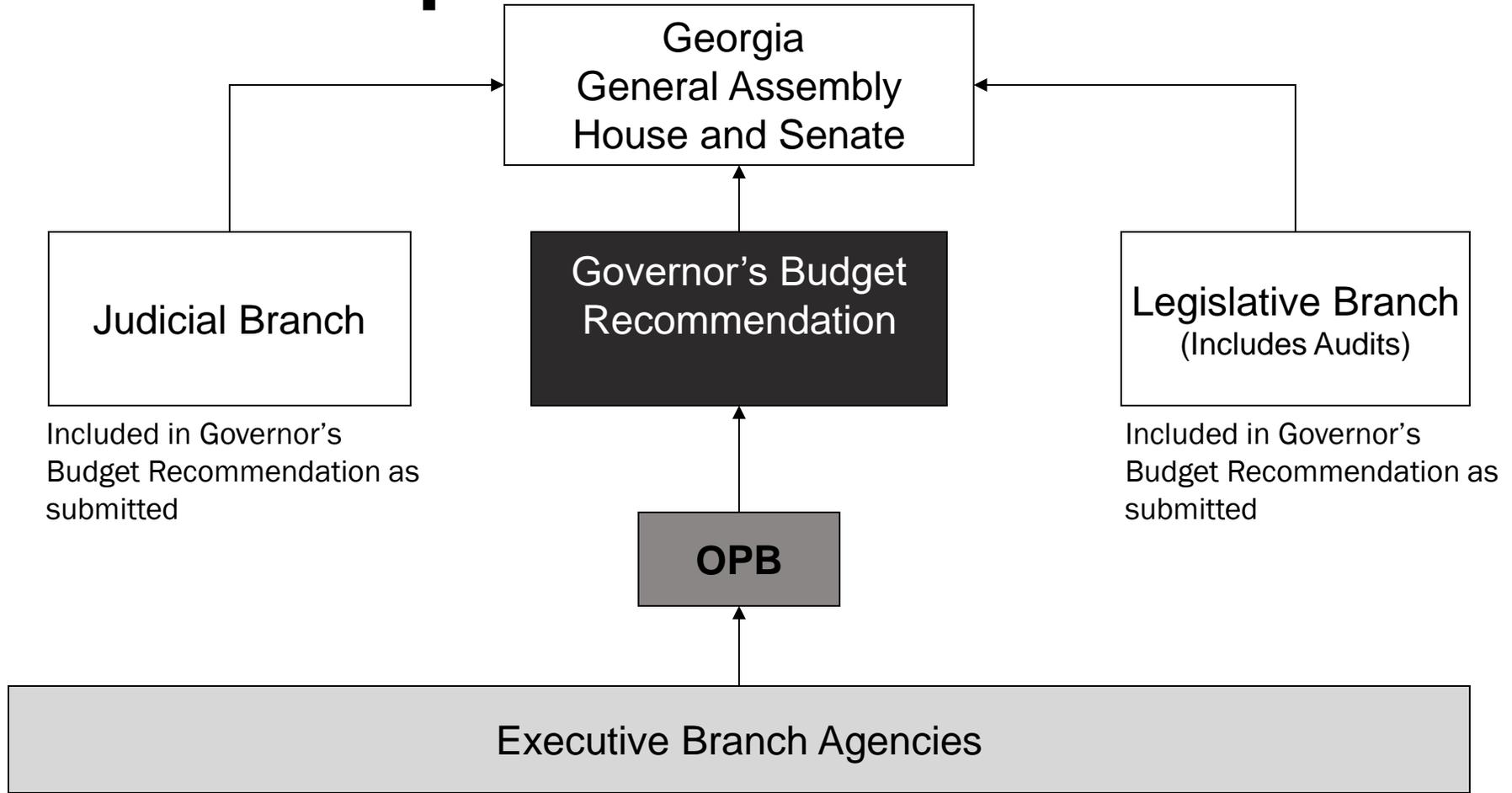
Total Funds \$66,836,669,830



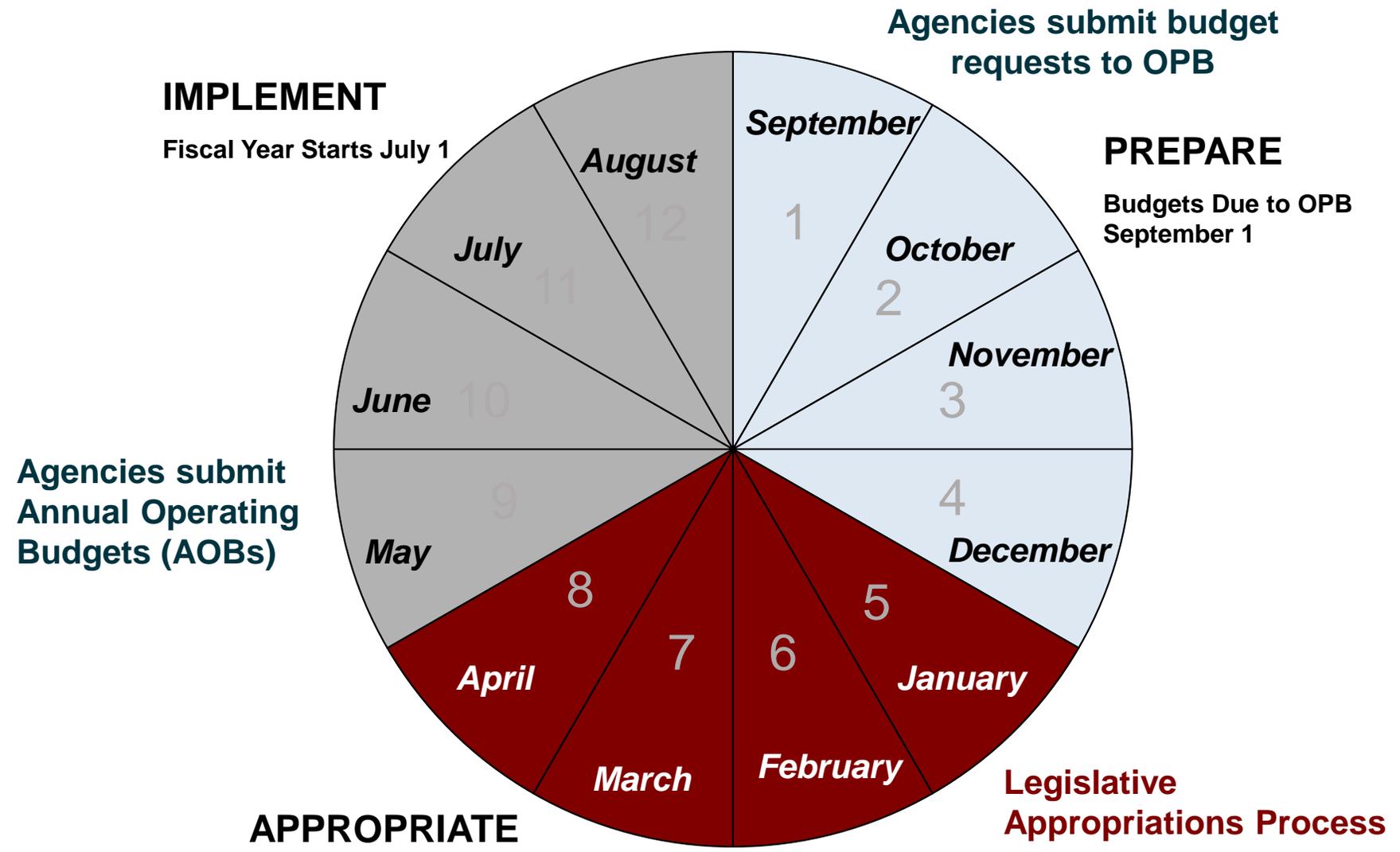


# State Budget Cycle

# State Organization – The Budget Request



# Georgia's Annual Budget Cycle



# Georgia's Annual Budget Cycle

OPB manages and monitors the budget through amendments and allotments. OPB reviews expenditures & consults with agencies on budget issues.

Agencies begin preparing next year's budget requests

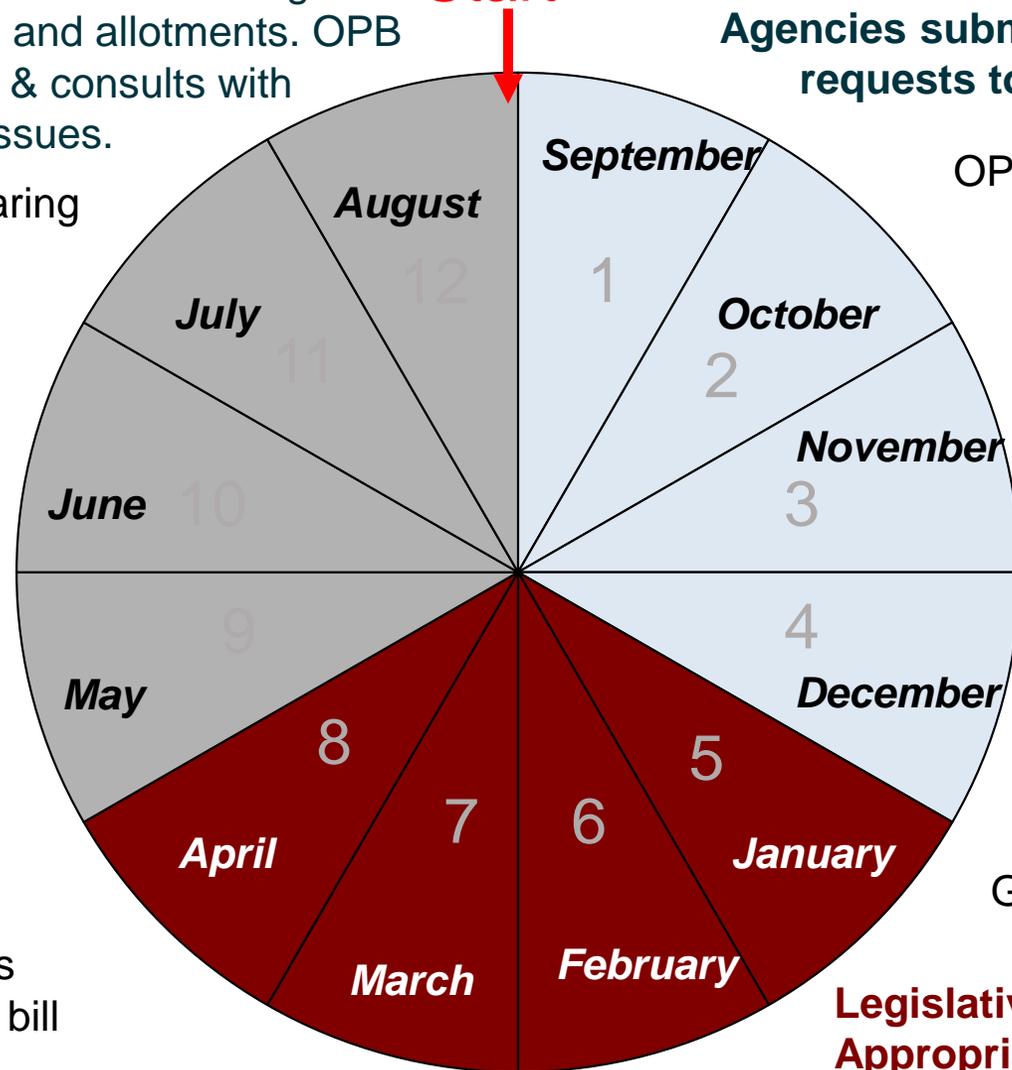
OPB Approves AOBs

Next year's budget instructions sent to agencies

**Agencies submit Annual Operating Budgets (AOBs)**

Governor signs appropriations bill

**Start**



**Agencies submit budget requests to OPB**

OPB analyzes requests

OPB budget recommendations to Governor

Governor Meets w/ Agencies

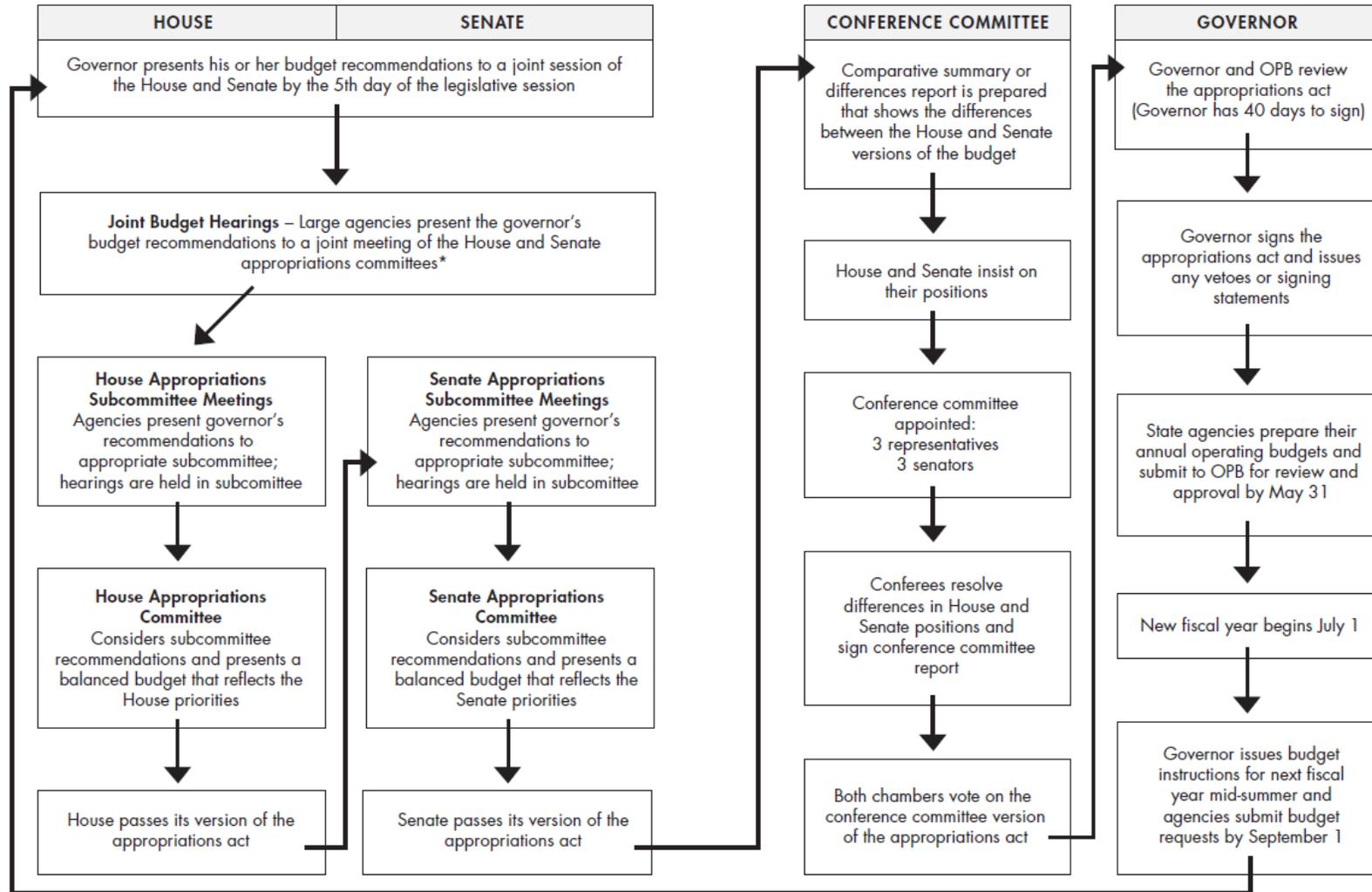
Governor's final budget decisions

Governor's budget to General Assembly

**Legislative Appropriations Process**

Legislature passes appropriations bill & sends it to Governor

# LEGISLATIVE BUDGET PROCESS



# Senate Version

HB 743 (FY 2014A)	Governor	House	Senate	As Passed
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$705,234	\$705,234	\$705,234	\$705,234
State Funds Transfers	\$705,234	\$705,234	\$705,234	\$705,234
State Fund Transfers Not Itemized	\$705,234	\$705,234	\$705,234	\$705,234
TOTAL PUBLIC FUNDS	\$820,201	\$820,201	\$820,201	\$820,201

### Payments to Georgia Building Authority Continuation Budget

*The purpose of this appropriation is to provide maintenance, repairs, and preparatory work on property owned by the Georgia Building Authority.*

TOTAL STATE FUNDS	\$0	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0	\$0

236.1 Reduce funds for payment to the State Treasury by \$1,996,734 from \$2,842,668 to \$845,934. (Total Funds: \$845,934)(G:YES)(H:YES)(S:YES)

State General Funds	\$0	\$0	\$0	\$0
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### Section 36: Public Defender Standards Council, Georgia

	Section Total - Continuation			
TOTAL STATE FUNDS	\$41,218,026	\$41,218,026	\$41,218,026	\$41,218,026
State General Funds	\$41,218,026	\$41,218,026	\$41,218,026	\$41,218,026
TOTAL AGENCY FUNDS	\$340,000	\$340,000	\$340,000	\$340,000
Interest and Investment Income	\$340,000	\$340,000	\$340,000	\$340,000
Interest and Investment Income Not Itemized	\$340,000	\$340,000	\$340,000	\$340,000
TOTAL PUBLIC FUNDS	\$41,558,026	\$41,558,026	\$41,558,026	\$41,558,026

Current Agency Budget

	Section Total - Final			
TOTAL STATE FUNDS	\$43,147,762	\$43,147,762	\$43,147,762	\$43,147,762
State General Funds	\$43,147,762	\$43,147,762	\$43,147,762	\$43,147,762
TOTAL AGENCY FUNDS	\$340,000	\$340,000	\$340,000	\$340,000
Interest and Investment Income	\$340,000	\$340,000	\$340,000	\$340,000
Interest and Investment Income Not Itemized	\$340,000	\$340,000	\$340,000	\$340,000
TOTAL PUBLIC FUNDS	\$43,487,762	\$43,487,762	\$43,487,762	\$43,487,762

New Agency Budget

### Public Defender Standards Council Continuation Budget

*The purpose of this appropriation is to fund the Office of the Georgia Capital Defender, Office of the Mental Health Advocate, and Central Office.*

TOTAL STATE FUNDS	\$6,082,218	\$6,082,218	\$6,082,218	\$6,082,218
State General Funds	\$6,082,218	\$6,082,218	\$6,082,218	\$6,082,218
TOTAL AGENCY FUNDS	\$340,000	\$340,000	\$340,000	\$340,000
Interest and Investment Income	\$340,000	\$340,000	\$340,000	\$340,000
Interest and Investment Income Not Itemized	\$340,000	\$340,000	\$340,000	\$340,000
TOTAL PUBLIC FUNDS	\$6,422,218	\$6,422,218	\$6,422,218	\$6,422,218

Program Purpose

Current Program Appropriation

237.1 Increase funds for personnel to eliminate furlough days.				
State General Funds	\$340,000	\$340,000	\$340,000	\$340,000

Program Budget Change

237.100 Public Defender Standards Council	Appropriation (HB 743)			
<i>The purpose of this appropriation is to fund the Office of the Georgia Capital Defender, Office of the Mental Health Advocate, and Central Office.</i>				
TOTAL STATE FUNDS	\$6,422,218	\$6,422,218	\$6,422,218	\$6,422,218
State General Funds	\$6,422,218	\$6,422,218	\$6,422,218	\$6,422,218
TOTAL AGENCY FUNDS	\$340,000	\$340,000	\$340,000	\$340,000
Interest and Investment Income	\$340,000	\$340,000	\$340,000	\$340,000
Interest and Investment Income Not Itemized	\$340,000	\$340,000	\$340,000	\$340,000
TOTAL PUBLIC FUNDS	\$6,762,218	\$6,762,218	\$6,762,218	\$6,762,218

New Program Appropriation

### Public Defenders Continuation Budget

# House Version



**35.2. Georgia Building Authority**

*Purpose: The purpose of this appropriation is to provide maintenance, repairs, and preparatory work on property owned by the Georgia Building Authority.*

2598	Total Funds		\$0
<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>			
		<u>State Funds</u>	<u>Total Funds</u>
2599	Amount from previous Appropriations Act (HB 106) as amended	\$0	\$0
2600	Reduce the payment to the Office of the State Treasurer by \$1,996,734 from \$2,842,668 to \$845,934. (CC: Yes)	\$0	\$0
2601	Amount appropriated in this Act	\$0	\$0

**Section 36: Public Defender Standards Council, Georgia**

2602	Total Funds		<b>\$43,012,664</b>
2603	Other Funds		<b>\$340,000</b>
2604	Other Funds - Not Specifically Identified		\$340,000
2605	State Funds		<b>\$42,672,664</b>
2606	State General Funds		\$42,672,664

New Agency Budget

**36.1. Public Defender Standards Council**

*Purpose: The purpose of this appropriation is to fund the Office of the Georgia Capital Defender, Office of the Mental Health Advocate, and Central Office.*

2607	Total Funds		\$6,904,859
2608	Other Funds		\$340,000
2609	Other Funds - Not Specifically Identified		\$340,000
2610	State Funds		\$6,564,859
2611	State General Funds		\$6,564,859

Program Purpose

New Program Appropriation

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>			
		<u>State Funds</u>	<u>Total Funds</u>
2612	Amount from previous Appropriations Act (HB 106) as amended	\$6,082,218	\$6,422,218
2613	Provide funds for merit-based pay adjustments and employee recruitment and retention initiatives effective July 1, 2014.	\$35,810	\$35,810
2614	Increase funds to reflect an adjustment in the employer share of the Employees' Retirement System.	\$106,831	\$106,831
2615	Increase funds for personal services to eliminate furlough days.	\$340,000	\$340,000
2616	Amount appropriated in this Act	\$6,564,859	\$6,904,859

Program Budget Change

**36.2. Public Defenders**

*Purpose: The purpose of this appropriation is to assure that adequate and effective legal representation is provided, independently of political considerations or private interests, to indigent persons who are entitled to representation under this chapter; provided that staffing for circuits are based on O.C.G.A. 17-12.*

2617	Total Funds		\$36,107,805
2618	State Funds		\$36,107,805
2619	State General Funds		\$36,107,805

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>			
		<u>State Funds</u>	<u>Total Funds</u>
2620	Amount from previous Appropriations Act (HB 106) as amended	\$35,135,808	\$35,135,808
2621	Provide funds for merit-based pay adjustments and employee recruitment and retention initiatives effective July 1, 2014.	\$223,973	\$223,973
2622	Increase funds to reflect an adjustment in the employer share of the Employees' Retirement System.	\$605,374	\$605,374
2623	Annualize funds for two Assistant Public Defenders to reflect the new judgeships in the Chattahoochee and Oconee Judicial Circuits provided in HB 451 (2013 Session).	\$70,474	\$70,474
2624	Provide funds for two Assistant Public Defenders to reflect the new judgeships in the Coweta and Waycross Judicial Circuits starting April 1, 2015. (CC: Provide funds for two assistant public defenders to reflect the new judgeships in the Coweta and Waycross Judicial Circuits starting January 1, 2015.)	\$72,176	\$72,176
2625	Amount appropriated in this Act	\$36,107,805	\$36,107,805

# State Budget Cycle – three fiscal years at once

	<b>2024 May</b>	<b>2024 July</b>	<b>2024 Sept.</b>	<b>2024 December</b>	<b>2025 January - March</b>
<b>FY 2024 Close Out</b>	<b>4<sup>th</sup> Quarter</b>	<b>Close Out FY</b>	<b>Audit/ SAO</b>	<b>Financial Statements</b>	
<b>FY 2025 Monitor</b>	<b>AOB Implement- ation Plans</b>	<b>New FY Starts</b>	<b>Amendments/Allotments (Amended Appropriations Act)</b>		
<b>FY 2026 Develop</b>	<b>Strategic Plan and Budget Planning</b>	<b>Agency Develop Budget Request</b>	<b>Agencies Submit Budget Requests</b>	<b>Governor's Budget Recommend- ation</b>	<b>Appropriations Act</b>

# Q&A

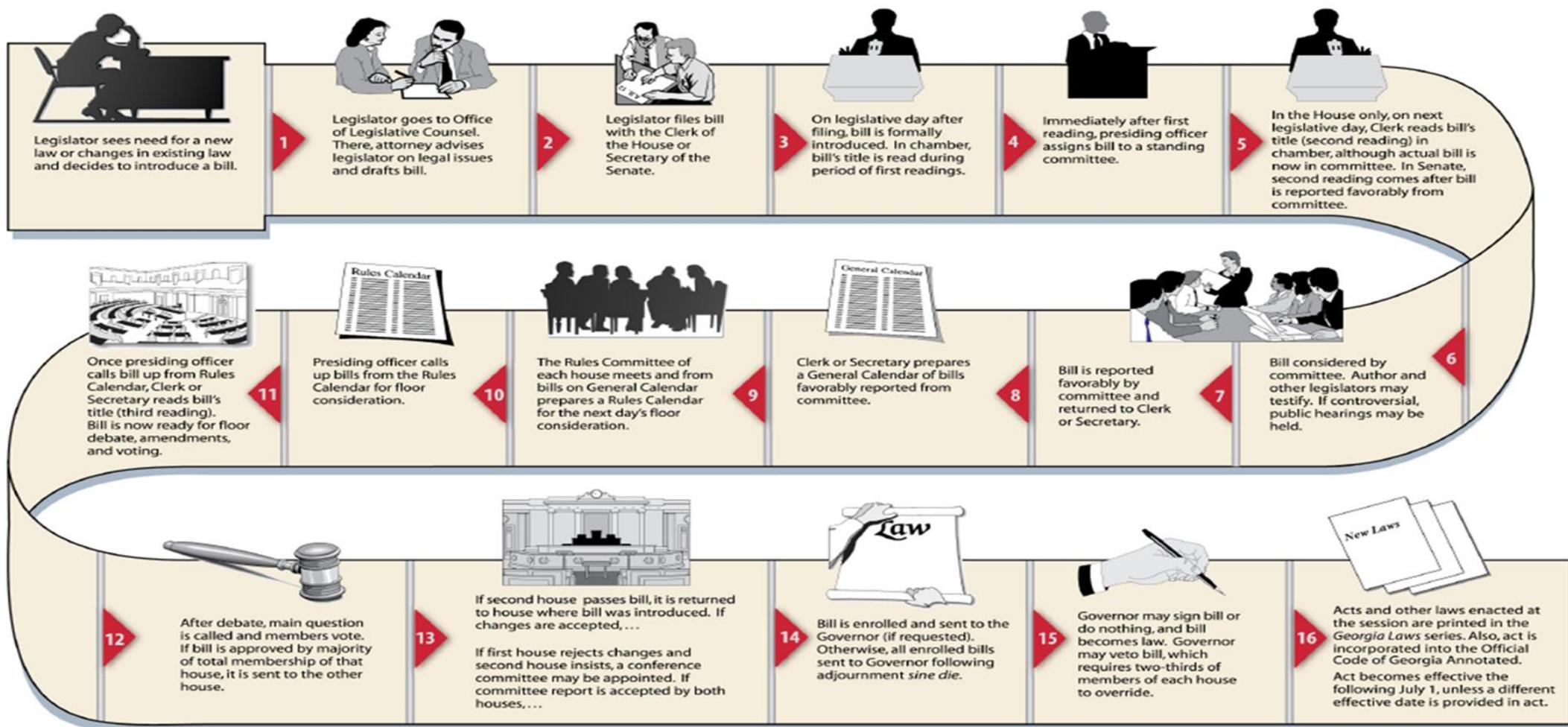




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# How a Bill Becomes a Law

# How a Bill is Passed in the Georgia Legislature







# The Idea

A Legislator sees:

- A need for a new law, or
- A need for changes in the existing law



# The Idea

- Personal Experiences
- State Agencies
- Study Committee Reports
- Constituents
- The News Media
- Events
- Etc.



# Drafting Legislation

Legislator visits the Office of Legislative Counsel (OLC)

OLC attorney advises on legal issues and drafts the bill

Legislator files bill with the Clerk of the House or Secretary of the Senate



# Introduction and Committee Assignment

Bill is formally introduced

The presiding officer assigns it to a standing committee

In the House, the Clerk reads the bill's title



# Possible Committee Actions

- Pass the bill with or without amendments
- Pass the bill as a committee substitute
- Report the measure out unfavorably
- Hold the bill without reporting it

# The Rules Committee

“The daily legislative agenda on the floor of each chamber is governed by a rules calendar prepared by each chamber’s Rules Committee.”

–Carl Vinson Institute of Government – University of Georgia, Handbook for Georgia Legislators



# Floor Consideration



# The Other Chamber

- If second chamber passes the bill, it is returned to the chamber where it was introduced
- If it was changed (by amendment, substitute or both) in the second chamber, the first chamber can accept the changes
- If the first chamber rejects the changes and the second chamber insists on the changes then:
  - A conference committee is appointed

# Bill Signature or Veto

The Governor may...

- Sign the bill
- Do nothing
- Veto (requires two-thirds of members of each chamber to override)



# Let's Pause for Perspective

- 1,738 bills were considered during 2024 Session
  - 812 of the that number were pending from 2023
- 361 bills were sent to the Governor for approval in 2024
  - 12 bills were vetoed by the Governor in 2024

# A Georgia Legislative Story





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# Questions?

# ROLE OF: OFFICE OF LEGISLATIVE COUNSEL



34<sup>TH</sup> Biennial Institute for Georgia Legislators  
Sunday, December 15, 2024

# LEGISLATIVE COUNSEL WHAT WE DO...

Per O.C.G.A. § 28-4-3:

(b) It shall be the **duty** of the legislative counsel to:

(1) Provide bill-drafting services which shall be equally available to every member of the General Assembly; and

(2) Advise and counsel members of the General Assembly on legislative matters.

## ISSUE SPOTTING IN DRAFTING LEGISLATION

As OLC attorneys for the General Assembly, we are professionally obligated to advise a member of any apparent constitutional or other legal problems with his/her bill request. See Georgia Bar Rule of Professional Conduct 2.1.

Such advice may be provided verbally or in writing, time permitting.

Having been so advised, it is the member's decision as to whether and how to proceed.

## BASIC PRINCIPLE OF LIMITS ON LEGISLATION

“The General Assembly shall have the power to make all laws not inconsistent with this Constitution, and not repugnant to the Constitution of the United States, which it shall deem necessary and proper for the welfare of the state.”

Ga. Const. art. III, sec. VI, par. I (emphasis added)

“...[the] inherent powers of our State General Assembly are **awesome**. . . . The legislature is absolutely unrestricted in its power to legislate, so long as it does not undertake to enact measures prohibited by the State or Federal Constitution.”

*Ga Power v. Allied Chemical* 233 Ga 558 (1975)

## BOTTOM LINE

This means that the General Assembly can enact any law **unless** it is prohibited by the U.S. Constitution or the Georgia Constitution.

(This is different from the powers of the U.S. Congress, in that the Congress has no powers other than those which are specifically or by necessary implication conferred by the federal Constitution.)

# CONSTITUTIONAL ISSUES IN DRAFTING LEGISLATION: A FEW EXAMPLES

- Federal preemption
- Abridgement
- Nondelegation
- Multiple Subject Matters; Bill Titles
- Method of Amending or Repealing Laws
- Uniform Operation of General Law
- Revenue Bills; Appropriation Bills
- General Appropriations Bill
- Earmarking
- Gratuities
- Retroactive Laws; Ex Post Facto Laws; Impairment of Contracts
- Bills of Attainder
- Local and Special Laws
- Home Rule Powers
- New Population Bills

## FEDERAL PREEMPTION --

### THE SUPREMACY CLAUSE

"This Constitution, and the Laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding."

U.S. Const. art VI, clause 2



# ABRIDGEMENT OF POWERS--“DON'T TIE YOUR OWN HANDS (OR THOSE OF YOUR SUCCESSORS)”

“The General Assembly shall not abridge its powers under this Constitution. No law enacted by the General Assembly shall be construed to limit its powers.”

Ga. Const. art. III, sec.  
III, par. III



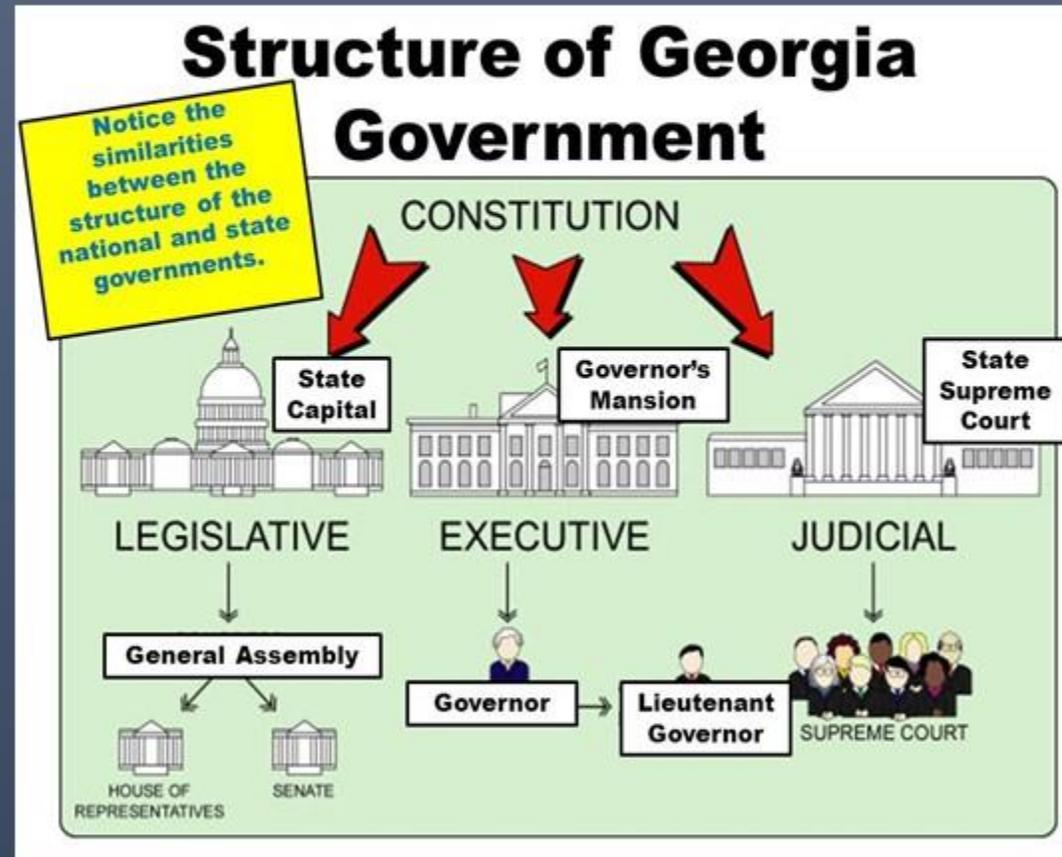
# NONDELEGATION OF LEGISLATIVE POWER

"The legislative, judicial, and executive powers shall forever remain separate and distinct; and no person discharging the duties of one shall at the same time exercise the functions of either of the others except as herein provided."

Ga. Const. art. I, sec. II, par. III

"The legislative power of the state shall be vested in a General Assembly which shall consist of a Senate and a House of Representatives."

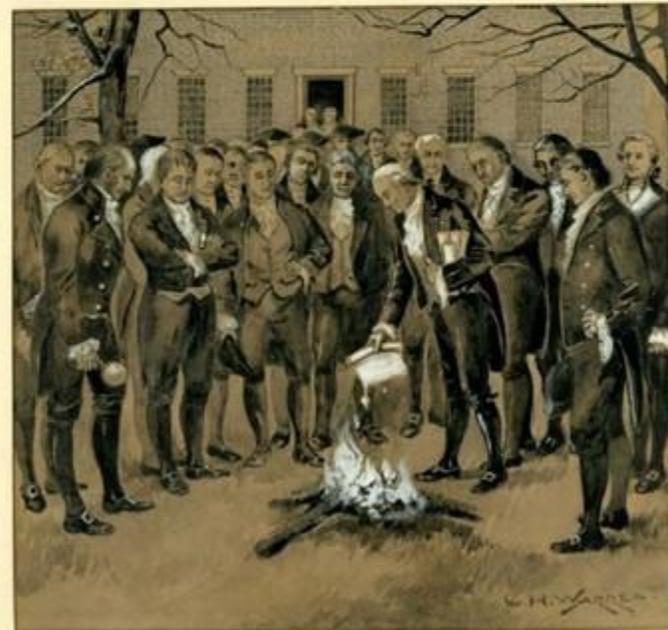
Ga. Const. art. III, sec. I, par. I



# SINGLE SUBJECT MATTER; SUBJECT MUST BE EXPRESSED IN BILL TITLE. GA. CONST. ART. III, SEC. V, PAR. III

Bill must be confined to single subject matter; *i.e.*, must be “logical and natural connection” among provisions of bill. No “logrolling.”

Rule requiring subject to be expressed in bill title was adopted in response to Yazoo land fraud.



The friends of incorporation of the old town were gathered in the hall in front of the building. The new town was being laid out in the street in front of the building. The new town was being laid out in the street in front of the building. The new town was being laid out in the street in front of the building.

Original Drawing, "Burning the Yazoo Act, February 1797."  
Copyright by University Publishing Co.  
Presented to the Georgia Historical Society by  
Lester S. Evans, February 10, 1914.

# METHOD OF AMENDING OR REPEALING LAWS

“No law or section of the Code shall be amended or repealed by mere reference to its title or to the number of the section of the Code; but the amending or repealing Act shall distinctly describe the law or Code section to be amended or repealed as well as the alteration to be made. “

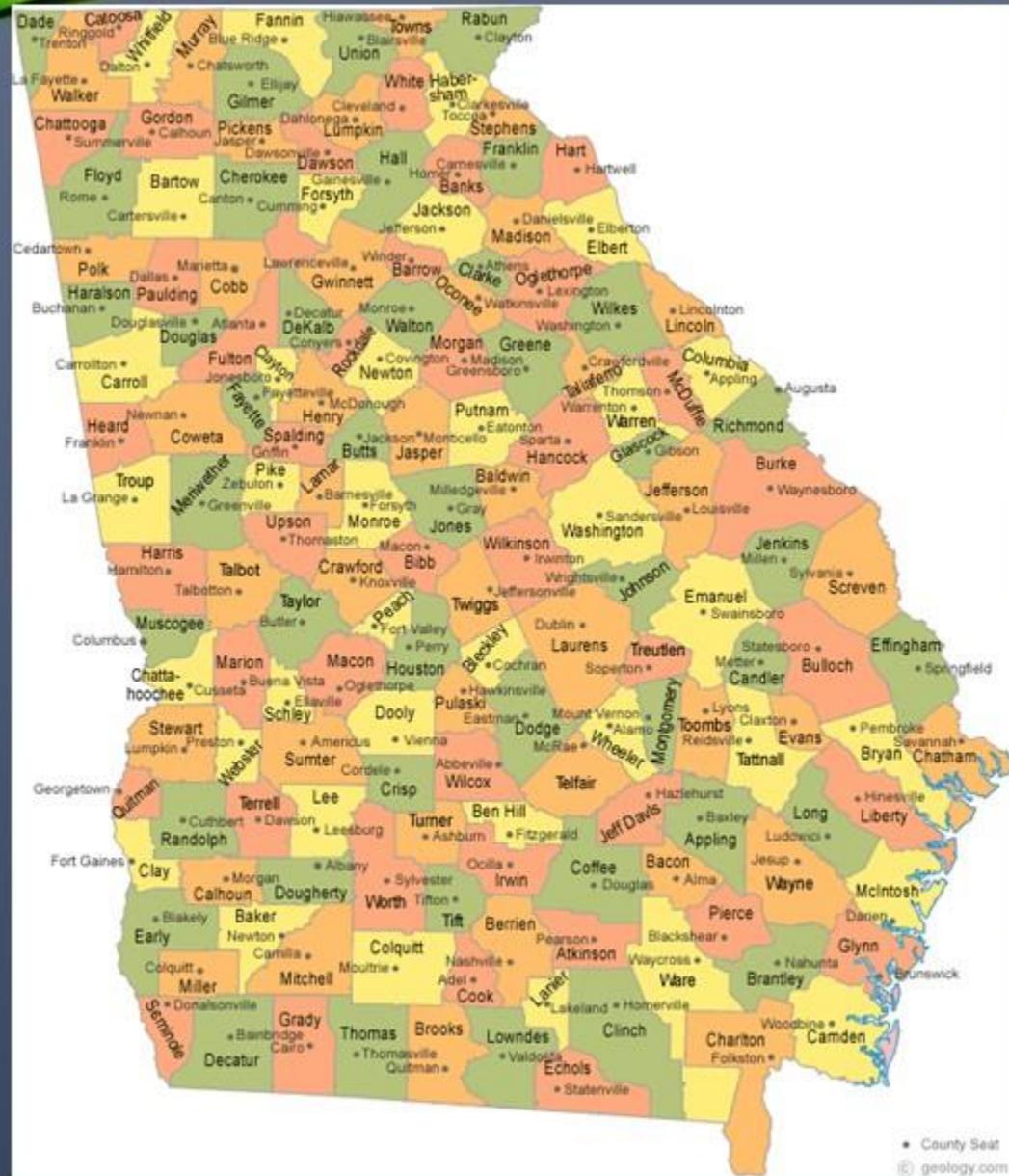
Ga. Const. art. III, sec. V,  
par. IV

The Constitutional requirement for description of the law being amended or repealed and the alteration to be made by the legislation is met by the standard form and style used by Legislative Counsel in drafting bills.

# UNIFORM OPERATION OF GENERAL LAW

“Laws of a general nature shall have uniform operation throughout this state and no local or special law shall be enacted in any case for which provision has been made by an existing general law, except that the General Assembly may by general law authorize local governments by local ordinance or resolution to exercise police powers which do not conflict with general laws.”

Ga. Const. art. III, sec. VI,  
par. IV(a)



## REVENUE BILLS; APPROPRIATION BILLS

"All bills for raising revenue, or appropriating money, shall originate in the House of Representatives."

Ga. Const. Art. III, sec.  
V, par. II

As a practical matter, the House may decline to take up a Senate bill which has been transmitted to the House and which the House considers to be a revenue bill.

# GENERAL APPROPRIATIONS BILL

"The general appropriations bill shall embrace nothing except appropriations fixed by previous laws; the ordinary expenses of the executive, legislative, and judicial departments of the government; payment of the public debt and interest thereon; and for support of the public institutions and educational interests of the state. All other appropriations shall be made by separate bills, each embracing but one subject."

Ga. Const. art. III, sec. IX,  
par. III

The General Appropriations bill is the one bill which the General Assembly is Constitutionally required to pass each year. Ga. Const. art. III, IX, II(b).

A General Appropriations bill cannot contain substantive law authorizing agencies to take actions not already permitted by general law and cannot alter agency powers derived from general law. 1991 Op. Att'y Gen. 91-26.

## EARMARKING

“Except as hereinafter provided, the appropriation for each department, officer, bureau, board, commission, agency, or institution for which appropriation is made shall be for a specific sum of money; and no appropriation shall allocate to any object the proceeds of any particular tax or fund or a part or percentage thereof.”

--Ga Const. art. III, sec. IX, par. VI



## GRATUITIES

“Except as otherwise provided in the Constitution, (1) the General Assembly shall not have the power to grant any donation or gratuity or to forgive any debt or obligation owing to the public, and (2) the General Assembly shall not grant or authorize extra compensation to any public officer, agent, or contractor after the service has been rendered or the contract entered into.”

Ga. Const. art. III, sec. VI,  
par. VI(a)

Want  
some  
**free**  
stuff?

RETROACTIVE  
LAWS; EX POST  
FACTO LAWS;  
LAWS  
IMPAIRING  
CONTRACTS

"No ... ex post facto law, retroactive law, or laws impairing the obligation of contract ... shall be passed."

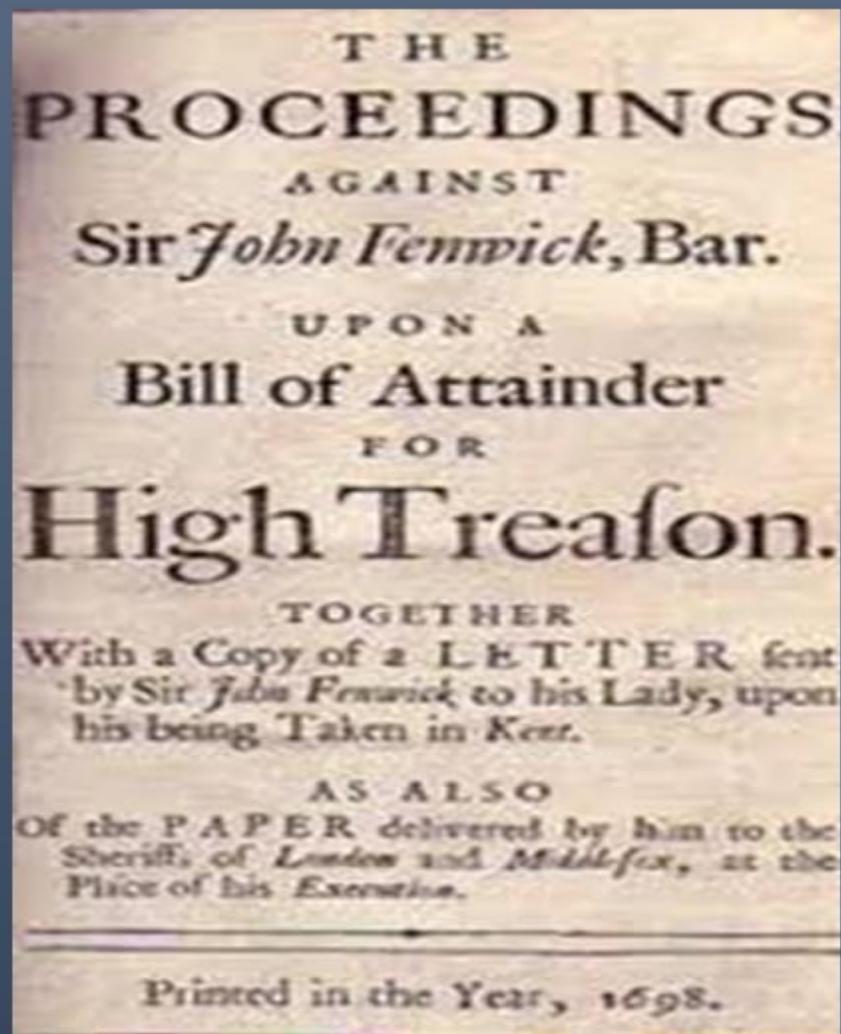
Ga. Const. art. I, sec. I,  
par. X

Laws that "reach back" and punish conduct that was not criminal at the time it was committed or that impair vested rights under contracts already entered into prior to the effective date of the legislation are prohibited.

## BILLS OF ATTAINDER

"No bill of attainder ...  
shall be passed."

Ga. Const. art. I, sec. I,  
par. X



# LOCAL LEGISLATION

CONSTITUTIONAL REQUIREMENTS AND PROCEDURES

Stuart Morelli, Deputy Legislative Counsel

## LOCAL AND SPECIAL LAWS: PREEMPTION

“... [N]o local or special law shall be enacted in any case for which provision has been made by an existing general law, except that the General Assembly may by general law authorize local governments by local ordinance or resolution to exercise police powers which do not conflict with general laws.”

Ga. Const. art. III, sec. VI,  
par. IV(a)

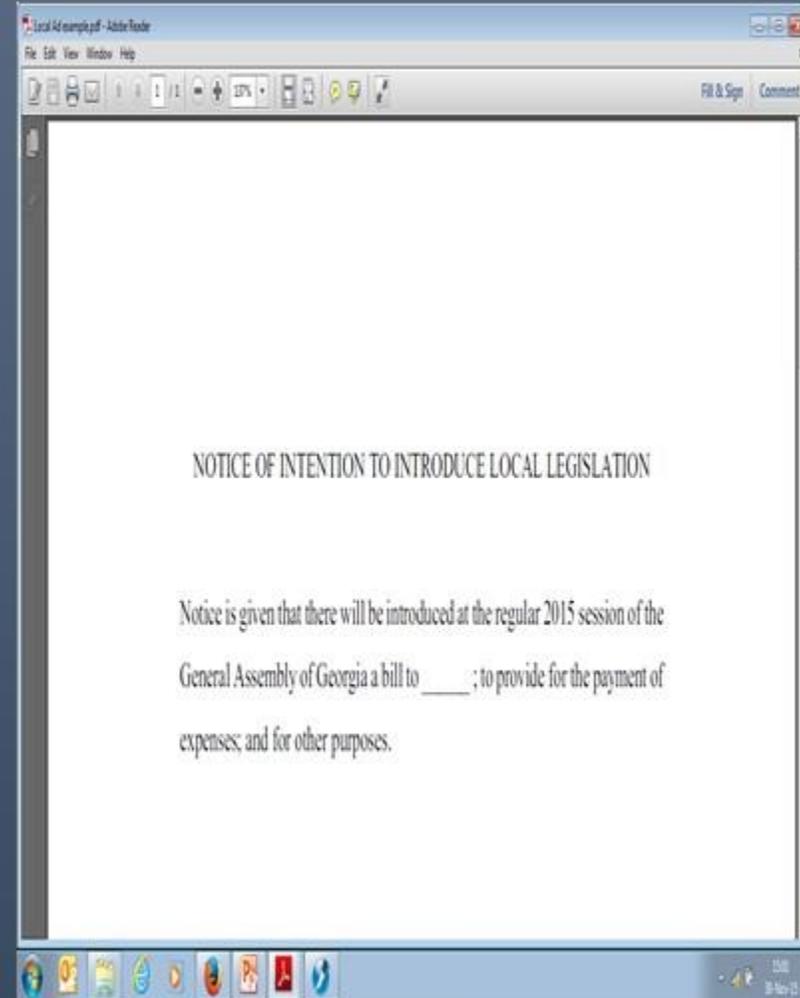


# LOCAL LEGISLATION: ADS

“The General Assembly shall provide by law for the advertisement of notice of intention to introduce local bills. “

Ga. Const. art. III, sec. V, par. IX

“No local bill shall become law unless notice of the intention to introduce such bill shall have been advertised in the newspaper in which the sheriff's advertisements for the locality affected are published one time before the bill is introduced. Such advertisement must be not more than 60 days prior to the convening date of the session at which the bill is introduced. After the advertisement has been published the bill may be introduced at any time during that session unless the advertisement is published during the session, in which event the bill may not be introduced before Monday of the calendar week following the week in which the advertisement is published. O.C.G.A. § 28-1-14(a)



## LOCAL LEGISLATION: NOTICE TO COUNTY OR CITY GOVERNMENT

“No local bill amending the charter of a municipality or the enabling Act of the governing authority of a county or a consolidated government shall become law unless a copy of the notice of the intention to introduce local legislation ... is mailed, transmitted by facsimile, or otherwise provided to the governing authority of any county, municipality, or consolidated government referred to in the bill during the calendar week in which such notice is published as provided ... or during the seven days immediately following the date of publication of such notice.”

O.C.G.A. § 28-1-14(b)

## LOCAL LEGISLATION: SPONSOR'S AFFIDAVIT

"A copy of the notice as it was advertised and an affidavit stating that the notice has been published as provided by this Code section and that the notice requirements ... have been met shall be attached to the bill and shall become a part of the bill. Such affidavit shall be made by the author of the bill."

O.C.G.A. § 28-1-14(c)

The sponsor of local legislation must make an affidavit, in our office and in front of our notary public, that all the notice requirements for the local legislation have been met. We will not release local legislation to the member until such affidavit has been made. The affidavit form is provided by our office.

The affidavit must be made upon the member's personal knowledge.

# HOME RULE POWERS: COUNTIES

“The governing authority of each county shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law and which is not inconsistent with this Constitution or any local law applicable thereto. ... This, however, shall not restrict the authority of the General Assembly by general law to further define this power or to broaden, limit, or otherwise regulate the exercise thereof....”

Ga. Const. art. IX, sec. II, par. I(a).

Home Rule Powers of Counties are provided by the Georgia Constitution.

# HOME RULE POWERS: CITIES

“The General Assembly may provide by law for the self-government of municipalities and to that end is expressly given the authority to delegate its power so that matters pertaining to municipalities may be dealt with without the necessity of action by the General Assembly.”

Ga. Const. art. IX, sec. II,  
par. II

Home Rule Powers of cities are specified by general law.

O.C.G.A. Title 35, Chapter 36.

# HOME RULE POWERS: SUPPLEMENTARY POWERS

- (1) Police and fire protection.
- (2) Garbage and solid waste collection and disposal.
- (3) Public health facilities and services, including hospitals, ambulance and emergency rescue services, and animal control.
- (4) Street and road construction and maintenance, including curbs, sidewalks, street lights, and devices to control the flow of traffic on streets and roads constructed by counties and municipalities or any combination thereof.
- (5) Parks, recreational areas, programs, and facilities.
- (6) Storm water and sewage collection and disposal systems.
- (7) Development, storage, treatment, purification, and distribution of water.
- (8) Public housing.
- (9) Public transportation.
- (10) Libraries, archives, and arts and sciences programs and facilities.
- (11) Terminal and dock facilities and parking facilities.
- (12) Codes, including building, housing, plumbing, and electrical codes.

# HOME RULE POWERS: LIMITS ON COUNTIES

The power granted to counties ... shall not be construed to extend to the following matters or any other matters which the General Assembly by general law has preempted or may hereafter preempt, but such matters shall be the subject of general law or the subject of local acts of the General Assembly to the extent that the enactment of such local acts is otherwise permitted under this Constitution:

(1) Action affecting any elective county office, the salaries thereof, or the personnel thereof, except the personnel subject to the jurisdiction of the county governing authority.

(2) Action affecting the composition, form, procedure for election or appointment, compensation, and expenses and allowances in the nature of compensation of the county governing authority.

(3) Action defining any criminal offense or providing for criminal punishment.

(4) Action adopting any form of taxation beyond that authorized by law or by this Constitution.

(5) Action extending the power of regulation over any business activity regulated by the Georgia Public Service Commission beyond that authorized by local or general law or by this Constitution.

(6) Action affecting the exercise of the power of eminent domain.

(7) Action affecting any court or the personnel thereof.

(8) Action affecting any public school system.

Ga. Const. art. IX, sec. II, par. 1(c)



## HOME RULE POWERS: LIMITS ON CITIES

Limits on Home Rule Powers of cities are provided by statute. O.C.G.A. § 36-35-6.

# POPULATION BILLS

"No population bill, as the General Assembly shall define by general law, shall be passed. No bill using classification by population as a means of determining the applicability of any bill or law to any political subdivision or group of political subdivisions may expressly or impliedly amend, modify, supersede, or repeal the general law defining a population bill." Ga. Const. art. III, sec. VI, par. IV(b)

Practically any new population bill has been prohibited since 1997. Old population Acts can only be adjusted for census changes or be repealed. O.C.G.A. § 28-1-15

## Population Acts of Georgia: A Pernicious Profusion of Confusion

Joe Scheuer  
Assistant General Counsel

8/11/2014  
2014 Edition  
Association County Commissioners of Georgia

# TAKEAWAYS



# DRAFTING TAKEAWAYS

- OLC attorneys are here to assist members in drafting legislation as well as to provide legal advisement on the constitutionality of proposed legislation
- OLC attorneys will advise you of any constitutional issues that are identified in your bill request
- OLC attorneys will advise you of possible solutions to address or eliminate constitutional concerns, if possible
- It is ultimately up to the legislator on how to proceed and how/whether to address identified legal/constitutional impediments

# LOCAL LEGISLATION TAKEAWAYS

- Local legislation cannot be introduced until a local advertisement has been placed

# REMEMBER...

ALL MEMBER COMMUNICATIONS ARE CONFIDENTIAL

WHAT  
HAPPENS  
IN...

STAYS  
IN...



# OFFICE OF LEGISLATIVE COUNSEL

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Betsy Howerton  
Legislative Counsel



*See you in January!!*



**34<sup>th</sup> Biennial Institute**  
FOR **Georgia Legislators**