

**Representative Hall, Atlanta, Georgia****Tuesday, January 24, 2012****Seventh Legislative Day**

The House met pursuant to adjournment at 10:00 o'clock, A.M., this day and was called to order by the Speaker.

The roll was called and the following Representatives answered to their names:

Abrams	Crawford	E Hatfield	Marin	Shaw
Allison	Davis	Heard	Martin	Sheldon
Amerson	Dawkins-Haigler	Hembree	Maxwell	Sims, B
Anderson	Dempsey	Henson	Mayo	Sims, C
Ashe	Dickerson	Hightower	McBrayer	Smith, E
Atwood	Dickey	Hill	McCall	Smith, K
Baker	Dickson	Holcomb	McKillip	Smith, L
Battles	Dobbs	Holmes	Mitchell	Smith, R
E Beasley-Teague	Dollar	Holt	Morgan	Smith, T
Bell	Drenner	Horne	Murphy	Spencer
Benfield	Dudgeon	Houston	Neal, J	Stephens, M
Benton	E Dukes	Howard	Neal, Y	Stephens, R
Beverly	Dunahoo	Hudson	Nimmer	E Stephenson
Black	Dutton	Hugley	Nix	Talton
Braddock	Ehrhart	Jackson	Oliver	Tankersley
Brockway	England	Jacobs	O'Neal	Taylor, D
Brooks	Epps, C	James	Pak	Taylor, R
Bruce	Epps, J	Jasperse	Parent	Taylor, T
Bryant	Evans	E Jerguson	Parrish	Teasley
E Buckner	Floyd	Johnson	Parsons	Thomas
Burns	Frazier	Jones, J	Peake	Watson
E Byrd	E Fullerton	Jones, S	Powell, J	Welch
Carson	Gardner	Kaiser	Purcell	Wilkerson
Carter	Geisinger	Kendrick	Ramsey	Wilkinson
Casas	Gordon	Kidd	Reece	Willard
Channell	Greene	Knight	Rice	Williams, A
Cheokas	Hamilton	Lane	Riley	Williams, C
Clark, V	Harbin	Lindsey	Roberts	Williams, E
Coleman	Harden, B	Long	Rogers, C	Williams, R
Collins	Harden, M	Maddox, B	Rynders	Yates
E Cooke	Harrell	Maddox, G	E Scott, M	Ralston, Speaker
Coomer	Hatchett	Manning	Scott, S	

The following members were off the floor of the House when the roll was called:

Representatives Abdul-Salaam of the 74th, Clark of the 98th, Cooper of the 41st, Fludd of the 66th, Golick of the 34th, Hanner of the 148th, Jordan of the 77th, Meadows of the 5th, Morris of the 155th, Mosby of the 90th, Powell of the 29th, Rogers of the 10th, Setzler of the 35th, and Williamson of the 111th.

They wished to be recorded as present.

Prayer was offered by Pastor Stanford L. Anderson, Calvary Missionary Baptist Church, Richmond Hill, Georgia.

The members pledged allegiance to the flag.

Representative Davis of the 109th, Chairman of the Committee on Information and Audits, reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

By unanimous consent, the following was established as the order of business during the first part of the period of unanimous consents:

1. Introduction of Bills and Resolutions.
2. First reading and reference of House Bills and Resolutions.
3. Second reading of Bills and Resolutions.
4. Reports of Standing Committees.
5. Third reading and passage of Local uncontested Bills.
6. First reading and reference of Senate Bills and Resolutions.

By unanimous consent, the following Bills and Resolutions of the House were introduced, read the first time and referred to the Committees:

HB 680. By Representatives Dickerson of the 95th, Fludd of the 66th, Stephenson of the 92nd, Holt of the 112th, Randall of the 138th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to offenses against public order, so as to define certain terms; to provide that a person commits defamation when he or she causes an unknowing person wrongfully to be identified as the person in an obscene depiction; to provide for penalties; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 681. By Representatives Dickerson of the 95th, Fludd of the 66th, Clark of the 104th, Harrell of the 106th, Rice of the 51st and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 26 of the Official Code of Georgia Annotated, relating to standards, labeling, and adulteration of food, so as to revise definitions relating to food sales establishments and food service establishments; to exempt certain activities relating to public and private schools and nonprofit entities; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Agriculture & Consumer Affairs.

HB 749. By Representative Greene of the 149th:

A BILL to be entitled an Act to amend an Act entitled "An Act to provide education districts for the Calhoun County Board of Education," approved April 13, 1992 (Ga. L. 1992, p. 6119), so as to provide for new education districts; to provide for the continuation in office of current office holders; to provide for the submission of this Act to the United States Department of Justice for preclearance; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 750. By Representative Greene of the 149th:

A BILL to be entitled an Act to amend an Act entitled "An Act to increase the number of commissioners of roads and revenues for the county of Calhoun from three to five," approved August 10, 1908 (Ga. L. 1908, p. 276), as amended, particularly by an Act approved April 13, 1992 (Ga. L. 1992, p. 6123), so as to provide new commissioner districts; to provide for definitions and inclusions; to provide for continuation in office of current members and the election of their successors; to provide for submission of this Act for approval under the federal Voting Rights Act of 1965, as amended; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 751. By Representative Holmes of the 125th:

A BILL to be entitled an Act to provide that future elections for the office of judge of the Probate Court of Jasper County shall be nonpartisan elections; to provide for submission of this Act for preclearance under the federal Voting

Rights Act of 1965, as amended; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination.

HB 752. By Representative Holmes of the 125th:

A BILL to be entitled an Act to amend an Act creating the board of commissioners of Jasper County, approved July 23, 1923 (Ga. L. 1923, p. 255), as amended, particularly by an Act approved May 13, 2008 (Ga. L. 2008, p. 4036), so as to provide for staggered terms for the board of commissioners; to provide for manner of election; to change the description of the commissioner districts; to provide for definitions and inclusions; to provide for the continuation in office of current members; to provide for the submission of this Act for preclearance under Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 753. By Representative Holmes of the 125th:

A BILL to be entitled an Act to amend an Act reconstituting the Board of Education of Jasper County, approved April 5, 1993 (Ga. L. 1993, p. 4622), as amended, particularly by an Act approved April 25, 2002 (Ga. L. 2002, p. 4476), so as to change the description of the education districts for the board of education; to provide for definitions and inclusions; to provide for the continuation in office of current board members; to provide for the submission of this Act for preclearance under Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 754. By Representative Parrish of the 156th:

A BILL to be entitled an Act to amend an Act creating a Board of Commissioners of Candler County, approved March 23, 1933 (Ga. L. 1933, p. 430), as amended, particularly by an Act approved April 25, 2002 (Ga. L. 2002, p. 4145), so as to change the description of the commissioner districts; to provide for definitions and inclusions; to provide for continuation in office of current members; to provide for submission of this Act for approval under

the federal Voting Rights Act of 1965, as amended; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 755. By Representative Parrish of the 156th:

A BILL to be entitled an Act to amend an Act to reconstitute the Board of Education of Candler County, approved January 15, 1993 (Ga. L. 1993, p. 3529), as amended, particularly by an Act approved April 25, 2002 (Ga. L. 2002, p. 4145), so as to revise the districts for the election of members of the board of education; to provide for definitions and inclusions; to provide for qualifications and manner of election; to provide for submission of this Act for preclearance pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for related matters; to provide effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 756. By Representatives Channell of the 116th and Kidd of the 141st:

A BILL to be entitled an Act to amend an Act to revise, modernize, and consolidate the provisions of local law relating to the State Court of Putnam County (formerly the County Court of Putnam County), approved April 4, 1997 (Ga. L. 1997, p. 3839), as amended, so as to provide that the local law provisions relating to the State Court of Putnam County shall be updated and consolidated; to provide for the furnishing of facilities for the court; to provide for terms of court; to provide for practice and procedure; to provide for the clerk of the court and for a court reporter; to provide for costs and for fines and bond amounts; to provide for the solicitor-general of the court; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 757. By Representatives Channell of the 116th and Kidd of the 141st:

A BILL to be entitled an Act to amend an Act creating the board of commissioners for Putnam County, approved September 8, 1879 (Ga. L. 1878-79, p. 334), as amended, particularly by an Act approved May 14, 2003 (Ga. L. 2003, p. 3639), so as to change the description of the commissioner districts; to provide for definitions and inclusions; to provide for continuation in office of current members; to provide for submission of this Act for

preclearance under Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 758. By Representatives Lane of the 167th, Atwood of the 179th and Spencer of the 180th:

A BILL to be entitled an Act to amend an Act creating the Board of Commissioners of Glynn County, approved February 11, 1937 (Ga. L. 1937, p. 1336), as amended, particularly by an Act approved April 25, 2002 (Ga. L. 2002, p. 4557), so as to reapportion the commissioner districts; to define certain terms; to provide for members currently serving; to provide for legislative intent; to provide for the submission of this Act for preclearance under Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for related matters; to provide effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 759. By Representatives Lane of the 167th, Atwood of the 179th and Spencer of the 180th:

A BILL to be entitled an Act to amend an Act providing for the Board of Education of Glynn County, approved February 21, 1873 (Ga. L. 1873, p. 256), as amended, particularly by an Act approved May 30, 2003 (Ga. L. 2003, p. 3697), so as to provide for the descriptions of the education districts; to provide for definitions and inclusions; to provide for continuation in office of the current members; to provide for the manner of election of members and for filling of vacancies; to provide for related matters; to provide for submission of this Act for approval under the federal Voting Rights Act of 1965, as amended; to provide effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 760. By Representatives Coleman of the 97th, England of the 108th, Dickson of the 6th, Kaiser of the 59th, Abrams of the 84th and others:

A BILL to be entitled an Act to amend Part 10 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to capital outlay funds for elementary and secondary education, so as to replace the

exceptional growth program with an expansion of the maximum entitlement level for regular capital outlay earnings; to increase requirements relating to the advance funding program; to eliminate requirements for a nonbinding referendum for a school closure; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

HB 761. By Representatives Parsons of the 42nd, Wilkinson of the 52nd, Dollar of the 45th and Harbin of the 118th:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from state sales and use tax, so as to add an exemption with respect to the sale or use by a government contractor of overhead materials for a limited period of time; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 762. By Representatives England of the 108th, Benton of the 31st, Harden of the 28th and McCall of the 30th:

A BILL to be entitled an Act to amend Code Section 15-6-2 of the Official Code of Georgia Annotated, relating to the number of superior court judges for each judicial circuit, so as to create a new superior court judgeship for the Piedmont Judicial Circuit; to provide for the initial appointment, election, and term of office of such judge; to provide for the qualifications and for the compensation, salary, and expense allowance of such judge to be paid by the State of Georgia and the counties comprising the judicial circuit; to declare inherent authority; to provide effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 763. By Representatives Atwood of the 179th, Pak of the 102nd, Willard of the 49th, Ramsey of the 72nd and Maddox of the 127th:

A BILL to be entitled an Act to amend Chapter 12 of Title 15 of the Official Code of Georgia Annotated, relating to juries, so as to clarify that certain persons shall be ineligible to serve as trial or grand jurors; to provide for the use of jurors summoned prior to the compilation of county master jury lists;

to revise provisions relating to the qualifications of grand jurors; to provide for related matters; to repeal conflicting laws; to provide for an effective date; and for other purposes.

Referred to the Committee on Judiciary.

HB 764. By Representative Lane of the 167th:

A BILL to be entitled an Act to amend an Act creating the Board of Education of McIntosh County, approved March 14, 1980 (Ga. L. 1980, p. 3112), as amended, particularly by an Act approved May 17, 2004 (Ga. L. 2004, p. 3970), so as to change the description of the education districts; to provide for definitions and inclusions; to provide for the continuation in office of current members; to provide for manner of election; to provide for the submission of this Act under Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for automatic repeal under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 765. By Representative Lane of the 167th:

A BILL to be entitled an Act to amend an Act creating the Board of Commissioners of McIntosh County, approved February 26, 1876 (Ga. L. 1876, p. 283), as amended, particularly by an Act approved May 1, 2002 (Ga. L. 2002, p. 5207), so as to change the description of the commissioner districts; to provide for definitions and inclusions; to provide for continuation in office of current members; to provide for submission of this Act for approval under Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 766. By Representatives Benton of the 31st, England of the 108th, Burns of the 157th, Meadows of the 5th, Ramsey of the 72nd and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 13 of Title 45 of the Official Code of Georgia Annotated, relating to the Division of Archives and History, so as to revise the provisions of law regarding Foundations of American Law and Government displays; to extend the locations in which

such displays may appear; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

HB 767. By Representatives Parrish of the 156th, Hatchett of the 143rd and Jackson of the 142nd:

A BILL to be entitled an Act to amend an Act providing for reapportionment or redistricting of the districts from and by which members of the board of education of Johnson County are elected, approved March 1, 2004 (Ga. L. 2004, p. 3506), as amended, particularly by an Act approved May 11, 2009 (Ga. L. 2009, p. 4225), so as to describe new election districts; to provide for submission of this Act for preclearance under the federal Voting Rights Act of 1965, as amended; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 768. By Representatives Parrish of the 156th, Hatchett of the 143rd and Jackson of the 142nd:

A BILL to be entitled an Act to amend an Act relating to the board of commissioners of Johnson County, approved March 27, 1941 (Ga. L. 1941, p. 887), as amended, particularly by an Act approved May 11, 2009 (Ga. L. 2009, p. 4229), so as to provide for commissioner districts from and by which members of the board of commissioners are elected; to provide for submission of this Act for preclearance under the federal Voting Rights Act of 1965, as amended; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 769. By Representatives Geisinger of the 48th, Willard of the 49th, Oliver of the 83rd, Lindsey of the 54th, Cooper of the 41st and others:

A BILL to be entitled an Act to amend Chapter 10 of Title 46 of the Official Code of Georgia Annotated, relating to the consumers' utility counsel division, so as to provide that, until such time as the division is appropriately funded, it shall not be necessary to file copies of filings with the Public Service Commission with the division; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Energy, Utilities & Telecommunications.

HB 770. By Representatives Smith of the 129th, Smith of the 131st and Buckner of the 130th:

A BILL to be entitled an Act to amend an Act reconstituting the Board of Education of Harris County, approved January 15, 1993 (Ga. L. 1993, p. 3538), as amended, so as to change the description of the education districts; to provide for definitions and inclusions; to provide for the continuation in office of the current members; to provide for the election and terms of office of subsequent members; to provide for related matters; to provide for submission of this Act under Section 5 of the federal Voting Rights Act of 1965, as amended; to repeal a specific local Act; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 771. By Representatives Smith of the 129th, Smith of the 131st and Buckner of the 130th:

A BILL to be entitled an Act to amend an Act relating to the Board of Commissioners of Harris County, approved March 17, 1869 (Ga. L. 1869, p. 170), as amended, particularly by an Act approved April 11, 2002 (Ga. L. 2002, p. 3888), so as to change the description of the commissioner districts; to provide definitions and inclusions; to provide for the continuation in office of current members; to provide for submission of this Act under Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 772. By Representatives Holt of the 112th, Welch of the 110th and Dickerson of the 95th:

A BILL to be entitled an Act to amend an Act creating a board of commissioners of Newton County, approved April 6, 1967 (Ga. L. 1967, p. 2784), as amended, particularly by an Act approved June 3, 2003 (Ga. L. 2003, p. 4004), so as to reconstitute the board of commissioners; to change the description of the commissioner districts; to provide for definitions and inclusions; to provide for continuation in office of current members; to provide for election and terms of office of subsequent members; to provide for submission of this Act for approval under Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 773. By Representatives Holt of the 112th, Welch of the 110th and Dickerson of the 95th:

A BILL to be entitled an Act to amend an Act relating to the Board of Education of Newton County, approved March 31, 1967 (Ga. L. 1967, p. 2405), as amended, particularly by an Act approved May 30, 2003 (Ga. L. 2003, p. 3778), so as to reconstitute the board of education; to change the description of the education districts; to provide for definitions and inclusions; to provide for continuation in office of current members; to provide for election and terms of office of subsequent members; to provide for submission of this Act for approval under Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 774. By Representatives Holt of the 112th and Williams of the 113th:

A BILL to be entitled an Act to amend an Act creating the Board of Commissioners of Morgan County, approved March 25, 1935 (Ga. L. 1935, p. 738), as amended, particularly by an Act approved April 2, 2002 (Ga. L. 2002, p. 3748), so as to change the description of the commissioner districts; to provide for definitions and inclusions; to provide for continuation in office of current members and election of subsequent members; to provide for submission of this Act for approval under Section 5 of the federal Voting Rights Act of 1965, as amended; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 775. By Representatives Holt of the 112th and Williams of the 113th:

A BILL to be entitled an Act to amend an Act providing for the election of members of the Board of Education of Morgan County, approved March 28, 1985 (Ga. L. 1985, p. 4643), as amended, particularly by an Act approved April 4, 2002 (Ga. L. 2002, p. 3741), so as to change the composition and description of the education districts from which members of the board of education are elected; to provide for definitions and inclusions; to provide for continuation in office of current members and election of subsequent members; to provide for submission of this Act for approval under Section 5 of the federal Voting Rights Act of 1965, as amended; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 776. By Representatives Sims of the 119th, Harbin of the 118th, Maxwell of the 17th and Ramsey of the 72nd:

A BILL to be entitled an Act to amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and elections, so as to provide that nonpartisan elections for members of consolidated governments shall be considered county elections and not municipal elections; to provide for legislative intent; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

HB 777. By Representative Hanner of the 148th:

A BILL to be entitled an Act to amend an Act creating a Board of Commissioners of Terrell County, approved February 28, 1966 (Ga. L. 1966, p. 2610), as amended, particularly by an Act approved April 8, 2002 (Ga. L. 2002, p. 3782), so as to change the description of the commissioner districts; to define certain terms and provide for certain inclusions; to provide for continuation in office of current members; to provide for the submission of this Act for preclearance under Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for related matters; to provide effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 778. By Representatives Hanner of the 148th and Neal of the 1st:

A BILL to be entitled an Act to amend Code Section 42-5-60, relating to hiring out of inmates, participation of inmates in programs of volunteer service, sale of products produced by inmates, disposition of proceeds, and payment to inmates for services, so as to clarify provisions relating to inmates performing services for municipalities, counties, and other political subdivisions; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Institutions & Property.

HB 779. By Representatives Harden of the 147th and Pruett of the 144th:

A BILL to be entitled an Act to amend an Act providing for the Board of Education of Pulaski County and consolidating and restating the laws relative thereto, approved April 4, 1991 (Ga. L. 1991, p. 4175), as amended,

particularly by an Act approved April 23, 2002 (Ga. L. 2002, p. 4102), so as to change the description of the education districts; to provide for definitions and inclusions; to provide for continuation in office of current members; to provide for election and terms of office of members; to provide for submission of this Act for approval under the federal Voting Rights Act of 1965, as amended; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 780. By Representatives Kendrick of the 94th, Beverly of the 139th, Williams of the 89th and Beasley-Teague of the 65th:

A BILL to be entitled an Act to amend Chapter 1 of Title 34 of the Official Code of Georgia Annotated, relating to general provisions relative to labor and industrial relations, so as to provide that it shall be unlawful for an employer to fail or refuse to hire, bar, discharge from employment, or otherwise discriminate against an individual because of the individual's credit history or credit report; to provide for exceptions; to provide a penalty; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Industrial Relations.

HB 781. By Representatives Kendrick of the 94th, Stephenson of the 92nd, Mitchell of the 88th, Beverly of the 139th, Holcomb of the 82nd and others:

A BILL to be entitled an Act to amend Article 7 of Chapter 14 of Title 44 of the Official Code of Georgia Annotated, relating to foreclosure, so as to provide that after December 31, 2012, any document or instrument made for the purpose of securing the payment of money for real property shall be deemed to be a mortgage; to provide that a court shall not enter a deficiency decree; to provide that no law suit to recover deficiency shall be maintained; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 782. By Representatives Kendrick of the 94th, Beverly of the 139th, Long of the 61st, Cooper of the 41st, Jacobs of the 80th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 11 of Title 4 of the Official Code of Georgia Annotated, relating to animal protection generally, so as to require animal shelters that euthanize animals to maintain

a registry of animal rescue groups willing to accept animals subject to euthanasia; to provide a short title; to provide a definition; to provide eligibility criteria for rescue groups; to provide for information to be included in the registry; to prohibit animal shelters from euthanizing an animal without affording rescue groups the opportunity to take possession of the animal; to provide for exceptions; to authorize animal shelters to impose a fee for surrendering animals; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Agriculture & Consumer Affairs.

HB 783. By Representative Hatchett of the 143rd:

A BILL to be entitled an Act to amend an Act creating the Board of Commissioners of Laurens County, approved December 1, 1893 (Ga. L. 1893, p. 362), as amended, particularly by an Act approved April 11, 2002 (Ga. L. 2002, p. 3905), so as to change the description of the commissioner districts for the election of members of the board of commissioners; to provide for definitions and inclusions; to provide for continuation in office of current members; to provide for submission of this Act for approval under the federal Voting Rights Act of 1965, as amended; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 784. By Representatives Maxwell of the 17th and Cooke of the 18th:

A BILL to be entitled an Act to amend an Act relating to the board of education of Haralson County, approved April 12, 1982 (Ga. L. 1982, p. 4523), as amended, particularly by an Act approved April 25, 2002 (Ga. L. 2002, p. 4415), so as to change the description of the education districts; to provide for definitions and inclusions; to provide for continuation in office for current members; to provide for submission of this Act for preclearance under Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 785. By Representatives Peake of the 137th, Watson of the 163rd, Sheldon of the 105th, Maxwell of the 17th, Cooper of the 41st and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to provide

for limitations on licensure requirements for certain health care providers; to prohibit the conditioning of certain licensing for health care providers on the participation in health insurance plans and other activities; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance.

HB 786. By Representatives Hembree of the 67th and Geisinger of the 48th:

A BILL to be entitled an Act to amend Chapter 57 of Title 33 of the Official Code of Georgia Annotated, relating to the consumers' insurance advocate, so as to provide that, until such time as the consumers' insurance advocate is appropriately funded, it shall not be necessary to file copies of insurance rate filings with the consumers' insurance advocate; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance.

HB 787. By Representatives Setzler of the 35th, Dempsey of the 13th and Houston of the 170th:

A BILL to be entitled an Act to amend Chapter 1 of Title 37 of the Official Code of Georgia Annotated, relating to governing and regulation of mental health, so as to provide that any changes by the Department of Behavioral Health and Developmental Disabilities to allocation rates or formulas for providers must have legislative ratification; to provide that provider contracts include certain requirements; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Appropriations.

HR 1141. By Representative Holmes of the 125th:

A RESOLUTION dedicating State Route 22 in the City of Gray from the eastern city limit to its intersection with State Route 11 as the Herman E. Black Memorial Highway; and for other purposes.

Referred to the Committee on Transportation.

HR 1142. By Representatives Spencer of the 180th, Lane of the 167th, Atwood of the 179th, Hatfield of the 177th, Nimmer of the 178th and others:

A RESOLUTION honoring the life and service of Sgt. Carlton "Dan" Jenkins and dedicating an interchange in his memory; and for other purposes

Referred to the Committee on Transportation.

HR 1150. By Representatives Coleman of the 97th, England of the 108th, Dickson of the 6th, Kaiser of the 59th, Abrams of the 84th and others:

A RESOLUTION proposing an amendment to the Constitution so as to provide that the sales and use tax for educational purposes shall only be distributed on the basis of full-time equivalent student counts when proceeds are distributed between a county school district and the independent school districts located in such county; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

Referred to the Committee on Ways & Means.

HR 1151. By Representatives Brockway of the 101st, Lindsey of the 54th, Sheldon of the 105th, Teasley of the 38th, Allison of the 8th and others:

A RESOLUTION creating the Joint Human Trafficking Study Commission; and for other purposes.

Referred to the Committee on Judiciary.

HR 1152. By Representative Holt of the 112th:

A RESOLUTION honoring the life of Mr. J. Dixon Hays and dedicating a road in his memory; and for other purposes.

Referred to the Committee on Transportation.

By unanimous consent, the following Bills and Resolution of the House were read the second time:

HB 743  
HB 745  
HB 747  
HR 1137

HB 744  
HB 746  
HB 748

The following Resolutions of the House, referred to the House Rules Subcommittee on Invites, were reported by the Committee on Rules with the following recommendations:

HR 1131 Do Pass  
HR 1143 Do Pass

The following report of the Committee on Rules was read and adopted:

HOUSE RULES CALENDAR  
TUESDAY, JANUARY 24, 2012

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 7th Legislative Day as enumerated below:

DEBATE CALENDAR

**Open Rule**

HB 295 Georgia State Employees Pension and Savings Plan; transfer of accrued benefit; provide (Ret-Maxwell-17th)  
HB 424 Superior Court Clerks' Retirement Fund; death benefit for members; provide (Ret-Weldon-3rd)

**Modified Open Rule**

HB 713 Quality Basic Education Act; career and college readiness initiatives; delay implementation (Ed-Nix-69th)

**Modified Structured Rule**

HB 683 Garnishment proceedings; filing of certain answers may be done by authorized officers or employees; provisions (Substitute)(Judy-Willard-49th)

**Structured Rule**

None

Bills and Resolutions on this calendar may be called in any order the Speaker desires.

Respectfully submitted,  
/s/ Meadows of the 5th  
Chairman

Pursuant to HR 1131, the House recognized and commended the 2011 Calhoun High School football team on their Class AA Championship and invited them to be recognized by the House of Representatives.

The following Resolution of the House was read and referred to the Committee on Rules:

HR 1153. By Representatives Ralston of the 7th, Amerson of the 9th, Collins of the 27th and Williams of the 4th:

A RESOLUTION honoring North Georgia College and State University and inviting its President Dr. Bonita C. Jacobs to be recognized by the House of Representatives; and for other purposes.

The following Resolutions of the House were read and adopted:

HR 1154. By Representatives Peake of the 137th, Randall of the 138th, Dickey of the 136th, Beverly of the 139th, Holmes of the 125th and others:

A RESOLUTION recognizing and commending Wesleyan College; and for other purposes.

HR 1155. By Representative Williamson of the 111th:

A RESOLUTION recognizing and commending Mr. James V. Burgess, Jr., of Social Circle, Walton County, Georgia, for his outstanding public service; and for other purposes.

HR 1156. By Representative Williamson of the 111th:

A RESOLUTION recognizing and commending Mrs. Anne Shepherd Peppers of Social Circle, Walton County, Georgia, for her extraordinary public service; and for other purposes.

HR 1157. By Representative Houston of the 170th:

A RESOLUTION celebrating the birth of Lillian "Lila" Teague Houston; and for other purposes.

The following member was recognized during the period of Morning Orders and addressed the House:

Representative Cheokas of the 134th.

Pursuant to HR 1143, the House recognized January 24, 2012, as Georgia Music Day at the capitol and invited Georgia Music Partners and the Recording Academy Atlanta Chapter to be recognized by the House of Representatives.

Pursuant to HR 1117, the House recognized January 24, 2012, as Tourism and Hospitality Day at the state capitol and commended the tourism industry of Georgia.

The following members were recognized during the period of Morning Orders and addressed the House:

Representatives Bruce of the 64th, Setzler of the 35th, Morgan of the 39th, Atwood of the 179th, Smith of the 168th, Kendrick of the 94th, Dickey of the 136th, Dunahoo of the 25th, Collins of the 27th, and Rogers of the 26th.

The following Resolutions of the House, favorably reported by the Committee on Rules, were read and adopted:

HR 1131. By Representative Meadows of the 5th:

A RESOLUTION recognizing and commending the 2011 Calhoun High School football team on their Class AA Championship and inviting them to be recognized by the House of Representatives; and for other purposes.

HR 1143. By Representatives Stephens of the 164th, Pruett of the 144th, Sims of the 119th, Channell of the 116th, Watson of the 163rd and others:

A RESOLUTION recognizing January 24, 2012, as Georgia Music Day at the capitol and inviting Georgia Music Partners and the Recording Academy Atlanta Chapter to be recognized by the House of Representatives; and for other purposes.

Under the general order of business, established by the Committee on Rules, the following Bill of the House was taken up for consideration and read the third time:

HB 713. By Representatives Nix of the 69th, Davis of the 109th, Carter of the 175th, Coleman of the 97th, Kaiser of the 59th and others:

A BILL to be entitled an Act to amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," so as to delay implementation of some career and college readiness initiatives until the 2013-2014 school year; to require career education in grades kindergarten through 12; to change the mandated

assessment for postsecondary readiness to the end of the eleventh grade; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

On the passage of the Bill, the roll call was ordered and the vote was as follows:

Abdul-Salaam	Y Davis	Y Heckstall	Y McBrayer	Y Shaw
Y Abrams	Y Dawkins-Haigler	Y Hembree	Y McCall	Y Sheldon
Y Allison	Y Dempsey	Y Henson	Y McKillip	Y Sims, B
Y Amerson	Y Dickerson	Y Hightower	Y Meadows	Y Sims, C
Y Anderson	Y Dickey	Y Hill	Y Mitchell	Y Smith, E
Y Ashe	Y Dickson	Y Holcomb	Y Morgan	Y Smith, K
Atwood	Y Dobbs	Y Holmes	Y Morris	Y Smith, L
Y Baker	Y Dollar	Y Holt	Mosby	Y Smith, R
Y Battles	Y Drenner	Y Horne	Y Murphy	Y Smith, T
Y Beasley-Teague	Y Dudgeon	Y Houston	Y Neal, J	Y Smyre
Y Bell	Y Dukes	Y Howard	Y Neal, Y	Spencer
Y Benfield	Y Dunahoo	Y Hudson	Y Nimmer	Y Stephens, M
Y Benton	Y Dutton	Y Hugley	Y Nix	Y Stephens, R
Y Beverly	Y Ehrhart	Y Jackson	Y Oliver	E Stephenson
Y Black	Y England	Y Jacobs	Y O'Neal	Y Talton
Y Braddock	Y Epps, C	Y James	Y Pak	Y Tankersley
Y Brockway	Epps, J	Y Jasperse	Y Parent	Y Taylor, D
Y Brooks	Y Evans	E Jerguson	Y Parrish	Y Taylor, R
Y Bruce	Y Floyd	Y Johnson	Y Parsons	Y Taylor, T
Y Bryant	Y Fludd	Y Jones, J	Y Peake	Y Teasley
Y Buckner	Y Frazier	Y Jones, S	Y Powell, A	Y Thomas
Y Burns	Fullerton	Y Jordan	Y Powell, J	VACANT
Y Byrd	Y Gardner	Y Kaiser	Y Pruett	VACANT
Y Carson	Y Geisinger	Y Kendrick	Y Purcell	Y Watson
Y Carter	Y Golick	Y Kidd	E Ramsey	Y Welch
Y Casas	Y Gordon	Y Knight	Y Randall	Y Weldon
Y Channell	Y Greene	Y Lane	Y Reece	Y Wilkerson
Y Cheokas	Y Hamilton	Y Lindsey	Y Rice	Y Wilkinson
Y Clark, J	Y Hanner	E Long	Y Riley	Y Willard
Y Clark, V	Y Harbin	Maddox, B	Y Roberts	Y Williams, A
Y Coleman	Y Harden, B	Y Maddox, G	Y Rogers, C	Y Williams, C
Y Collins	Y Harden, M	Y Manning	Y Rogers, T	Y Williams, E
E Cooke	Y Harrell	Y Marin	Y Rynders	Y Williams, R
Y Coomer	Y Hatchett	Y Martin	E Scott, M	Y Williamson
Y Cooper	N Hatfield	Y Maxwell	Y Scott, S	Y Yates
Y Crawford	Y Heard	Y Mayo	E Setzler	Ralston, Speaker

On the passage of the Bill, the ayes were 162, nays 1.

The Bill, having received the requisite constitutional majority, was passed.

Due to a mechanical malfunction, the vote of Representative Fullerton of the 151st was not recorded on the preceding roll call. She wished to be recorded as voting "aye" thereon.

Representatives Abdul-Salaam of the 74th, Atwood of the 179th and Spencer of the 180th stated that they had been called from the floor of the House during the preceding roll call. They wished to be recorded as voting "aye" thereon.

The following messages were received from the Senate through Mr. Ewing, the Secretary thereof:

Mr. Speaker:

The Senate has passed by the requisite constitutional majority the following bill of the House:

HB 572. By Representative Epps of the 140th:

A BILL to be entitled an Act to amend an Act providing for the election of members of the Board of Education of Twiggs County, approved March 26, 1982 (Ga. L. 1982, p. 3627), as amended, particularly by an Act approved March 24, 1994 (Ga. L. 1994, p. 4048), so as to change provisions relating to the compensation of members of the board; to provide an effective date; to repeal conflicting laws; and for other purposes.

Mr. Speaker:

The Senate has adopted by the requisite constitutional majority the following resolution of the House:

HR 1140. By Representative O'Neal of the 146th:

A RESOLUTION relative to adjournment; and for other purposes.

Under the general order of business, established by the Committee on Rules, the following Bills of the House were taken up for consideration and read the third time:

HB 683. By Representatives Willard of the 49th, Smith of the 131st, Welch of the 110th, McCall of the 30th and Dickey of the 136th:

A BILL to be entitled an Act to amend Chapter 4 of Title 18 of the Official Code of Georgia Annotated, relating to garnishment proceedings, so as to provide that the filing of certain answers on behalf of certain garnishees may

be done by authorized officers or employees and shall not constitute the practice of law; to provide for definitions; to provide that delivery to the court of money or property that is subject to garnishment may likewise be accomplished by certain officers or employees of an entity; to conform the terminology of the chapter to reflect defined terms; to change provisions relating to service of garnishment actions; to increase the amount of attorney's fees a garnishee may deduct from the sums paid into court; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED  
AN ACT

To amend Chapter 4 of Title 18 of the Official Code of Georgia Annotated, relating to garnishment proceedings, so as to provide that the filing of certain answers on behalf of certain garnishees may be done by authorized officers or employees and shall not constitute the practice of law; to provide for definitions; to provide that delivery to the court of money or property that is subject to garnishment may likewise be accomplished by certain officers or employees of an entity; to conform the terminology of the chapter to reflect defined terms; to change provisions relating to service of garnishment actions; to increase the amount of attorney's fees a garnishee may deduct from the sums paid into court; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Chapter 4 of Title 18 of the Official Code of Georgia Annotated, relating to garnishment proceedings, is amended by revising Code Section 18-4-1, relating to practice and procedure generally, as follows:

"18-4-1.

(a) As used in this chapter, the terms 'garnishee answer,' 'garnishee's answer,' or 'answer of garnishee' means the response filed by a garnishee responding to a summons of garnishment detailing the property, money, or other effects of the defendant that are in the possession of the garnishee or declaring that the garnishee holds no such property, money, or other effects of the defendant.

(b) The procedure in garnishment cases shall be uniform in all courts throughout this state; and, except as otherwise provided in this chapter, Chapter 11 of Title 9 shall apply in garnishment proceedings."

**SECTION 2.**

Said chapter is further amended by revising Code Section 18-4-3, relating to amendment of affidavits, bonds, or pleadings, as follows:

"18-4-3.

Unless otherwise provided in this chapter, any affidavit, bond, garnishee answer, or pleading required or permitted by this chapter shall be amendable at any time before judgment thereon."

**SECTION 3.**

Said chapter is further amended in Article 1, relating to general provisions, by adding a new Code section to read as follows:

"18-4-8.

(a) As used in this Code section, the term:

(1) 'Entity' means a public corporation or a corporation, limited liability company, partnership, limited partnership, professional corporation, firm, or other business entity other than a natural person.

(2) 'Public corporation' means the State of Georgia or any department, agency, branch of government, or State of Georgia political subdivision, as such term is defined in Code Section 50-15-1, or any public board, bureau, commission, or authority created by the General Assembly.

(b) When a garnishment proceeding is filed in a court under any provision of this chapter involving an entity as garnishee, the execution and filing of a garnishee answer may be done by an entity's authorized officer or employee and shall not constitute the practice of law. If a traverse or claim is filed to such entity's garnishee answer in a court of record, an attorney shall be required to represent such entity in further garnishment proceedings.

(c) An entity's payment into court of any property, money, or other effects of the defendant, or property or money which is admitted to be subject to garnishment, may be done by an entity's authorized officer or employee and shall not constitute the practice of law."

**SECTION 4.**

Said chapter is further amended by revising paragraphs (1) and (2) of subsection (i) of Code Section 18-4-20, relating to property subject to garnishment generally, as follows:

"(1) The name of the defendant, and, to the extent such would reasonably enable the garnishee to ~~answer~~ properly respond to the summons, all known configurations, nicknames, aliases, former or maiden names, trade names, or variations thereof;

(2) The service address and the current addresses of the defendant and, to the extent such would reasonably enable the garnishee to ~~answer~~ properly respond to the summons of garnishment and such is reasonably available to the plaintiff, the past addresses of the defendant;"

**SECTION 5.**

Said chapter is further amended by revising subsection (a) of Code Section 18-4-21, relating to the garnishment of salaries of officials and employees of the state and its political subdivisions, as follows:

"(a) Money due officials or employees of a municipal corporation or county of this state or of the state government, or any department or institution thereof, as salary for services performed for or on behalf of the municipal corporation or county of this state, or the state, or any department or institution thereof, shall be subject to garnishment, except in no event may the officials' or employees' salary for services performed for or on behalf of any municipal corporation or county of this state, or the state, or any department or institution thereof, be garnished where the judgment serving as a basis for the issuance of the summons of garnishment arises out of the liability incurred in the scope of the officials' or employees' governmental employment while responding to an emergency. In such cases, the summons shall be directed to such political entity and served upon the person authorized by law to draw the warrant on the treasury of the government or to issue a check for such salary due, or upon the chief administrative officer of the political subdivision, department, agency, or instrumentality; and such entity ~~is required to answer~~ shall be required to respond to the summons in accordance with the mandate thereof and as provided by this chapter."

**SECTION 6.**

Said chapter is further amended by revising Code Section 18-4-23, relating to the manner of service of summons of garnishment on corporations, as follows:

"18-4-23.

The method of service ~~Service~~ of a summons of garnishment shall be ~~made by serving the agent in charge of the office or other place of business where the defendant is employed. In the event that such service cannot be made, then service of a summons of garnishment upon the agent in charge of either the registered office or the principal place of business of a corporation shall be sufficient~~ as provided in Code Section 9-11-4."

**SECTION 7.**

Said chapter is further amended by revising Code Section 18-4-62, relating to the contents and service of the summons of garnishment and requirements for filing of an answer to the summons of garnishment, as follows:

"18-4-62.

(a) The summons of garnishment shall be directed to the garnishee, commanding ~~him~~ to file an answer ~~the garnishee to respond~~ stating what money or other property is subject to garnishment. Except as provided in subsection (b) or (c) of this Code section, the garnishee's answer ~~must~~ shall be filed with the court issuing the summons not sooner than 30 days and not later than 45 days after the service of the summons and ~~must~~ shall be accompanied by the money or other property subject to garnishment. Upon the affidavit and summons being delivered to the sheriff, marshal, constable, or

like officer of the court issuing the summons, it shall be his or her duty to serve the summons of garnishment, as set forth in Code Section 18-4-23, upon the person to whom it is directed and to make ~~his~~ an entry of service upon the affidavit and return the affidavit to the court. The summons of garnishment shall state that, if the garnishee fails to file a garnishee's answer to the summons, a judgment by default will be entered against the garnishee for the amount claimed by plaintiff against the defendant.

(b) Under circumstances where the defendant has been an employee of the garnishee, and if the defendant is no longer employed by the garnishee, and if the garnishee has no money or property of the defendant subject to garnishment, the garnishee may immediately file ~~an~~ the garnishee's answer; provided, however, that such garnishee's answer shall be filed not later than 45 days after the service of the summons.

(c) If the garnishee is a bank or other financial institution and if the defendant does not have an active account with, and is not the owner of any money or property in the possession of, the bank or financial institution, then the garnishee may immediately file ~~an~~ a garnishee's answer; provided, however, that such garnishee's answer shall be filed not later than 45 days after the service of the summons."

**SECTION 8.**

Said chapter is further amended by revising paragraphs (2), (4), and (6) of Code Section 18-4-66, relating to forms for postjudgment garnishment, as follows:

"(2) Summons of garnishment.

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA

_____	)	
Plaintiff	)	
	)	
v.	)	Civil action
	)	File no. _____
	)	
_____	)	
Defendant	)	
Social security	)	
number	)	
	)	
_____	)	
Garnishee	)	
	)	
_____	)	
Address	)	

SUMMONS OF GARNISHMENT

To: \_\_\_\_\_ Garnishee  
 Amount claimed due by plaintiff \$ \_\_\_\_\_  
 (To be completed by plaintiff)  
 Plus court costs due on the summons \$ \_\_\_\_\_  
 (To be completed by the clerk)

YOU ARE HEREBY COMMANDED to hold immediately all property, money, wages, except what is exempt, belonging to the defendant, or debts owed to the defendant named above at the time of service of this summons and between the time of service of this summons and the time of making your garnishee answer. Not sooner than 30 days but not later than 45 days after you are served with this summons, you are commanded to file your garnishee answer in writing with the clerk of this court and serve a copy upon the plaintiff or ~~his~~ the plaintiff's attorney named below. Money or other property subject to this summons should be delivered to the court with your garnishee answer. Should you fail to ~~answer~~ file a garnishee answer to this summons, a judgment will be rendered against you for the amount the plaintiff claims due by the defendant.

Witness the Honorable \_\_\_\_\_, Judge of said Court.  
 This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_  
 Clerk,  
 \_\_\_\_\_ Court of \_\_\_\_\_ County

\_\_\_\_\_  
 Plaintiff's attorney  
 \_\_\_\_\_  
 Address  
 Service perfected on garnishee, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_  
 Deputy marshal, sheriff,  
 or constable"

"(4) Answer of garnishee.

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY  
 STATE OF GEORGIA

\_\_\_\_\_  
 Plaintiff )  
 )  
 )  
 v. ) Civil action

\_\_\_\_\_ ) File no. \_\_\_\_  
 Defendant )  
 )  
 )  
 )  
 )  
 )  
 Garnishee )

ANSWER OF GARNISHEE

1.

At the time of service or from the time of service to the time of this garnishee answer, garnishee had in ~~his~~ its possession the following described property of the defendant:

\_\_\_\_\_  
\_\_\_\_\_

2.

At the time of service or from the time of service to the time of this garnishee answer, all debt accruing from garnishee to defendant is in the amount of \$\_\_\_\_\_.

3.

\$\_\_\_\_\_ of the amount named in paragraph 2 was wages earned at the rate of \$\_\_\_\_\_ per \_\_\_\_\_ for the period beginning \_\_\_\_\_ (date) \_\_\_\_\_, \_\_\_\_\_, through the time of making this garnishee answer. The amount of wages which is subject to this garnishment is computed as follows:

- \$ \_\_\_\_\_ Gross earnings
- \$ \_\_\_\_\_ Total social security and withholding tax
- \$ \_\_\_\_\_ Total disposable earnings
- \$ \_\_\_\_\_ Amount of wages subject to garnishment

4.

Garnishee further states: \_\_\_\_\_.

\_\_\_\_\_  
 Garnishee, ~~or his~~  
 attorney at law  
garnishee's attorney, or officer or  
employee of an entity garnishee

(CERTIFICATE OF SERVICE)"

"(6) Release of garnishment.

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA

\_\_\_\_\_ )  
 Plaintiff )

	)	
v.	)	Civil action
	)	File no. ____
_____	)	
Defendant	)	
	)	
_____	)	
Garnishee	)	
	)	
_____	)	
Address	)	

RELEASE OF GARNISHMENT

To: \_\_\_\_\_ Garnishee

This is to notify you that you have been released from filing ~~an~~ a garnishee answer to any and all summons of garnishment pending as of this date in the above-styled case.

This release authorizes you to deliver to the defendant in garnishment any money or other property in your possession belonging to the defendant.

This release does not terminate the garnishment proceedings, nor does this release relieve you of any obligation placed on you by the service of a summons of garnishment subsequent to this date.

This \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_  
 Clerk,  
 \_\_\_\_ Court of \_\_\_\_ County"

SECTION 9.

Said chapter is further amended by revising Code Sections 18-4-80 through 18-4-85, relating to the effect of release of the summons of garnishment on the garnishee, effect of defendant traverse on garnishee, contents of answer of garnishee, service of answer of garnishee on plaintiff or attorney, delivery to court of property admitted to be subject to garnishment, and traverse of answer of garnishee by plaintiff, respectively, as follows:

"18-4-80.

A release of summons of garnishment shall relieve the garnishee from any obligation to file ~~an~~ a garnishee answer to any summons of garnishment pending on the date of the release and shall authorize the garnishee to deliver to the defendant in garnishment any money or other property in the garnishee's possession belonging to the defendant. A release shall not operate as a dismissal of the garnishment proceedings.

18-4-81.

When the defendant files his or her traverse, the garnishee is not relieved of filing ~~an~~ a garnishee answer, nor is the garnishee relieved of delivering the money or other property of the defendant which is subject to the garnishment to the court, unless the defendant files in the clerk's office of the court where the garnishment is pending a bond with good security, in favor of the plaintiff, conditioned for the payment of any judgment that may be entered in the proceeding. The bond shall be subject to approval by the clerk of the court; and, upon receipt of a bond deemed acceptable by the clerk, it shall be ~~his~~ the clerk's duty to issue a release of any summons of garnishment pending in the garnishment proceeding. If the plaintiff shall prevail in the proceeding, ~~he~~ the plaintiff shall be entitled to entry of judgment upon such bond against the principal and securities therein, as judgment may be entered against securities upon appeal. ~~Where~~ If the defendant files a bond, no further garnishment process may be filed in any court by the plaintiff against the defendant until the issues raised by the defendant's pleadings are decided.

18-4-82.

Within the time prescribed by Code Section 18-4-62, the garnishee shall file ~~his~~ a garnishee answer describing what money or other property is subject to garnishment under Code Section 18-4-20. If the garnishee owes the defendant any sum for wages, the garnishee answer shall also state specifically when the wages were earned by defendant and whether they were earned as daily, weekly, or monthly wages. If the garnishee has been served with summons in more than one garnishment case involving the same defendant, the garnishee shall state in each garnishee answer that the money or other property is being delivered to the court subject to the claims of all the cases and shall give the numbers of all such cases in each garnishee answer. If the garnishee ~~shall~~ is unable to ~~answer~~ respond as provided for in this Code section, ~~his~~ the garnishee's inability shall appear in ~~his~~ the garnishee's answer, together with all the facts plainly, fully, and distinctly set forth, so as to enable the court to give judgment thereon.

18-4-83.

All garnishee answers ~~by the garnishee~~ shall, concurrently with filing, be served upon the plaintiff or ~~his~~ the plaintiff's attorney. Service may be shown by the written acknowledgment of the plaintiff or ~~his~~ the plaintiff's attorney, or by the certificate of the garnishee or ~~his~~ the garnishee's attorney, attached to the garnishee's answer, that a copy of the garnishee's answer was mailed to the plaintiff or ~~his~~ the plaintiff's attorney; provided, however, that no service shall be required unless the name and address of the plaintiff or ~~his~~ the plaintiff's attorney shall appear on the face of the summons of garnishment; provided, further, that, if the garnishee fails to serve the plaintiff, the plaintiff shall be allowed 15 days from the time the plaintiff receives actual notice of the garnishee's answer to traverse the same.

18-4-84.

Along with the garnishee's answer, the garnishee shall deliver to the court the money or other property admitted in the garnishee's answer to be subject to garnishment. If in ~~answering~~ responding to the summons of garnishment, as provided in Code Section 18-4-82, the garnishee shall state that the property of the defendant includes property in a safe-deposit box or similar property, the garnishee shall ~~answer~~ respond to the court issuing the summons of garnishment as to the existence of such safe-deposit box and shall hold any contents of such safe-deposit box until the earlier of:

- (1) Further order of said court either releasing the garnishment or specifically requiring the garnishee to open such safe-deposit box and deliver any contents thereof to said court upon conditions prescribed by said court; or
- (2) The elapsing of 120 days from the date of filing of the garnishee answer to the summons of garnishment unless such time has been extended by the court.

18-4-85.

If the ~~garnishee serves his~~ garnishee's answer is served on the plaintiff as provided for in Code Section 18-4-83, the plaintiff or claimant ~~must~~ shall traverse the garnishee's answer within 15 days after it is served, or the garnishee ~~is~~ shall be automatically discharged from further liability with respect to the summons so answered."

#### **SECTION 10.**

Said chapter is further amended by revising Code Sections 18-4-90 through 18-4-92, relating to entry of default judgment upon the failure of garnishee to file an answer to the summons, relief of garnishment from default judgment, and the effect of garnishee's failure to respond properly to a summons of garnishment, respectively, as follows:

"18-4-90.

In case the garnishee fails or refuses to file ~~an~~ a garnishee answer by the forty-fifth day after service of the summons, the garnishee shall automatically be in default. The default may be opened as a matter of right by the filing of ~~an~~ a garnishee answer within 15 days of the day of default and payment of costs. If the case is still in default after the expiration of the period of 15 days, judgment by default may be entered at any time thereafter against the garnishee for the amount claimed to be due on the judgment obtained against the defendant.

18-4-91.

When a judgment is rendered against a garnishee under Code Section 18-4-90, on a motion filed not later than 60 days from the date the garnishee receives actual notice of the entry of the judgment against ~~him, he may,~~ the garnishee, the garnishee may, upon payment of all accrued costs of court, have the judgment modified so that the amount of the judgment shall be reduced to an amount equal to the greater of \$50.00 or \$50.00 plus 100 percent of the amount by which the garnishee was indebted to the defendant from the time of service of the summons of garnishment through and including the last day on which a timely garnishee answer could have been made for all money, other

property, or effects belonging to the defendant which came into the garnishee's hands from the time of service of the summons through and including the last day on which a timely answer could have been made and, in the case of garnishment of wages, less any exemption allowed the defendant by law. Notice to the garnishee by certified mail or statutory overnight delivery shall be sufficient notice as required in this Code section. On the trial of the motion, the burden of proof shall be upon any plaintiff who objects to the timeliness of the motion to establish that the motion was not filed within the time provided for by this Code section.

18-4-92.

On the trial of the plaintiff's traverse, if the court finds the garnishee has failed to ~~answer~~ respond properly to the summons of garnishment, the court shall disallow any expenses claimed by the garnishee and enter a judgment for any money or other property delivered to the court with the garnishee's answer, plus any money or other property the court finds subject to garnishment which the garnishee has failed to deliver to the court; provided, however, that the total amount of such judgment shall in no event exceed the amount claimed due by the plaintiff, together with the costs of the garnishment proceeding."

#### SECTION 11.

Said chapter is further amended by revising subsection (a) of Code Section 18-4-92.1, relating to relief of garnishee from liability, as follows:

"(a) A garnishee may be relieved from liability for failure to file a garnishee answer properly to the summons of garnishment if the plaintiff failed to provide the information required by subsection (i) of Code Section 18-4-20 that would reasonably enable the garnishee to ~~answer~~ respond properly to the summons of garnishment and a good faith effort to locate the requested property was made by the garnishee based on the information provided by the plaintiff. In determining whether a garnishee may be relieved of liability imposed by Code Section 18-4-92, the court shall consider and compare the accuracy and quantity of the information supplied by the plaintiff pursuant to subsection (i) of Code Section 18-4-20 with the manner in which the garnishee maintains and locates its records, the compliance by the garnishee with its own procedures, and the conformity of the record systems and procedures with reasonable commercial standards prevailing in the area in which the garnishee is located."

#### SECTION 12.

Said chapter is further amended by revising subsections (a) and (b) of Code Section 18-4-97, relating to the right of garnishee to actual reasonable expenses in making a true answer of garnishment, as follows:

"(a) The garnishee shall be entitled to ~~his~~ the garnishee's actual reasonable expenses, including attorney's fees, in ~~making a true answer~~ preparing and filing a garnishee's answer to a summons of garnishment. The amount so incurred shall be taxed in the bill of costs and shall be paid by the party upon whom the cost is cast, as costs are cast in

other cases. The garnishee may deduct ~~\$25.00~~ \$50.00 or 10 percent of the amount paid into court, whichever is greater, not to exceed ~~\$50.00~~ \$100.00, as reasonable attorney's fees or expenses.

(b) If the garnishee can show that ~~his~~ the garnishee's actual attorney's fees or expenses exceed the amount provided for in subsection (a) of this Code section, ~~he must the~~ garnishee shall petition the court for a hearing at the time of ~~making his~~ filing the garnishee's answer without deducting from the amount paid into court. Upon hearing from the parties, the court may enter an order for payment of actual attorney's fees or expenses proven by the garnishee to have been incurred reasonably in ~~making his~~ preparing and filing the garnishee's answer."

### SECTION 13.

Said chapter is further amended by revising Code Section 18-4-110, relating to the right of the plaintiff who has obtained a money judgment to process of continuing garnishment, as follows:

"18-4-110.

In addition to garnishment proceedings otherwise available under this chapter, in cases where a money judgment ~~shall have~~ has been obtained in a court of this state or a federal court sitting in this state, the plaintiff shall be entitled to the process of continuing garnishment against any garnishee who is an employer of the defendant against whom the judgment has been obtained. Unless otherwise specifically provided in this article, the methods, practices, and procedures for continuing garnishment shall be the same as for any other garnishment as provided in this chapter, including, but not limited to, those proceedings after a garnishee's answer as provided in Code Section 18-4-89."

### SECTION 14.

Said chapter is further amended by revising subsection (c) of Code Section 18-4-112, relating to filing and contents of affidavit for continuing garnishment, as follows:

"(c) The plaintiff, using either forms provided by the court or forms prepared by ~~himself~~ the plaintiff, shall cause forms sufficient for seven garnishee answers to a summons of continuing garnishment to be served on the garnishee along with the summons."

### SECTION 15.

Said chapter is further amended by revising Code Sections 18-4-113 through 18-4-117, relating to the contents of the summons of continuing garnishment, traverse of answer of garnishee by plaintiff, entry of default judgment against garnishee, effect of and proceedings upon filing of traverse by defendant, and the effect of termination of the employment relationship between garnishee and defendant, respectively, as follows:

"18-4-113.

(a) The summons of continuing garnishment shall be directed to the garnishee, who shall be required:

(1) To file a first garnishee answer no later than 45 days after service of summons of continuing garnishment, which garnishee answer shall state what property, money, or other effects of the defendant are subject to continuing garnishment from the time of service through and including the day of the first garnishee answer;

(2) To file further garnishee answers for the remaining period covered by the summons of continuing garnishment. Further garnishee answers shall be filed no later than 45 days after the previous garnishee answer date. Further garnishee answers shall state what property, money, or other effects of the defendant are subject to continuing garnishment from the previous garnishee answer date through and including the date on which that next garnishee answer is filed. No subsequent garnishee answers shall be required on a summons of continuing garnishment if the last garnishee answer filed states what property, money, or other effects of the defendant are subject to continuing garnishment from the previous garnishee answer date to and including the one hundred seventy-ninth day after service of summons of continuing garnishment. The last garnishee answer shall be filed, notwithstanding the other provisions of this paragraph, no later than the one hundred ninety-fifth day after service. For purposes of this paragraph, 'previous garnishee answer date' means the date upon which the immediately preceding garnishee answer to the summons of continuing garnishment was filed as provided in this subsection; and

(3) To accompany all such garnishee answers with any property, money, or other effects of the defendant admitted in the garnishee answer to be subject to continuing garnishment.

(b) The summons of continuing garnishment shall state the requirements of subsection (a) of this Code section and shall inform the garnishee that failure to comply with such requirements may result in a judgment against the garnishee for the entire amount claimed due on the judgment against the defendant.

18-4-114.

If the ~~garnishee serves his answer~~ garnishee's answer is served on the plaintiff as provided in Code Section 18-4-83, the plaintiff ~~must~~ shall traverse the garnishee answer within 15 days after it is served, or the garnishee ~~is~~ shall be automatically discharged from further liability with respect to ~~such answer~~ the summons so answered.

18-4-115.

(a) If the garnishee fails or refuses to file ~~an~~ a garnishee answer at least once every 45 days, the garnishee shall automatically become in default. The default may be opened as a matter of right by the filing of the required garnishee answer within 15 days after the day of default upon payment of costs. If the case is still in default after the expiration of such period of 15 days, judgment by default may be entered at any time thereafter against garnishee for the amount claimed to be due on the judgment obtained against the defendant.

(b) The garnishee may obtain relief from default judgment entered as provided in subsection (a) of this Code section upon the same conditions as provided in Code Section 18-4-91.

18-4-116.

(a) In a continuing garnishment proceeding, upon the filing of a traverse by defendant pursuant to Code Section 18-4-93, no further summons of garnishment may issue nor may any money delivered to the court as subject to garnishment be disbursed until the hearing is held upon defendant's traverse. The filing of a traverse by the defendant does not relieve the garnishee of the duties of filing ~~an~~ a garnishee answer, of withholding property, money, or other effects subject to continuing garnishment, or of delivering to the court any property, money, or other effects subject to continuing garnishment.

(b) Nothing in this Code section shall affect the right of the defendant to file bond under this chapter.

18-4-117.

Notwithstanding the requirements of Code Section 18-4-113, if the employment relationship between the garnishee and the defendant does not exist at the time of the service of summons of continuing garnishment or terminates during the continuing garnishment, in any garnishee answer required by this article, the garnishee may state that the employment relationship between the garnishee and defendant does not exist or has been terminated, giving the date of termination if terminated on or after service of this summons of continuing garnishment. If no traverse is filed within 15 days after the garnishee answer is served as provided in Code Section 18-4-83, the garnishee is shall be automatically discharged from further liability and obligation under Code Section 18-4-113 for that summons with respect to the period of continuing garnishment remaining after the employment relationship is terminated."

**SECTION 16.**

Said chapter is further amended by revising paragraphs (2) and (3) of Code Section 18-4-118, relating to forms for continuing garnishment, as follows:

"(2) Summons of continuing garnishment.

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA

_____	)	
Plaintiff	)	
	)	
v.	)	Civil action
	)	File no. _____
	)	
_____	)	
Defendant	)	

Social security )  
number )  
) )  
) )  
\_\_\_\_\_) )  
Garnishee )  
) )  
\_\_\_\_\_) )  
Address )

SUMMONS OF CONTINUING GARNISHMENT

To: \_\_\_\_\_ Garnishee  
Amount claimed due by plaintiff \$ \_\_\_\_\_  
(To be completed by plaintiff)  
Plus court costs due on this summons \$ \_\_\_\_\_  
(To be completed by clerk)

YOU ARE HEREBY COMMANDED to hold immediately all property, money, wages, except what is exempt, belonging to the defendant, or debts owed to the defendant named above at the time of service of this summons and between the time of service of this summons to and including the one hundred seventy-ninth day thereafter. Not later than 45 days after you are served with this summons, you are commanded to file your garnishee answer in writing with the clerk of this court and serve a copy upon the plaintiff or his attorney named below. This garnishee answer shall state what property, money, and wages, except what is exempt, belonging to the defendant, or debts owed to the defendant, you hold or owe at the time of service of this summons and between the time of such service and the time of making your first garnishee answer. Thereafter, you are required to file further garnishee answers no later than 45 days after your last garnishee answer. Every further garnishee answer shall state what property, money, and wages, except what is exempt, belonging to the defendant, or debts owed to the defendant, you hold or owe at and from the time of the last garnishee answer to the time of the current garnishee answer. The last garnishee answer required by this summons shall be filed no later than the one hundred ninety-fifth day after you receive this summons. Money or other property admitted in ~~an~~ a garnishee answer to be subject to continuing garnishment ~~must~~ shall be delivered to the court with your garnishee answers. Should you fail to file garnishee answers as required by this summons, a judgment will be rendered against you for the amount the plaintiff claims due by the defendant.

Witness the Honorable \_\_\_\_\_, Judge of said Court.

This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_  
Clerk,  
\_\_\_\_\_ Court of \_\_\_\_\_ County

\_\_\_\_\_  
Plaintiff's attorney

\_\_\_\_\_  
Address

Service perfected on garnishee, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_  
Deputy marshal, sheriff,  
or constable

(3) Garnishee answer ~~Answer~~ of continuing garnishment.

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA

_____	)	
Plaintiff	)	
	)	
v.	)	Civil action
	)	File no. _____
_____	)	
Defendant	)	
	)	
_____	)	
Garnishee	)	
	)	
_____	)	
Address	)	

GARNISHEE ANSWER OF CONTINUING GARNISHMENT

1.

From the time of service of this summons of continuing garnishment, if this is the first garnishee answer to such summons, otherwise from the time of the last garnishee answer to this summons of continuing garnishment, until the time of this garnishee answer, garnishee had in ~~his~~ garnishee's possession the following described property of the defendant:

\_\_\_\_\_  
\_\_\_\_\_

2.

From the time of service of this summons of continuing garnishment, if this is the first garnishee answer to such summons, otherwise from the time of the last garnishee

answer to this summons of continuing garnishment, until the time of this garnishee answer, all debts accruing from garnishee to the defendant are in the amount of \$\_\_\_\_\_.

3.

\$\_\_\_\_\_ of the amount named in paragraph 2 was wages earned at the rate of \$\_\_\_\_\_ per \_\_\_\_\_ for the period beginning \_\_\_\_\_ (date), \_\_\_\_\_, through the time of making this garnishee answer. The amount of wages which is subject to this garnishment is computed as follows:

- \$\_\_\_\_\_ Gross earnings
- \$\_\_\_\_\_ Total social security and withholding tax
- \$\_\_\_\_\_ Total disposable earnings
- \$\_\_\_\_\_ Amount of wages subject to continuing garnishment

4.

( ) If checked, defendant is not presently employed by this garnishee and, if employed by garnishee on or after service of this summons of continuing garnishment, was most recently terminated as of the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

5.

( ) If checked, this is the last garnishee answer this garnishee is required to file to the presently pending summons of continuing garnishment in the above-styled case.

6.

Garnishee further states: \_\_\_\_\_.

\_\_\_\_\_  
Garnishee, ~~or his~~  
attorney at law  
garnishee's attorney, or officer  
or employee of an entity garnishee

(CERTIFICATE OF SERVICE)"

**SECTION 17.**

Said chapter is further amended by revising Code Sections 18-4-133 through 18-4-135, relating to service of summons, filing further garnishee answers and tendering money, and period of attachment of writ of garnishment, respectively, as follows:

"18-4-133.

(a) The summons of continuing garnishment for support shall be directed to the garnishee who shall be required to file a first garnishee answer no later than 45 days after service, which garnishee answer shall state what earnings were payable to the defendant from the time of service through and including the day of the first garnishee answer and the basis for the computation of same, including the rate of pay and hours worked, or salaries, commissions, or other basis of compensation.

(b) The garnishee shall accompany such initial garnishee answer with money of the defendant admitted in the garnishee answer to be subject to continuing garnishment for

support. In computing the amounts subject to this article, the provisions of subsection (f) of Code Section 18-4-20 shall control.

(c) The money paid into court with the initial garnishee answer, after deduction for costs, shall be first applied to the periodic support payment accrued on a daily basis from the date of the affidavit of the plaintiff to the date of the initial garnishee answer. All sums in excess of such periodic payment shall be applied to the original arrearage. Original arrearage shall mean those arrears existing as of the date of the making of the plaintiff's affidavit, plus any amounts includable pursuant to subsection (b) of Code Section 18-4-134.

18-4-134.

(a) If the amount claimed as original arrearage as of the date of the making of the plaintiff's affidavit is not satisfied by the money payable into court under the initial garnishee answer ~~of the garnishee~~, after application of the funds as set forth in subsection (c) of Code Section 18-4-133, the garnishee shall file further garnishee answers no later than 45 days after the previous garnishee answer date, stating the earnings accrued and the basis of their accrual and tendering such money accruing in such ~~answer~~ period. The amounts paid into court pursuant to subsequent garnishee answers, over and above the periodic payment accruing within such ~~answer~~ period, shall be applied to the original arrearage until the same is retired.

(b) If the earnings paid into court pursuant to any garnishee answer ~~by the garnishee~~ are less than the sums due under the periodic support requirement accruing over the same period of time, after allowance for any costs deductible from same, the resulting difference shall be added to the amount due as original arrearage until the same is retired by subsequent payments.

(c) The garnishee shall file additional garnishee answers until the original arrearage is retired and all periodic support payments are current.

(d) Upon the termination of employment of the defendant by the garnishee, the garnishee shall be required to file a final garnishee answer stating the date and reason for the defendant's termination from employment and stating, to the best of the garnishee's information, the defendant's present residential address and employer.

18-4-135.

The writ of garnishment described in this article shall attach for so long as the defendant is employed by the garnishee and shall not terminate until the original arrearage is retired. The garnishee may rely upon the information as to the termination date of the duty of support of any individual claimed in the affidavit of garnishment, the amount of the duty of periodic support to be paid, any sums paid by the defendant between the date of the filing of the plaintiff's affidavit and the date of the initial garnishee answer ~~of the garnishee~~, and the amount of the original arrearage existing as of the date of the affidavit of garnishment, unless the same are traversed by the defendant and the court enters any finding otherwise."

**SECTION 18.**

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

**SECTION 19.**

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

The report of the Committee, which was favorable to the passage of the Bill, by substitute, was agreed to.

On the passage of the Bill, by substitute, the roll call was ordered and the vote was as follows:

N Abdul-Salaam	Y Davis	Y Heckstall	Y McBrayer	Y Shaw
N Abrams	N Dawkins-Haigler	Y Hembree	Y McCall	Y Sheldon
Y Allison	Y Dempsey	N Henson	Y McKillip	Y Sims, B
Y Amerson	Y Dickerson	Y Hightower	Y Meadows	Y Sims, C
Y Anderson	Y Dickey	Y Hill	Y Mitchell	N Smith, E
Y Ashe	Y Dickson	Y Holcomb	Y Morgan	Y Smith, K
Y Atwood	Y Dobbs	Y Holmes	Y Morris	Y Smith, L
Y Baker	Y Dollar	Y Holt	N Mosby	Y Smith, R
Y Battles	Y Drenner	Y Horne	Y Murphy	Y Smith, T
N Beasley-Teague	Y Dudgeon	Y Houston	Y Neal, J	Y Smyre
N Bell	Y Dukes	Y Howard	N Neal, Y	Y Spencer
Y Benfield	Y Dunahoo	Y Hudson	Y Nimmer	Y Stephens, M
Y Benton	Y Dutton	N Hugley	Y Nix	Y Stephens, R
Y Beverly	Y Ehrhart	Y Jackson	Y Oliver	E Stephenson
Y Black	Y England	Y Jacobs	Y O'Neal	Y Talton
Y Braddock	Y Epps, C	N James	Y Pak	Y Tankersley
Y Brockway	Y Epps, J	Y Jasperse	Y Parent	Y Taylor, D
N Brooks	Y Evans	E Jerguson	Y Parrish	N Taylor, R
Y Bruce	Y Floyd	Y Johnson	Y Parsons	Y Taylor, T
Y Bryant	Fludd	Y Jones, J	Y Peake	Y Teasley
Y Buckner	N Frazier	N Jones, S	Y Powell, A	Y Thomas
Y Burns	Y Fullerton	N Jordan	Y Powell, J	VACANT
Y Byrd	Y Gardner	Y Kaiser	Y Pruet	VACANT
Y Carson	Y Geisinger	Y Kendrick	Y Purcell	Y Watson
Y Carter	Y Golick	Y Kidd	Y Ramsey	Y Welch
Y Casas	Y Gordon	Y Knight	N Randall	Y Weldon
Y Channell	Y Greene	Y Lane	Y Reece	Y Wilkerson
Y Cheokas	Y Hamilton	Y Lindsey	Y Rice	Y Wilkinson
Y Clark, J	Y Hanner	E Long	Y Riley	Y Willard
Y Clark, V	Y Harbin	Y Maddox, B	Y Roberts	N Williams, A
Y Coleman	Y Harden, B	Y Maddox, G	Y Rogers, C	Y Williams, C
Y Collins	Y Harden, M	Y Manning	Y Rogers, T	Williams, E
E Cooke	Y Harrell	Y Marin	Y Rynders	Y Williams, R
Coomer	Y Hatchett	Y Martin	Y Scott, M	Y Williamson
Y Cooper	N Hatfield	Y Maxwell	N Scott, S	Y Yates
Y Crawford	Y Heard	Y Mayo	Y Setzler	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 150, nays 20.

The Bill, having received the requisite constitutional majority, was passed, by substitute.

Representative Heard of the 114th stated that he inadvertently voted "aye" on the preceding roll call. He wished to be recorded as voting "nay" thereon.

HB 295. By Representatives Maxwell of the 17th, Benton of the 31st, Meadows of the 5th, Brooks of the 63rd, Buckner of the 130th and others:

A BILL to be entitled an Act to amend Title 47 of the Official Code of Georgia Annotated, relating to retirement and pensions, so as to provide a method of calculating accrued benefits for persons subject to the Georgia State Employees Pension and Savings Plan who transfer between the Employees' Retirement System of Georgia and the Teachers Retirement System of Georgia; to provide for the transfer of the accrued benefit amount and the present value of the accrued benefit; to provide that the present value shall be based on methods and assumptions of the transferring system; to provide for the recalculation of benefits; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

On the passage of the Bill, the roll call was ordered and the vote was as follows:

Y Abdul-Salaam	Y Davis	Heckstall	Y McBrayer	Y Shaw
Y Abrams	Y Dawkins-Haigler	Y Hembree	Y McCall	Y Sheldon
Y Allison	Y Dempsey	Y Henson	Y McKillip	Y Sims, B
Y Amerson	Y Dickerson	Y Hightower	Y Meadows	Y Sims, C
Y Anderson	Y Dickey	Y Hill	Y Mitchell	Y Smith, E
Y Ashe	Y Dickson	Y Holcomb	Y Morgan	Y Smith, K
E Atwood	Y Dobbs	Y Holmes	Y Morris	Y Smith, L
Y Baker	Y Dollar	Y Holt	Y Mosby	Y Smith, R
Y Battles	Drenner	Y Horne	Y Murphy	Y Smith, T
Y Beasley-Teague	Y Dudgeon	Y Houston	Y Neal, J	Smyre
Y Bell	Y Dukes	Y Howard	Y Neal, Y	Y Spencer
Y Benfield	Y Dunahoo	Y Hudson	Y Nimmer	Y Stephens, M
Y Benton	Y Dutton	Y Hugley	Y Nix	Y Stephens, R
Y Beverly	Y Ehrhart	Y Jackson	Y Oliver	E Stephenson
Y Black	Y England	Y Jacobs	Y O'Neal	Y Talton
Y Braddock	Y Epps, C	Y James	Y Pak	Y Tankersley
Y Brockway	Y Epps, J	Y Jasperse	Y Parent	Y Taylor, D
Y Brooks	Y Evans	E Jerguson	Y Parrish	Y Taylor, R
Y Bruce	Y Floyd	Y Johnson	Y Parsons	Y Taylor, T
Y Bryant	Y Fludd	Y Jones, J	Y Peake	Y Teasley
Y Buckner	Y Frazier	Y Jones, S	Y Powell, A	Y Thomas
Y Burns	Y Fullerton	Y Jordan	Y Powell, J	VACANT

Y Byrd	Y Gardner	Y Kaiser	Y Pruett	VACANT
Y Carson	Y Geisinger	Y Kendrick	Y Purcell	Y Watson
Y Carter	Y Golick	Y Kidd	Ramsey	Y Welch
Y Casas	Y Gordon	Y Knight	Y Randall	Y Weldon
Y Channell	Y Greene	Y Lane	Y Reece	Y Wilkerson
Y Cheokas	Y Hamilton	Y Lindsey	Y Rice	Y Wilkinson
Y Clark, J	Y Hanner	E Long	Y Riley	Y Willard
Y Clark, V	Y Harbin	Y Maddox, B	Y Roberts	Y Williams, A
Y Coleman	Y Harden, B	Y Maddox, G	Y Rogers, C	Y Williams, C
Y Collins	Y Harden, M	Y Manning	Y Rogers, T	Williams, E
E Cooke	Y Harrell	Y Marin	Y Rynders	Y Williams, R
Y Coomer	Y Hatchett	Y Martin	Y Scott, M	Y Williamson
Y Cooper	Y Hatfield	Y Maxwell	Y Scott, S	Y Yates
Y Crawford	Y Heard	Y Mayo	Y Setzler	Ralston, Speaker

On the passage of the Bill, the ayes were 167, nays 0.

The Bill, having received the requisite constitutional majority, was passed.

Representative Heckstall of the 62nd stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

HB 424. By Representatives Weldon of the 3rd, Maxwell of the 17th, Meadows of the 5th, Benton of the 31st, Brooks of the 63rd and others:

A BILL to be entitled an Act to amend Article 5 of Chapter 14 of Title 47 of the Official Code of Georgia Annotated, relating to retirement benefits, disability benefits, and spouses' benefits under the Superior Court Clerks' Retirement Fund, so as to provide for a death benefit for active and retired members; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

On the passage of the Bill, the roll call was ordered and the vote was as follows:

Y Abdul-Salaam	Y Davis	Y Heckstall	Y McBrayer	Y Shaw
Y Abrams	Y Dawkins-Haigler	Y Hembree	Y McCall	Y Sheldon
Y Allison	Y Dempsey	Y Henson	Y McKillip	Y Sims, B
Y Amerson	Y Dickerson	Y Hightower	Y Meadows	Y Sims, C
Y Anderson	Y Dickey	Y Hill	Y Mitchell	Y Smith, E
Y Ashe	Y Dickson	Y Holcomb	Y Morgan	Y Smith, K
E Atwood	Y Dobbs	Y Holmes	Y Morris	Y Smith, L
Y Baker	Y Dollar	Y Holt	Y Mosby	Y Smith, R
Y Battles	Y Drenner	Y Horne	Murphy	Y Smith, T
Y Beasley-Teague	Y Dudgeon	Y Houston	Y Neal, J	Y Smyre
Y Bell	Y Dukes	Y Howard	Y Neal, Y	N Spencer

Y Benfield	Y Dunahoo	Y Hudson	Y Nimmer	Y Stephens, M
Y Benton	Y Dutton	Y Hugley	Y Nix	Y Stephens, R
Y Beverly	Y Ehrhart	Y Jackson	Y Oliver	E Stephenson
Y Black	Y England	Y Jacobs	Y O'Neal	Y Talton
N Braddock	Y Epps, C	Y James	Y Pak	Y Tankersley
Y Brockway	Y Epps, J	Y Jasperse	Y Parent	Y Taylor, D
Y Brooks	Y Evans	E Jerguson	Y Parrish	Y Taylor, R
Y Bruce	Y Floyd	Y Johnson	Y Parsons	Y Taylor, T
Y Bryant	Y Fludd	Y Jones, J	Y Peake	Y Teasley
Y Buckner	Y Frazier	Y Jones, S	Y Powell, A	Y Thomas
Y Burns	Y Fullerton	Y Jordan	Y Powell, J	VACANT
N Byrd	Y Gardner	Y Kaiser	Y Pruett	VACANT
Y Carson	Y Geisinger	Y Kendrick	Y Purcell	Y Watson
Y Carter	Y Golick	Y Kidd	Y Ramsey	Y Welch
Y Casas	Y Gordon	Y Knight	Y Randall	Y Weldon
Y Channell	Y Greene	Y Lane	Y Reece	Y Wilkerson
Y Cheokas	Y Hamilton	Y Lindsey	Y Rice	Y Wilkinson
Y Clark, J	Y Hanner	E Long	Y Riley	Y Willard
Y Clark, V	Y Harbin	Y Maddox, B	Y Roberts	Y Williams, A
Y Coleman	Y Harden, B	Y Maddox, G	Y Rogers, C	Y Williams, C
Y Collins	Y Harden, M	Y Manning	Y Rogers, T	Williams, E
E Cooke	Y Harrell	Y Marin	Y Rynders	Y Williams, R
Coomer	Y Hatchett	Y Martin	Y Scott, M	Y Williamson
Y Cooper	N Hatfield	Y Maxwell	Y Scott, S	Y Yates
Y Crawford	Y Heard	Y Mayo	Y Setzler	Ralston, Speaker

On the passage of the Bill, the ayes were 165, nays 4.

The Bill, having received the requisite constitutional majority, was passed.

Due to a mechanical malfunction, the vote of Representative Murphy of the 120th was not recorded on the preceding roll call. He wished to be recorded as voting "aye" thereon.

Representative Hembree of the 67th moved that the following Bill of the House be withdrawn from the Committee on Judiciary and recommitted to the Committee on Industrial Relations:

HB 730. By Representatives Hembree of the 67th, Lindsey of the 54th, Geisinger of the 48th and Rynders of the 152nd:

A BILL to be entitled an Act to amend Code Section 36-91-21 and Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to competitive award requirements and to general authority, duties, and procedure relative to state purchasing, respectively, so as to provide for certain contracting and bidding requirements for governmental entities and the Department of Administrative Services relative to public works construction contracts; to provide for related matters; to provide an effective date and applicability; to repeal conflicting laws; and for other purposes.

The motion prevailed.

Representative O'Neal of the 146th moved that the House do now adjourn until 10:00 o'clock, tomorrow morning, and the motion prevailed.

The Speaker announced the House adjourned until 10:00 o'clock, tomorrow morning.