

Representative Hall, Atlanta, Georgia

Thursday, February 14, 2013

Eighteenth 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	Coleman	Greene	Martin	Sims, C
Alexander	Cooke	Gregory	Maxwell	Smith, E
Allison	Coomer	Hamilton	Mayo	Smith, L
Anderson	Cooper	Harbin	McCall	Smith, M
Atwood	Deffenbaugh	Harden	Meadows	Smith, R
Ballinger	Dempsey	Harrell	Mitchell	Smyre
Barr	Dickerson	Hatchett	Mosby	Spencer
Battles	Dickey	Hawkins	E Murphy	Stephens, M
E Beasley-Teague	Dickson	E Henson	Nimmer	Stephens, R
E Bell	E Dollar	Hightower	Nix	Stovall
Bennett	Douglas	Hill	Oliver	Strickland
Bentley	E Drenner	Hitchens	Pak	Talton
Benton	Dudgeon	Holcomb	Parrish	Tankersley
Beverly	Dukes	Holmes	Parsons	Tanner
Black	Dunahoo	Holt	Peake	Taylor, D
Braddock	Duncan	E Howard	Pezold	Taylor, T
Broadrick	Dutton	Hugley	Powell, J	Teasley
Brockway	England	Jackson	Pruett	Thomas, A.M.
Brooks	Epps, C	Jacobs	Quick	Thomas, B
Bruce	Epps, J	Jasperse	E Ramsey	Turner
Bryant	Evans	Jones, J	Randall	Waites
Buckner	Fleming	Jones, L	Rice	Watson, B
Burns	Floyd	Jones, S	Riley	Watson, S
Caldwell, J	Fludd	Kaiser	Roberts	Welch
Caldwell, M	Frazier	Kelley	Rogers, C	Weldon
Carson	Frye	Kendrick	Rogers, T	Wilkerson
Carter	Gardner	Kidd	Rutledge	Wilkinson
E Casas	Gasaway	Kirby	Rynders	Willard
Chandler	Geisinger	Knight	Scott	Williams, A
Channell	Glanton	Lindsey	Sharper	Williams, C
Chapman	Golick	Lumsden	Shaw	Williams, E
Cheokas	Gordon	Mabra	Sheldon	Williamson
Clark, J	Gravley	Marin	Sims, B	Ralston, Speaker
Clark, V				

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

Representatives Dawkins-Haigler of the 91st, Ehrhart of the 36th, Fullerton of the 153rd, Houston of the 170th, Jordan of the 77th, Morris of the 156th, Neal of the 2nd, O'Neal of the 146th, Powell of the 32nd, Stephenson of the 90th, and Yates of the 73rd.

They wished to be recorded as present.

Prayer was offered by Pastor Jose' L. Velasquez, Mizpah United Methodist Church, Clio, Georgia.

The members pledged allegiance to the flag.

Representative Sims of the 123rd, 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 335. By Representatives Kirby of the 114th, Hitchens of the 161st, Williamson of the 115th, Dutton of the 157th, Jasperse of the 11th and others:

A BILL to be entitled an Act to amend Code Section 16-11-127 of the Official Code of Georgia Annotated, relating to carrying weapons in unauthorized locations and penalty, so as to repeal a prohibition against carrying a weapon in a place of worship; to provide a short title; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety & Homeland Security.

- HB 336. By Representatives Powell of the 171st, Meadows of the 5th, Smith of the 134th, Abrams of the 89th, Jacobs of the 80th and others:

A BILL to be entitled an Act to amend Article 8 of Chapter 11 of Title 9 of the Official Code of Georgia Annotated, relating to provisional and final remedies and special proceedings in civil practice, so as to provide for certain pre-suit settlement offers and agreements as to tort claims arising out of use of motor vehicles; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

- HB 337. By Representatives Fleming of the 121st, Carter of the 175th, Cooper of the 43rd, Coleman of the 97th and Frye of the 118th:

A BILL to be entitled an Act to amend Part 3 of Article 16 of Chapter 2 of Title 20 of the O.C.G.A., relating to student health in elementary and secondary education, so as to authorize public and private schools to stock a supply of auto-injectable epinephrine; to provide for definitions; to provide for requirements and reporting; to provide for arrangements with manufacturers; to provide for rules and regulations; to provide for limited liability; to amend Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to pharmacists and pharmacies, so as to authorize licensed health practitioners to prescribe auto-injectable epinephrine for schools; to authorize pharmacists to fill such prescriptions; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

- HB 338. By Representatives Wilkinson of the 52nd, Stephens of the 164th, Abrams of the 89th, Parrish of the 158th, Carter of the 175th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia Council for the Arts, so as to clarify the role of arts in economic development and other vital functions to the state; to provide for membership changes; to provide for meetings; to provide for responsibilities; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Economic Development & Tourism.

- HB 339. By Representatives Atwood of the 179th, Stephens of the 164th, Welch of the 110th, Peake of the 141st, Hitchens of the 161st and others:

A BILL to be entitled an Act to amend Article 7 of Chapter 5 of Title 16 and Title 17 of the Official Code of Georgia Annotated, relating to stalking and criminal procedure, respectively, so as to provide greater protection to victims of family violence; to define "family violence order"; to change provisions relating to arrests with and without warrants involving family violence orders; to change provisions relating to bail for persons charged with violating family violence orders; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 340. By Representative Houston of the 170th:

A BILL to be entitled an Act to amend an Act to provide a new charter for the City of Enigma, approved April 9, 1993 (Ga. L. 1993, p. 5205), so as to provide for four-year terms for the mayor and city council; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 341. By Representatives Marin of the 96th and Pak of the 108th:

A BILL to be entitled an Act to amend Code Section 2-7-2 of the Official Code of Georgia Annotated, relating to definitions relative to plant disease, pest control, and pesticides, so as to exempt water spinach from the definition of "plant pest"; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Agriculture & Consumer Affairs.

HB 342. By Representative Ramsey of the 72nd:

A BILL to be entitled an Act to provide a new charter for the City of Senoia; to provide for incorporation, boundaries, and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, vacancies, compensation, expenses, qualifications, prohibitions, conflicts of interest, and suspension and removal from office relative to members of such governing authority; to provide for prior ordinances and rules, pending matters, and existing personnel; to provide for penalties; to provide for definitions and construction; to provide for other matters relative to the foregoing; to repeal specific Acts; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 343. By Representative Willard of the 51st:

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 update certain cross-references to Chapter 11 of Title 15; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

HB 344. By Representatives Ramsey of the 72nd, Gasaway of the 28th, Teasley of the 37th and Welch of the 110th:

A BILL to be entitled an Act to amend Part 1 of Article 7 of Chapter 14 of Title 44 of the Official Code of Georgia Annotated, relating to foreclosure in general, so as to provide for certain requirements for obtaining money judgments on obligations secured by deeds to secure debts or mortgages on real property; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Banks & Banking.

HB 345. By Representative Benton of the 31st:

A BILL to be entitled an Act to amend Chapter 3 of Title 47 of the Official Code of Georgia Annotated, relating to the Teachers Retirement System of Georgia, so as to clarify and consolidate the definitions of the term "teacher"; to repeal an obsolete provision; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

HB 346. By Representatives Geisinger of the 48th, Jones of the 47th, Lindsey of the 54th, Willard of the 51st, Riley of the 50th and others:

A BILL to be entitled an Act to amend an Act providing for the consolidation of the offices of tax receiver of Fulton County and tax collector of Fulton County into the office of tax commissioner of Fulton County, approved February 21, 1951 (Ga. L. 1951, p. 3006), as amended, particularly by an Act approved May 9, 2002 (Ga. L. 2002, p. 5680), so as to provide for a citation of authority; to provide for the appointment of the tax commissioner of

Fulton County; to limit certain compensation of the tax commissioner; to provide for submission of this Act 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 - Local.

HB 347. By Representatives Riley of the 50th, Wilkinson of the 52nd, Willard of the 51st, Geisinger of the 48th, Jones of the 47th and others:

A BILL to be entitled an Act to amend an Act to create a board of elections and registration for Fulton County, Georgia, approved March 30, 1989 (Ga. L. 1989, p. 4577), so as to revise the manner of appointment of the members of the board; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 348. By Representatives Parsons of the 44th, Sims of the 169th, Abrams of the 89th and Martin of the 49th:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, computation, and exemptions regarding income tax, so as to provide a tax credit for purchasers of alternative fuel vehicles; to provide for definitions; to provide for procedures, conditions, and limitations; to provide for a cap on the amount of the tax credits; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 349. By Representatives Golick of the 40th, Hatchett of the 150th, Coomer of the 14th, Pak of the 108th, Oliver of the 82nd and others:

A BILL to be entitled an Act to amend Chapter 7 of Title 5 of the O.C.G.A., relating to appeal or certiorari by the state in criminal cases, so as to provide the state with more direct appeal rights; to amend Part 1 of Article 2 of Chapter 13 of Title 16, Title 17, Article 3A of Chapter 5 of Title 40, and Title 42 of the O.C.G.A., relating to schedules, offenses, and penalties for controlled substances, criminal procedure, suspension of driver's license for certain drug offenses, and penal institutions, respectively, so as to enact provisions recommended by the Governor's Special Council on Criminal Justice Reform in Georgia; to amend Article 2 of Chapter 8 of Title 24 of the

O.C.G.A., relating to admissions and confessions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 350. By Representatives Peake of the 141st, Hitchens of the 161st, Hatchett of the 150th, Ramsey of the 72nd, Coomer of the 14th and others:

A BILL to be entitled an Act to amend Code Section 16-12-1.1 of the O.C.G.A., relating to child, family, or group-care facility operators prohibited from employing or allowing to reside or be domiciled persons with certain past criminal violations, so as to provide for exceptions for persons otherwise issued licenses as provided by law; to amend Chapter 1A of Title 20 of the O.C.G.A., relating to early care and learning; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 351. By Representatives Carson of the 46th, Smyre of the 135th, Peake of the 141st and Powell of the 171st:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, computation, and exemptions from state income taxes, so as to provide that certain entities may elect to pay the tax on any recaptured credits at the entity level; 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 352. By Representatives Spencer of the 180th and Gregory of the 34th:

A BILL to be entitled an Act to amend Chapter 1 of Title 50 of the O.C.G.A., relating to general provisions relative to state government, so as to provide a short title; to make legislative findings; to create a Joint Commission on Recommendation to review all Acts of the Congress of the United States of America, regulations promulgated pursuant to such laws, and executive orders of the President of the United States of America; to provide for membership; to provide that the commission shall determine which of the federal statutes, regulations, and presidential executive orders of the United States of America should be enforced and which should be ignored in

Georgia; to provide for a vote of nullification by the General Assembly; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 353. By Representative Lumsden of the 12th:

A BILL to be entitled an Act to amend an Act to provide a new charter for the Town of Trion, approved April 11, 2012 (Ga. L. 2012, p. 5099), so as to provide for the continuation and support of the independent school system of the town; to provide limitations on the holding of other offices by the school superintendent and members of the board of education; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HR 340. By Representative Epps of the 144th:

A RESOLUTION recognizing Mr. Jones Daniel Brooks, Mr. James Joe Brooks, and Mr. Freeman Charles Brooks and dedicating two bridges in their honor; and for other purposes.

Referred to the Committee on Transportation.

HR 360. By Representatives Spencer of the 180th, Gregory of the 34th, Battles of the 15th, Braddock of the 19th and Holt of the 112th:

A RESOLUTION creating the Joint Select Committee on Budget Dependence on Federal Funding; and for other purposes.

Referred to the Committee on Appropriations.

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

HB 310	HB 311
HB 312	HB 313
HB 314	HB 315
HB 316	HB 317
HB 318	HB 319
HB 320	HB 321
HB 322	HB 323
HB 324	HB 325

HB 326
 HB 328
 HB 330
 HB 332
 HB 334
 HR 298

HB 327
 HB 329
 HB 331
 HB 333
 HR 297

Representative Sims of the 169th District, Chairman of the Committee on Intragovernmental Coordination, submitted the following report:

Mr. Speaker:

Your Committee on Intragovernmental Coordination - Local Legislation has had under consideration the following Bills of the House and has instructed me to report the same back to the House with the following recommendations:

HB 286 Do Pass
 HB 294 Do Pass

Respectfully submitted,
 /s/ Sims of the 169th
 Chairman

Representative Golick of the 40th District, Chairman of the Committee on Judiciary Non-Civil, submitted the following report:

Mr. Speaker:

Your Committee on Judiciary Non-Civil has had under consideration the following Bills of the House and has instructed me to report the same back to the House with the following recommendations:

HB 122 Do Pass, by Substitute
 HB 187 Do Pass

Respectfully submitted,
 /s/ Golick of the 40th
 Chairman

Representative Smith of the 70th District, Chairman of the Committee on Natural Resources and Environment, submitted the following report:

Mr. Speaker:

Your Committee on Natural Resources and Environment has had under consideration the following Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 177 Do Pass

Respectfully submitted,
/s/ Smith of the 70th
Chairman

Representative Battles of the 15th District, Chairman of the Committee on Retirement, submitted the following report:

Mr. Speaker:

Your Committee on Retirement has had under consideration the following Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 232 Do Pass

Respectfully submitted,
/s/ Battles of the 15th
Chairman

The following Resolution of the House, referred to the House Rules Subcommittee on Invites, was reported by the Committee on Rules with the following recommendation:

HR 149 Do Pass

Representative Neal of the 2nd District, Chairman of the Committee on State Properties, submitted the following report:

Mr. Speaker:

Your Committee on State Properties has had under consideration the following Bill and Resolution of the House and has instructed me to report the same back to the House with the following recommendations:

HB 91 Do Pass, by Substitute
HR 205 Do Pass

Respectfully submitted,
/s/ Neal of the 2nd
Chairman

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

HOUSE RULES CALENDAR
THURSDAY, FEBRUARY 14, 2013

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 18th Legislative Day as enumerated below:

DEBATE CALENDAR

Open Rule

None

Modified Open Rule

HB 194 Public utilities; venue for actions against gas companies; provide
(Substitute)(Judy-Powell-171st)

Modified Structured Rule

HB 87 Elections; use of the boundaries of a gated community as the boundaries of
a precinct; authorize (Substitute)(GAff-Hightower-68th)

HB 202 Highways, bridges, and ferries; performing value engineering studies;
provide requirements (Substitute)(Trans-Epps-144th)

Structured Rule

HB 80 Ad valorem tax; state and local title fees; revise provisions
(Substitute)(W&M-Rice-95th)

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

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

By unanimous consent, the following Bill of the House was withdrawn from the Local Calendar and recommitted to the Committee on Intragovernmental Coordination:

HB 286. By Representative Harden of the 148th:

A BILL to be entitled an Act to provide for the restructuring of the governments of the City of Hawkinsville and Pulaski County; to create and incorporate a new political body corporate under the name Hawkinsville-Pulaski County, Georgia; to provide for the status, boundaries, and powers of the restructured government; to provide for the form, administration, and affairs of the restructured government; to provide for officers and employees, elections, courts, authorities, taxation, and finance; to provide for related matters; to provide for severability; to provide for a referendum; to provide for effective dates; to repeal conflicting laws; and for other purposes.

By unanimous consent, the following Bill of the House was taken up for consideration and read the third time:

HB 294. By Representatives Caldwell of the 131st and Knight of the 130th:

A BILL to be entitled an Act to provide a homestead exemption from Lamar County school district ad valorem taxes for educational purposes in the amount of \$7,000.00 of the assessed value of the homestead after a specified five-year phase-in period for residents of that school district who are 70 years of age or older; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, 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 Abrams	Y Coomer	Y Hamilton	Y McCall	Y Sims, C
Y Alexander	Y Cooper	Y Harbin	Y Meadows	Y Smith, E
Y Allison	E Dawkins-Haigler	Y Harden	Y Mitchell	Y Smith, L
Y Anderson	Y Deffenbaugh	Y Harrell	Y Morgan	Y Smith, M
Atwood	Y Dempsey	Y Hatchett	Y Morris	Y Smith, R
Y Ballinger	Y Dickerson	Y Hawkins	Y Mosby	Smyre
Y Barr	Y Dickey	E Henson	E Murphy	Y Spencer
Y Battles	Y Dickson	Y Hightower	Y Neal	Y Stephens, M
E Beasley-Teague	E Dollar	Y Hill	Y Nimmer	Y Stephens, R
E Bell	Y Douglas	Hitchens	Nix	Stephenson
Y Bennett	E Drenner	Y Holcomb	Y Oliver	Y Stovall
Y Bentley	Y Dudgeon	Y Holmes	Y O'Neal	Y Strickland

Y Benton	Y Dukes	Y Holt	Y Pak	Y Talton
Y Beverly	Y Dunahoo	Y Houston	Y Parrish	Y Tankersley
Y Black	Y Duncan	E Howard	Y Parsons	Y Tanner
Y Braddock	Y Dutton	Y Hugley	Y Peake	Y Taylor, D
Y Broadrick	Y Ehrhart	Y Jackson	Y Pezold	Y Taylor, T
Y Brockway	Y England	Y Jacobs	Y Powell, A	Y Teasley
Y Brooks	Y Epps, C	Y Jasperse	Y Powell, J	Y Thomas, A.M.
Y Bruce	Y Epps, J	Y Jones, J	Y Pruett	Thomas, B
Y Bryant	Y Evans	Y Jones, L	Y Quick	Y Turner
Y Buckner	Y Fleming	Y Jones, S	E Ramsey	VACANT
Y Burns	Y Floyd	Y Jordan	Y Randall	Y Waites
Y Caldwell, J	Y Fludd	Y Kaiser	Y Rice	Y Watson, B
Y Caldwell, M	Y Frazier	Y Kelley	Y Riley	Y Watson, S
Y Carson	Y Frye	Y Kendrick	Y Roberts	Y Welch
Y Carter	Y Fullerton	Y Kidd	Y Rogers, C	Y Weldon
E Casas	Gardner	Y Kirby	Y Rogers, T	Y Wilkerson
Y Chandler	Y Gasaway	Y Knight	Y Rutledge	Y Wilkinson
Y Channell	Y Geisinger	Y Lindsey	Y Rynders	Y Willard
Y Chapman	Y Glanton	Y Lumsden	Y Scott	Y Williams, A
Y Cheokas	Y Golick	Y Mabra	Setzler	Y Williams, C
Y Clark, J	Y Gordon	Marin	Y Sharper	Y Williams, E
Y Clark, V	Y Gravley	Y Martin	Y Shaw	Y Williamson
Coleman	Y Greene	Y Maxwell	Sheldon	Yates
Y Cooke	Y Gregory	E Mayo	Y Sims, B	Ralston, Speaker

On the passage of the Bill, the ayes were 155, nays 0.

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

The following message was 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 Senate:

SB 91. By Senators Harper of the 7th, Wilkinson of the 50th, Mullis of the 53rd, Staton of the 18th, Ginn of the 47th and others:

A BILL to be entitled an Act to amend Title 2 of the Official Code of Georgia Annotated, relating to agriculture, so as to repeal the "Emerging Crops Fund Act"; to repeal conflicting laws; and for other purposes.

By unanimous consent, the following Bill of the Senate was read the first time and referred to the Committee:

SB 91. By Senators Harper of the 7th, Wilkinson of the 50th, Mullis of the 53rd, Staton of the 18th, Ginn of the 47th and others:

A BILL to be entitled an Act to amend Title 2 of the Official Code of Georgia Annotated, relating to agriculture, so as to repeal the "Emerging Crops Fund Act"; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Agriculture & Consumer Affairs.

Pursuant to HR 219, the House recognized and commended Dr. Michael F. Adams on his extraordinary accomplishments as president of the University of Georgia and invited him to be recognized by the House of Representatives.

Pursuant to HR 286, the House recognized February 14, 2013, as "Community Health Centers Day" and invited the leadership of the Georgia Association for Primary Health Care to be recognized by the House of Representatives.

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

Representatives Sims of the 169th, Taylor of the 79th, Rogers of the 29th, Hawkins of the 27th, Dunahoo of the 30th, Barr of the 103rd, Jasperse of the 11th, Stephens of the 164th, and Williams of the 168th.

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 194. By Representatives Powell of the 171st, Willard of the 51st, Lindsey of the 54th, Allison of the 8th and Jacobs of the 80th:

A BILL to be entitled an Act to amend Chapter 1 of Title 46 of the Official Code of Georgia Annotated, relating to general provisions regarding public utilities and public transportation, so as to provide venue for actions against gas companies; to provide for related matters; to provide for an effective date and for applicability; 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 1 of Title 46 of the Official Code of Georgia Annotated, relating to general provisions regarding public utilities and public transportation, so as to provide

venue for actions against gas companies; to provide for related matters; to provide for an effective date and for applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 1 of Title 46 of the Official Code of Georgia Annotated, relating to general provisions regarding public utilities and public transportation, is amended by revising Code Section 46-1-2, relating to measure of damages for wrongs and injuries to railroad companies generally and venue for actions against railroad companies and electric companies generally, as follows:

"46-1-2.

(a) As used in this Code section, the term 'electric company' means all corporations engaged in the business of either generating or transmitting electricity for light, heat, power, or other commercial purposes.

(b) If any railroad company doing business in this state shall, in violation of any rule or regulation of the Public Service Commission, inflict any wrong or injury on any person, such person shall have a right of action and recovery for such wrong or injury in the county where the wrong or injury occurred and the damages which may be recovered in such actions shall be the same as in actions between individuals, provided that, in cases of willful violation of law, such railroad companies shall be liable for exemplary damages. All such actions under this ~~title~~ subsection must be brought within 12 months after the commission of the alleged wrong or injury.

(c) Any railroad, ~~or~~ electric company, or gas company shall be sued by anyone whose person or property has been injured by such railroad, ~~or~~ electric company, or gas company, or by its officers, agents, or employees, for the purpose of recovering damages for such injuries, in the county in which the cause of action originated; and causes of actions on all contracts shall be brought in the county in which the contract in question is made or is to be performed. If the cause of action arises in a county where the railroad, ~~or~~ electric company, or gas company liable to suit has no agent, service may be perfected by the issuance of a second original, to be served upon the company in the county of its principal office and place of business, if in this state, and if not, on any agent of such company. In the alternative, if the company has no agent in the county where the cause of action arises, an action may be brought in the county of the residence of such company.

(d) Whenever any:

(1) ~~railroad~~ Railroad or electric company incorporated under the laws of this state acquires by purchase, lease, or otherwise the ownership or control of the line of railroad of a competing railroad company in this state, in violation of Article III, Section VI, Paragraph V(c) of the Constitution of the State of Georgia; ~~or whenever any railroad~~

(2) Railroad or electric company incorporated under the laws of this state acquires by purchase, lease, or otherwise the ownership or control of the generating plant or

transmission line of a competing electric company in this state, in violation of Article III, Section VI, Paragraph V(c) of the Constitution of the State of Georgia; or

(3) Gas company incorporated under the laws of this state acquires by purchase, lease, or otherwise the ownership or control of the natural gas pipeline or distribution system of a competing gas company in this state, in violation of Article III, Section VI, Paragraph V(c) of the Constitution of the State of Georgia;

the venue of an action brought against the railroad, ~~or~~ electric company, or gas company for the purpose of setting aside and having annulled such unlawful act of acquisition shall be in any county through which may run the line of railroad or in any county through which may run the transmission line of such electric company or in any county in which may be located the generating plant of such electric company or in any county through which may run the natural gas pipeline or distribution system so unlawfully acquired.

(e) In any cause of action described in this Code section, any judgment rendered in any county other than one designated in this Code section shall be void.

(f) ~~The following electric companies shall be embraced within the venue provisions of this Code section~~ shall apply to the following electric companies:

(1) An electric company owning a generating plant in one county and having its situs or principal office either in some other county of this state or beyond the limits of this state;

(2) An electric company operating a generating plant, whether under lease or otherwise, in one county and having its situs or principal office either in some other county of this state or beyond the limits of this state;

(3) An electric company owning a transmission line located in one county and having its situs or principal office in some other county of this state or beyond the limits of this state;

(4) An electric company operating, whether under lease or otherwise, a transmission line located in one county and having its situs or principal office in some other county of this state or beyond the limits of this state;

(5) An electric company owning a transmission line located in, or extending through, more than one county; and

(6) An electric company operating, whether under lease or otherwise, a transmission line located in or extending through more than one county.

(g) The venue provisions of this Code section shall apply to the following gas companies:

(1) A gas company owning a natural gas pipeline or distribution system located in one county and having its situs or principal office in some other county of this state or beyond the limits of this state; and

(2) A gas company owning a natural gas pipeline or distribution system located in, or extending through, more than one county."

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval and shall apply to causes of actions arising on or after such effective date.

SECTION 3.

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:

Y Abrams	Y Coomer	Y Hamilton	Y McCall	Y Sims, C
Y Alexander	Y Cooper	Y Harbin	Y Meadows	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y Harden	Y Mitchell	Y Smith, L
Y Anderson	Y Deffenbaugh	Y Harrell	Y Morgan	Y Smith, M
Y Atwood	Y Dempsey	Y Hatchett	Y Morris	Y Smith, R
Y Ballinger	Y Dickerson	Y Hawkins	Y Mosby	E Smyre
Y Barr	Y Dickey	Y Henson	E Murphy	Y Spencer
Y Battles	Y Dickson	Y Hightower	Y Neal	Y Stephens, M
E Beasley-Teague	E Dollar	Y Hill	Y Nimmer	Y Stephens, R
E Bell	Y Douglas	Y Hitchens	Y Nix	Y Stephenson
Y Bennett	E Drenner	Y Holcomb	Oliver	Y Stovall
Y Bentley	Y Dudgeon	Y Holmes	Y O'Neal	Y Strickland
Y Benton	Y Dukes	Y Holt	Y Pak	Y Talton
Y Beverly	Y Dunahoo	Y Houston	Y Parrish	Y Tankersley
Y Black	Y Duncan	E Howard	Y Parsons	Y Tanner
Y Braddock	Y Dutton	E Hugley	Y Peake	Y Taylor, D
Y Broadrick	Y Ehrhart	Y Jackson	Y Pezold	Y Taylor, T
Y Brockway	Y England	Y Jacobs	Y Powell, A	Y Teasley
Y Brooks	Y Epps, C	Y Jasperse	Y Powell, J	Y Thomas, A.M.
Y Bruce	Y Epps, J	Y Jones, J	Y Pruett	Y Thomas, B
Bryant	Y Evans	Y Jones, L	Y Quick	Y Turner
Y Buckner	Y Fleming	Y Jones, S	E Ramsey	VACANT
Y Burns	Y Floyd	Y Jordan	E Randall	Y Waites
Y Caldwell, J	Y Fludd	Y Kaiser	Y Rice	Y Watson, B
Y Caldwell, M	Y Frazier	Y Kelley	Y Riley	Y Watson, S
Y Carson	Y Frye	Kendrick	Y Roberts	Y Welch
Y Carter	Y Fullerton	Y Kidd	Y Rogers, C	Y Weldon
E Casas	Y Gardner	Y Kirby	Y Rogers, T	Y Wilkerson
Y Chandler	Y Gasaway	Y Knight	Y Rutledge	Y Wilkinson
Y Channell	Y Geisinger	Y Lindsey	Y Rynders	Y Willard
Y Chapman	Y Glanton	Y Lumsden	Y Scott	Y Williams, A
Y Cheokas	Y Golick	Y Mabra	Setzler	Y Williams, C
Y Clark, J	Y Gordon	Y Marin	Y Sharper	Williams, E
Y Clark, V	Y Gravley	Y Martin	Y Shaw	Williamson
Y Coleman	Y Greene	Y Maxwell	Y Sheldon	Y Yates
Y Cooke	Y Gregory	E Mayo	Y Sims, B	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 160, nays 0.

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

HB 80. By Representatives Rice of the 95th and Geisinger of the 48th:

A BILL to be entitled an Act to amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to revise provisions of law regarding state and local title ad valorem tax fees; to revise definitions regarding such fees; to revise the time for submitting such fees and penalties for failure to submit such fees timely; to provide for the payment of such fees over time in certain circumstances; to clarify the provisions of law regarding rental motor vehicles; to extend the period of time which a loaner vehicle may be removed from inventory; to provide for a title ad valorem tax fee for leased vehicles; to clarify the provisions of law regarding the application of title ad valorem tax fees to certain title transactions; to provide for motor vehicles titled in other states but based in this state; to exclude the application of certain sales and use taxes to motor vehicle sales; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to revise provisions of law regarding state and local title ad valorem tax fees; to revise definitions regarding such fees; to revise the time for submitting such fees and penalties for failure to submit such fees timely; to provide for the payment of such fees over time in certain circumstances; to clarify the provisions of law regarding rental and leased motor vehicles; to extend the period of time which a loaner vehicle may be removed from inventory; to provide for a title ad valorem tax fee for rental and leased vehicles; to clarify the provisions of law regarding the application of title ad valorem tax fees to certain title transactions; to provide for motor vehicles titled in other states but based in this state; to exclude the application of certain sales and use taxes to motor vehicle sales and leases; 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.

Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is amended by revising Code Section 48-5C-1, relating to definitions, exemption from taxation, allocation and disbursement of proceeds collected by tag agents, fair market value of vehicle appealable, and reports, as follows:

"48-5C-1.

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

(1) 'Fair market value of the motor vehicle' means:

(A) ~~The~~ For a used motor vehicle, the greater of the retail selling price or, in the case of a lease of a used motor vehicle, the agreed upon value of the vehicle pursuant to the lease agreement or the average of the current fair market value and the current wholesale value of a motor vehicle for a vehicle listed in the current motor vehicle ad valorem assessment manual utilized by the state revenue commissioner in determining the taxable value of a motor vehicle under Code Section 48-5-442, less any reduction for the trade-in value of another motor vehicle and any rebate or any cash discounts provided by the selling dealer and taken at the time of sale. The retail selling price or agreed upon value shall include any charges for labor, freight, delivery, and similar charges and dealer add-ons and mark-ups, but shall not include any extended warranty or maintenance agreement itemized on the dealer's invoice to the customer or any finance, insurance, and interest charges for deferred payments billed separately;

(B) ~~For a used motor vehicle which is not so listed in such current motor vehicle ad valorem assessment manual, the value~~ retail selling price from the bill of sale or the value from a reputable used car market guide designated by the commissioner, whichever is greater, and, in the case of a used car dealer, less any reduction for the trade-in value of another motor vehicle and any rebate or any cash discounts provided by the selling dealer and taken at the time of sale. In the case of a used car dealer, the value shall include any charges for labor, freight, delivery, and similar charges and dealer add-ons and mark-ups, but shall not include any extended warranty or maintenance agreement itemized on the dealer's invoice to the customer or any finance, insurance, and interest charges for deferred payments billed separately; or

(C) ~~The fair market value determined by the state revenue commissioner from the bill of sale of a new motor vehicle for which there is no value under subparagraph (A) of this paragraph, less any rebate and before any reduction for the trade-in value of another motor vehicle.~~ For a new motor vehicle, the greater of the retail selling price or, in the case of a lease of a new motor vehicle, the agreed upon value of the vehicle pursuant to the lease agreement or the average of the current fair market value and the current wholesale value of a motor vehicle for a vehicle listed in the current motor vehicle ad valorem assessment manual utilized by the state revenue commissioner in determining the taxable value of a motor vehicle under Code Section 48-5-442, less any reduction for the trade-in value of another motor vehicle and any rebate or any cash discounts provided by the selling dealer and taken at the

time of sale. The retail selling price or agreed upon value shall include any charges for labor, freight, delivery, and similar charges and dealer add-ons and mark-ups, but shall not include any extended warranty or maintenance agreement itemized on the dealer's invoice to the customer or any finance, insurance, and interest charges for deferred payments billed separately.

- (2) 'Immediate family member' means spouse, parent, child, sibling, grandparent, or grandchild.
- (3) 'Loaner vehicle' means a motor vehicle owned by a dealer which is withdrawn temporarily from dealer inventory for exclusive use as a courtesy vehicle loaned at no charge for a period not to exceed 30 days within a ~~calendar year~~ 366 day period to any one customer whose motor vehicle is being serviced by such dealer.
- (4) 'Rental charge' means the total value received by a rental motor vehicle concern for the rental or lease for 31 or fewer consecutive days of a rental motor vehicle, including the total cash and nonmonetary consideration for the rental or lease, including, but not limited to, charges based on time or mileage and charges for insurance coverage or collision damage waiver but excluding all charges for motor fuel taxes or sales and use taxes.
- (5) 'Rental motor vehicle' means a motor vehicle designed to carry ten or fewer passengers and used primarily for the transportation of persons that is rented or leased without a driver.
- (6) 'Rental motor vehicle concern' means a person or legal entity which owns or leases five or more rental motor vehicles and which regularly rents or leases such vehicles to the public for value.
- (7) 'Trade-in value' means the value of the motor vehicle as stated in the bill of sale for a vehicle which has been traded in to the dealer in a transaction involving the purchase of another vehicle from the dealer.

(b)(1)(A) Except as otherwise provided in this subsection, any motor vehicle for which a title is issued in this state on or after March 1, 2013, shall be exempt from sales and use taxes to the extent provided under paragraph ~~(92)~~ (95) of Code Section 48-8-3 and shall not be subject to the ad valorem tax as otherwise required under Chapter 5 of ~~Title 48~~ this title. Any such motor vehicle shall be titled as otherwise required under Title 40 but shall be subject to a state title fee and a local title fee which shall be alternative ad valorem taxes as authorized by Article VII, Section I, Paragraph III(b)(3) of the Georgia Constitution. Motor vehicles registered under the International Registration Plan shall not be subject to state and local title ad valorem tax fees but shall continue to be subject to apportioned ad valorem taxation under Article 10 of Chapter 5 of this title.

(B)(i) As used in this subparagraph, the term:

(I) 'Local base amount' means \$1 billion.

(II) 'Local current collection amount' means the total amount of sales and use taxes on the sale of motor vehicles under Chapter 8 of this title and motor vehicle local ad valorem tax proceeds ~~collected~~ under this Code section and Chapter 5 of this title which were collected during the calendar year which

immediately precedes the tax year in which the title ad valorem tax adjustments are required to be made under this subparagraph.

(III) 'Local target collection amount' means an amount equal to the local base amount added to the product of 2 percent of the local base amount multiplied by the number of years since 2012 with a maximum amount of \$1.2 billion.

(IV) 'State base amount' means \$535 million.

(V) 'State current collection amount' means the total amount of sales and use taxes on the sale of motor vehicles under Chapter 8 of this title and motor vehicle state ad valorem tax proceeds collected under this Code section and Chapter 5 of this title which were collected during the calendar year which immediately precedes the tax year in which the state and local title ad valorem tax rate is to be reviewed for adjustment under division (xiv) of this subparagraph. Notwithstanding the other provisions of this subdivision to the contrary, the term 'state current collection amount' for the 2014 calendar year for the purposes of the 2015 review under division (xiv) of this subparagraph shall be adjusted so that such amount is equal to the amount of motor vehicle state ad valorem tax proceeds that would have been collected under this Code section in 2014 if the combined state and local title ad valorem tax rate was 7 percent of the fair market value of the motor vehicle less any trade-in value plus the total amount of motor vehicle state ad valorem tax proceeds collected under Chapter 5 of this title during 2014.

(VI) 'State target collection amount' means an amount equal to the state base amount added to the product of 2 percent of the state base amount multiplied by the number of years since 2012.

(ii) The combined state and local title ad valorem tax shall be at a rate equal to:

(I) For the period commencing March 1, 2013, through December 31, 2013, 6.5 percent of the fair market value of the motor vehicle ~~less any trade-in value~~;

(II) For the 2014 tax year, 6.75 percent of the fair market value of the motor vehicle ~~less any trade-in value~~; and

(III) Except as provided in division (xiv) of this subparagraph, for the 2015 and subsequent tax years, 7 percent of the fair market value of the motor vehicle ~~less any trade-in value~~.

(iii) For the period commencing March 1, 2013, through December 31, 2013, the state title ad valorem tax shall be at a rate equal to 57 percent of the tax rate specified in division (ii) of this subparagraph, and the local title ad valorem tax shall be at a rate equal to 43 percent of the tax rate specified in division (ii) of this subparagraph.

(iv) For the 2014 tax year, the state title ad valorem tax shall be at a rate equal to 55 percent of the tax rate specified in division (ii) of this subparagraph, and the local title ad valorem tax shall be at a rate equal to 45 percent of the tax rate specified in division (ii) of this subparagraph.

(v) For the 2015 tax year, the state title ad valorem tax shall be at a rate equal to 55 percent of the tax rate specified in division (ii) of this subparagraph, and the

local title ad valorem tax shall be at a rate equal to 45 percent of the tax rate specified in division (ii) of this subparagraph.

(vi) For the 2016 tax year, except as otherwise provided in division (xiii) of this subparagraph, the state title ad valorem tax shall be at a rate equal to 53.5 percent of the tax rate specified in division (ii) of this subparagraph, and the local title ad valorem tax shall be at a rate equal to 46.5 percent of the tax rate specified in division (ii) of this subparagraph.

(vii) For the 2017 tax year, except as otherwise provided in divisions (xiii) and (xiv) of this subparagraph, the state title ad valorem tax shall be at a rate equal to 44 percent of the tax rate specified in division (ii) of this subparagraph, and the local title ad valorem tax shall be at a rate equal to 56 percent of the tax rate specified in division (ii) of this subparagraph.

(viii) For the 2018 tax year, except as otherwise provided in division (xiii) of this subparagraph, the state title ad valorem tax shall be at a rate equal to 40 percent of the tax rate specified in division (ii) of this subparagraph, and the local title ad valorem tax shall be at a rate equal to 60 percent of the tax rate specified in division (ii) of this subparagraph.

(ix) For the 2019 tax year, except as otherwise provided in divisions (xiii) and (xiv) of this subparagraph, the state title ad valorem tax shall be at a rate equal to 36 percent of the tax rate specified in division (ii) of this subparagraph, and the local title ad valorem tax shall be at a rate equal to 64 percent of the tax rate specified in division (ii) of this subparagraph.

(x) For the 2020 tax year, except as otherwise provided in division (xiii) of this subparagraph, the state title ad valorem tax shall be at a rate equal to 34 percent of the tax rate specified in division (ii) of this subparagraph, and the local title ad valorem tax shall be at a rate equal to 66 percent of the tax rate specified in division (ii) of this subparagraph.

(xi) For the 2021 tax year, except as otherwise provided in division (xiii) of this subparagraph, the state title ad valorem tax shall be at a rate equal to 30 percent of the tax rate specified in division (ii) of this subparagraph, and the local title ad valorem tax shall be at a rate equal to 70 percent of the tax rate specified in division (ii) of this subparagraph.

(xii) For the 2022 and all subsequent tax years, except as otherwise provided in division (xiii) of this subparagraph for tax years 2022, 2023, and 2024 and except as otherwise provided in division (xiv) of this subparagraph for tax year 2023, the state title ad valorem tax shall be at a rate equal to 28 percent of the tax rate specified in division (ii) of this subparagraph, and the local title ad valorem tax shall be at a rate equal to 72 percent of the tax rate specified in division (ii) of this subparagraph.

(xiii) Beginning in 2016, by not later than January 15 of each tax year through the 2022 tax year, the state revenue commissioner shall determine the local target collection amount and the local current collection amount for the preceding calendar year. If such local current collection amount is equal to or within 1

percent of the local target collection amount, then the state title ad valorem tax rate and the local title ad valorem tax rate for such tax year shall remain at the rate specified in this subparagraph for that year. If the local current collection amount is more than 1 percent greater than the local target collection amount, then the local title ad valorem tax rate for such tax year shall be reduced automatically by operation of this division by such percentage amount as may be necessary so that, if such rate had been in effect for the calendar year under review, the local current collection amount would have produced an amount equal to the local target collection amount, and the state title ad valorem tax rate for such tax year shall be increased by an equal amount to maintain the combined state and local title ad valorem tax rate at the rate specified in division (ii) of this subparagraph. If the local current collection amount is more than 1 percent less than the local target collection amount, then the local title ad valorem tax rate for such tax year shall be increased automatically by operation of this division by such percentage amount as may be necessary so that, if such rate had been in effect for the calendar year under review, the local current collection amount would have produced an amount equal to the local target collection amount, and the state title ad valorem tax rate for such tax year shall be reduced by an equal amount to maintain the combined state and local title ad valorem tax rate at the rate specified in division (ii) of this subparagraph. In the event of an adjustment of such ad valorem tax rates, by not later than January 31 of such tax year, the state revenue commissioner shall notify the tax commissioner of each county in this state of the adjusted rate amounts. The effective date of such adjusted rate amounts shall be January 1 of such tax year.

(xiv) In tax years 2015, 2018, and 2022, by not later than July 1 of each such tax year, the state revenue commissioner shall determine the state target collection amount and the state current collection amount for the preceding calendar year. If such state current collection amount is greater than, equal to, or within 1 percent of the state target collection amount after making the adjustment, if any, required in division (xiii) of this subparagraph, then the combined state and local title ad valorem tax rate provided in division (ii) of this subparagraph shall remain at the rate specified in such division. If the state current collection amount is more than 1 percent less than the state target collection amount after making the adjustment, if any, required by division (xiii) of this subparagraph, then the combined state and local title ad valorem tax rate provided in division (ii) of this subparagraph shall be increased automatically by operation of this division by such percentage amount as may be necessary so that, if such rate had been in effect for the calendar year under review, the state current collection amount would have produced an amount equal to the state target collection amount, and the state title ad valorem tax rate and the local title ad valorem tax rate for the tax year in which such increase in the combined state and local title ad valorem tax rate shall become effective shall be adjusted from the rates specified in this subparagraph or division (xiii) of this subparagraph for such tax year such that the proceeds from such increase in the

combined state and local title ad valorem tax rate shall be allocated in full to the state. In the event of an adjustment of the combined state and local title ad valorem tax rate, by not later than August 31 of such tax year, the state revenue commissioner shall notify the tax commissioner of each county in this state of the adjusted combined state and local title ad valorem tax rate for the next calendar year. The effective date of such adjusted combined state and local title ad valorem tax rate shall be January 1 of the next calendar year. Notwithstanding the provisions of this division, the combined state and local title ad valorem tax rate shall not exceed 9 percent.

(xv) The state revenue commissioner shall promulgate such rules and regulations as may be necessary and appropriate to implement and administer this Code section, including, but not limited to, rules and regulations regarding appropriate public notification of any changes in rate amounts and the effective date of such changes and rules and regulations regarding appropriate enforcement and compliance procedures and methods for the implementation and operation of this Code section.

(C) The application for title and the state and local title ad valorem tax fees provided for in subparagraph (A) of this paragraph shall be paid to the tag agent in the county ~~in which the purchaser registers such motor vehicle~~ where the motor vehicle is to be registered and shall be paid at the time ~~the purchaser applies for a title and registers such motor vehicle~~ the application for a certificate of title is submitted or, in the case of an electronic title transaction, at the time when the electronic title transaction is finalized. In an electronic title transaction, the state and local title ad valorem tax fees shall be remitted electronically directly to the county tag agent. A dealer of new or used motor vehicles may accept such application for title and state and local title ad valorem tax fees on behalf of the purchaser of a new or used motor vehicle for the purpose of ~~delivering~~ submitting or, in the case of an electronic title application, finalizing such title application and ~~remitting~~ submitting state and local title ad valorem tax fees ~~to the county tag agent to obtain a tag and title for the purchaser of such motor vehicle.~~

(D) There shall be a penalty imposed on any person who, in the determination of the commissioner, falsifies any information in any bill of sale used for purposes of determining the fair market value of the motor vehicle. Such penalty shall not exceed \$2,500.00 as a state penalty and shall not exceed \$2,500.00 as a local penalty as determined by the commissioner. Such determination shall be made within 60 days of the commissioner receiving information of a possible violation of this paragraph.

(E)(i) Except in the case in which an extension of the registration period has been granted by the county tag agent under Code Section 40-2-20, a A dealer of new or used motor vehicles that accepts an application for title and state and local title ad valorem tax fees from a purchaser of a new or used motor vehicle and does not ~~transmit~~ submit or, in the case of an electronic title transaction, finalize such application for title and remit such state and local title ad valorem tax fees to the

county tag agent within ~~40~~ 30 days following the date of purchase shall be liable to the county tag agent for an amount equal to 5 percent of the amount of such state and local title ad valorem tax fees. An additional penalty equal to 10 percent of the amount of such state and local title ad valorem tax fees shall be imposed if such payment is not transmitted within 60 days following the date of purchase. An additional ~~5 percent~~ penalty equal to 15 percent of the amount of such state and local title ad valorem tax fees shall be imposed if such payment is not transmitted within 90 days following the date of purchase, and an additional penalty equal to 20 percent of the amount of such state and local title ad valorem tax fees shall be imposed if such payment is not transmitted within 120 days following the date of purchase. An additional penalty equal to 25 percent of the amount of such state and local title ad valorem tax fees shall be imposed for each subsequent ~~month~~ 30 day period in which the payment is not transmitted.

(F) A dealer of new or used motor vehicles that accepts an application for title and state and local title ad valorem tax fees from a purchaser of a new or used motor vehicle and converts such fees to his or her own use shall be guilty of theft by conversion and, upon conviction, shall be punished as provided in Code Section 16-8-12.

(2) A person or entity acquiring a salvage title pursuant to subsection (b) of Code Section 40-3-36 shall not be subject to the fee specified in paragraph (1) of this subsection but shall be subject to a state title ad valorem tax fee in an amount equal to 1 percent of the fair market value of the motor vehicle. Such state title ad valorem tax fee shall be an alternative ad valorem tax as authorized by Article VII, Section I, Paragraph III(b)(3) of the Georgia Constitution.

(c)(1) The amount of proceeds collected by tag agents each month as state and local title ad valorem tax fees, state salvage title ad valorem tax fees, administrative fees, penalties, and interest pursuant to subsection (b) of this Code section shall be allocated and disbursed as provided in this subsection.

(2) For the 2013 tax year and in each subsequent tax year, the amount of such funds shall be disbursed within ~~30~~ 20 days following the end of each calendar month as follows:

(A) State title ad valorem tax fees, state salvage title ad valorem tax fees, administrative fees, penalties, and interest shall be remitted to the state revenue commissioner who shall deposit such proceeds in the general fund of the state less an amount to be retained by the tag agent not to exceed 1 percent of the total amount otherwise required to be remitted under this subparagraph to defray the cost of administration. Such retained amount shall be remitted to the collecting county's general fund. Failure by the tag agent to disburse within such ~~30~~ 20 day period shall result in a forfeiture of such administrative fee plus interest on such amount at the rate specified in Code Section 48-2-40; and

(B) Local title ad valorem tax fees, administrative fees, penalties, and interest shall be designated as local government ad valorem tax funds. The tag agent shall then distribute the proceeds as specified in paragraph (3) of this subsection.

(3) The local title ad valorem tax fee proceeds required under this subsection shall be distributed as follows:

(A) The tag agent of the county shall within ~~30~~ 20 days following the end of each calendar month allocate and distribute to the county governing authority and to municipal governing authorities, the board of education of the county school district, and the board of education of any independent school district located in such county an amount of those proceeds necessary to offset any reduction in ad valorem tax on motor vehicles collected under Chapter 5 of ~~Title 48~~ this title in the taxing jurisdiction of each governing authority and school district from the amount of ad valorem taxes on motor vehicles collected under Chapter 5 of ~~Title 48~~ this title in each such governing authority and school district during the same calendar month of 2012. This reduction shall be calculated by subtracting the amount of ad valorem tax on motor vehicles collected under Chapter 5 of ~~Title 48~~ this title in each such taxing jurisdiction from the amount of ad valorem tax on motor vehicles collected under Chapter 5 of ~~Title 48~~ this title in that taxing jurisdiction in the same calendar month of 2012. In the event that the local title ad valorem tax fee proceeds are insufficient to fully offset such reduction in ad valorem taxes on motor vehicles, the tag agent shall allocate a proportionate amount of the proceeds to each governing authority and to the board of education of each such school district, and any remaining shortfall shall be paid from the following month's local title ad valorem tax fee proceeds. In the event that a shortfall remains, the tag agent shall continue to first allocate local title ad valorem tax fee proceeds to offset such shortfalls until the shortfall has been fully repaid; and

(B) Of the proceeds remaining following the allocation and distribution under subparagraph (A) of this paragraph, the tag agent shall allocate and distribute to the county governing authority and to municipal governing authorities, the board of education of the county school district, and the board of education of any independent school district located in such county the remaining amount of those proceeds in the manner provided in this subparagraph. Such proceeds shall be deposited in the general fund of such governing authority or board of education and shall not be subject to any use or expenditure requirements provided for under any of the following described local sales and use taxes but shall be authorized to be expended in the same manner as authorized for the ad valorem tax revenues on motor vehicles under Chapter 5 of ~~Title 48~~ this title which would otherwise have been collected for such governing authority or board of education. Of such remaining proceeds:

(i) An amount equal to one-third of such proceeds shall be distributed to the board of education of the county school district and the board of education of each independent school district located in such county in the same manner as required for any local sales and use tax for educational purposes levied pursuant to Part 2 of Article 3 of Chapter 8 of ~~Title 48~~ this title currently in effect. If such tax is not currently in effect, such proceeds shall be distributed to such board or boards of education in the same manner as if such tax were in effect;

(ii)(I) Except as otherwise provided in this division, an amount equal to one-third of such proceeds shall be distributed to the governing authority of the county and the governing authority of each qualified municipality located in such county in the same manner as specified under the distribution certificate for the joint county and municipal sales and use tax under Article 2 of Chapter 8 of ~~Title 48~~ this title currently in effect.

(II) If such tax were never in effect, such proceeds shall be distributed to the governing authority of the county and the governing authority of each qualified municipality located in such county on a pro rata basis according to the ratio of the population that each such municipality bears to the population of the entire county.

(III) If such tax is currently in effect as well as a local option sales and use tax for educational purposes levied pursuant to a local constitutional amendment, an amount equal to one-third of such proceeds shall be distributed in the same manner as required under subdivision (I) of this division and an amount equal to one-third of such proceeds shall be distributed to the board of education of the county school district.

(IV) If such tax is not currently in effect and a local option sales and use tax for educational purposes levied pursuant to a local constitutional amendment is currently in effect, such proceeds shall be distributed to the board of education of the county school district and the board of education of any independent school district in the same manner as required under that local constitutional amendment.

(V) If such tax is not currently in effect and a homestead option sales and use tax under Article 2A of Chapter 8 of ~~Title 48~~ this title is in effect, such proceeds shall be distributed to the governing authority of the county, each qualified municipality, and each existing municipality in the same proportion as otherwise required under Code Section 48-8-104; and

(iii)(I) An amount equal to one-third of such proceeds shall be distributed to the governing authority of the county and the governing authority of each qualified municipality located in such county in the same manner as specified under an intergovernmental agreement or as otherwise required under the county special purpose local option sales and use tax under Part 1 of Article 3 of Chapter 8 of ~~Title 48~~ this title currently in effect; provided, however, that this subdivision shall not apply if subdivision (III) of division (ii) of this subparagraph is applicable.

(II) If such tax were in effect but expired and is not currently in effect, such proceeds shall be distributed to the governing authority of the county and the governing authority of each qualified municipality located in such county in the same manner as if such tax were still in effect according to the intergovernmental agreement or as otherwise required under the county special purpose local sales and use tax under Part 1 of Article 3 of Chapter 8 of ~~Title 48~~ this title for the 12 month period commencing at the expiration of such tax. If

such tax is not renewed prior to the expiration of such 12 month period, such amount shall be distributed in accordance with subdivision (I) of division (ii) of this subparagraph; provided, however, that if a tax under Article 2 of Chapter 8 of ~~Title 48~~ this title is not in effect, such amount shall be distributed in accordance with subdivision (II) of division (ii) of this subparagraph.

(III) If such tax is not currently in effect in a county in which a tax is levied for purposes of a metropolitan area system of public transportation, as authorized by the amendment to the Constitution set out at Ga. L. 1964, p. 1008; the continuation of such amendment under Article XI, Section I, Paragraph IV(d) of the Constitution; and the laws enacted pursuant to such constitutional amendment, such proceeds shall be distributed to the governing body of the authority created by local Act to operate such metropolitan area system of public transportation.

(IV) If such tax were never in effect, such proceeds shall be distributed in the same manner as specified under the distribution certificate for the joint county and municipal sales and use tax under Article 2 of Chapter 8 of ~~Title 48~~ this title currently in effect; provided, however, that if such tax under such article is not in effect, such proceeds shall be distributed to the governing authority of the county and the governing authority of each qualified municipality located in such county on a pro rata basis according to the ratio of the population that each such municipality bears to the population of the entire county.

(d)(1)(A) Upon the death of an owner of a motor vehicle which has not become subject to paragraph (1) of subsection (b) of this Code section, the immediate family member or immediate family members of such owner who receive such motor vehicle pursuant to a will or under the rules of inheritance shall, subsequent to the transfer of title of such motor vehicle, continue to be subject to ad valorem tax under Chapter 5 of ~~Title 48~~ this title and shall not be subject to the state and local title ad valorem tax fees provided for in paragraph (1) of subsection (b) of this Code section unless the immediate family member or immediate family members make an affirmative written election to become subject to paragraph (1) of subsection (b) of this Code section. In the event of such election, such transfer shall be subject to the state and local title ad valorem tax fees provided for in paragraph (1) of subsection (b) of this Code section.

(B) Upon the death of an owner of a motor vehicle which has become subject to paragraph (1) of subsection (b) of this Code section, the immediate family member or immediate family members of such owner who receive such motor vehicle pursuant to a will or under the rules of inheritance shall be subject to a state title ad valorem tax fee in an amount equal to one-quarter of 1 percent of the fair market value of the motor vehicle and a local title ad valorem tax fee in an amount equal to one-quarter of 1 percent of the fair market value of the motor vehicle. Such title ad valorem tax fees shall be an alternative ad valorem tax as authorized by Article VII, Section I, Paragraph III(b)(3) of the Georgia Constitution.

(2)(A) Upon the transfer from an immediate family member of a motor vehicle which has not become subject to paragraph (1) of subsection (b) of this Code section, the immediate family member or immediate family members who receive such motor vehicle shall, subsequent to the transfer of title of such motor vehicle, continue to be subject to ad valorem tax under Chapter 5 of ~~Title 48~~ this title and shall not be subject to the state and local title ad valorem tax fees provided for in paragraph (1) of subsection (b) of this Code section unless the immediate family member or immediate family members make an affirmative written election to become subject to paragraph (1) of subsection (b) of this Code section. In the event of such election, such transfer shall be subject to the state and local title ad valorem tax fees provided for in paragraph (1) of subsection (b) of this Code section.

(B) Upon the transfer from an immediate family member of a motor vehicle which has become subject to paragraph (1) of subsection (b) of this Code section, the immediate family member who receives such motor vehicle shall transfer title of such motor vehicle to such recipient family member and shall be subject to a state title ad valorem tax fee in an amount equal to one-quarter of 1 percent of the fair market value of the motor vehicle and a local title ad valorem tax fee in an amount equal to one-quarter of 1 percent of the fair market value of the motor vehicle. Such title ad valorem tax fees shall be an alternative ad valorem tax as authorized by Article VII, Section I, Paragraph III(b)(3) of the Georgia Constitution.

(C) Any title transfer under this paragraph shall be accompanied by an affidavit of the transferor and transferee that such persons are immediate family members to one another. There shall be a penalty imposed on any person who, in the determination of the state revenue commissioner, falsifies any material information in such affidavit. Such penalty shall not exceed \$2,500.00 as a state penalty and shall not exceed \$2,500.00 as a local penalty as determined by the state revenue commissioner. Such determination shall be made within 60 days of the state revenue commissioner receiving information of a possible violation of this paragraph.

(3) Any individual who:

(A) Is required by law to register a motor vehicle or motor vehicles in this state which were registered in the state in which such person formerly resided; and

(B) Is required to file an application for a certificate of title under Code Section 40-3-21 or 40-3-32

shall only be required to pay state and local title ad valorem tax fees in the amount of 50 percent of the amount which would otherwise be due and payable under this subsection at the time of filing the application for a certificate of title, and the remaining 50 percent shall be paid within 12 months.

(4) The state and local title ad valorem tax fees provided for under this Code section shall not apply to corrected titles, replacement titles under Code Section 40-3-31, or titles reissued to the same owner pursuant to Code Sections 40-3-50 through 40-3-56.

(5) Any motor vehicle subject to state and local title ad valorem tax fees under paragraph (1) of subsection (b) of this Code section shall continue to be subject to the

title, license plate, revalidation decal, and registration requirements and applicable fees as otherwise provided in Title 40 in the same manner as motor vehicles which are not subject to state and local title ad valorem tax fees under paragraph (1) of subsection (b) of this Code section.

(6) Motor vehicles owned or leased by or to the state or any county, consolidated government, municipality, county or independent school district, or other government entity in this state shall not be subject to the state and local title ad valorem tax fees provided for under paragraph (1) of subsection (b) of this Code section; provided, however, that such other government entity shall not qualify for the exclusion under this paragraph unless it is exempt from ad valorem tax and sales and use tax pursuant to general law.

(7)(A) Any motor vehicle which is exempt from sales and use tax pursuant to paragraph (30) of Code Section 48-8-3 shall be exempt from state and local title ad valorem tax fees under this subsection.

(B) Any motor vehicle which is exempt from ad valorem taxation pursuant to Code Section 48-5-478, 48-5-478.1, 48-5-478.2, or 48-5-478.3 shall be exempt from state and local title ad valorem tax fees under paragraph (1) of subsection (b) of this Code section.

(8) There shall be a penalty imposed on the transfer of all or any part of the interest in a business entity that includes primarily as an asset of such business entity one or more motor vehicles, when, in the determination of the state revenue commissioner, such transfer is done to evade the payment of state and local title ad valorem tax fees under this subsection. Such penalty shall not exceed \$2,500.00 as a state penalty per motor vehicle and shall not exceed \$2,500.00 as a local penalty per motor vehicle, as determined by the state revenue commissioner, plus the amount of the state and local title ad valorem tax fees. Such determination shall be made within 60 days of the state revenue commissioner receiving information that a transfer may be in violation of this paragraph.

(9) Any owner of any motor vehicle who fails to submit within 30 days of the date such owner is required by law to register such vehicle in this state an application for a first certificate of title under Code Section 40-3-21 or a certificate of title under Code Section 40-3-32 shall be required to pay a penalty in the amount of 10 percent of the state title ad valorem tax fees and 10 percent of the local title ad valorem tax fees required under this Code section, plus and, if such state and local title ad valorem tax fees and the penalty are not paid within 60 days following the date such owner is required by law to register such vehicle, interest at the rate of 1.0 percent per month shall be imposed on the state and local title ad valorem tax fees due under this Code section, unless a temporary permit has been issued by the tax commissioner. The tax commissioner shall grant a temporary permit in the event the failure to timely apply for a first certificate of title is due to the failure of a lienholder to comply with Code Section 40-3-56, regarding release of a security interest or lien, and no penalty or interest shall be assessed. Such penalty and interest shall be in addition to the penalty and fee required under Code Section 40-3-21 or 40-3-32, as applicable. A new or

used motor vehicle dealer shall be responsible for remitting state and local title ad valorem tax fees in the same manner as otherwise required of an owner under this paragraph and shall be subject to the same penalties and interest as an owner for noncompliance with the requirements of this paragraph.

(10) The owner of any motor vehicle ~~purchased in this state~~ for which a title was issued in this state on or after January 1, 2012, and prior to March 1, 2013, shall be authorized to opt in to the provisions of this subsection at any time prior to ~~January 1~~ February 28, 2014, upon compliance with the following requirements:

(A)(i) The total amount of Georgia state and local title ad valorem tax fees which would be due from March 1, 2013, to December 31, 2013, if such vehicle had been titled in 2013 shall be determined; and

(ii) The total amount of Georgia state and local sales and use tax and Georgia state and local ad valorem tax under Chapter 5 of ~~Title 48~~ this title which were due and paid in 2012 for that motor vehicle and, if applicable, the total amount of such taxes which were due and paid for that motor vehicle in 2013 and 2014 shall be determined; and

(B)(i) If the amount derived under division (i) of subparagraph (A) of this paragraph is greater than the amount derived under division (ii) subparagraph (A) of this paragraph, the owner shall remit the difference to the tag agent. Such remittance shall be deemed local title ad valorem tax fee proceeds; or

(ii) If the amount derived under division (i) of subparagraph (A) of this paragraph is less than the amount derived under division (ii) of subparagraph (A) of this paragraph, no additional amount shall be due and payable by the owner.

Upon certification by the tag agent of compliance with the requirements of this paragraph, such motor vehicle shall not be subject to ad valorem tax as otherwise required under Chapter 5 of ~~Title 48~~ this title in the same manner as otherwise provided in paragraph (1) of subsection (b) of this Code section.

(11)(A) In the case of rental motor vehicles owned by a rental motor vehicle concern, the state title ad valorem tax fee shall be in an amount equal to ~~.75~~ .375 percent of the fair market value of the motor vehicle, and the local title ad valorem tax fee shall be in an amount equal to ~~.75~~ .375 percent of the fair market value of the motor vehicle, but only if in the immediately prior calendar year the average amount of sales and use tax attributable to the rental charge of each such rental motor vehicle was at least \$400.00 as certified by the state revenue commissioner. If, in the immediately prior calendar year, the average amount of sales and use tax attributable to the rental charge of each such rental motor vehicle was not at least \$400.00, this paragraph shall not apply and such vehicles shall be subject to the state and local title ad valorem tax fees prescribed in division (b)(1)(B)(ii) of this Code section.

(B) Such title ad valorem tax fees shall be an alternative ad valorem tax as authorized by Article VII, Section I, Paragraph III(b)(3) of the Georgia Constitution.

(12) A loaner vehicle shall not be subject to state and local title ad valorem tax fees under paragraph (1) of subsection (b) of this Code section for a period of time not to

exceed ~~six months in a calendar year~~ 366 days commencing on the date such loaner vehicle is withdrawn temporarily from inventory. Immediately upon the expiration of such ~~six month~~ 366 day period, if the dealer does not return the loaner vehicle to inventory for resale, the dealer shall be responsible for remitting state and local title ad valorem tax fees in the same manner as otherwise required of an owner under paragraph (9) of this subsection and shall be subject to the same penalties and interest as an owner for noncompliance with the requirements of paragraph (9) of this subsection.

(13) Any motor vehicle which is donated to a nonprofit organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code for the purpose of being transferred to another person shall, when titled in the name of such nonprofit organization, not be subject to state and local title ad valorem tax fees under paragraph (1) of subsection (b) of this Code section but shall be subject to state and local title ad valorem tax fees otherwise applicable to salvage titles under paragraph (2) of subsection (b) of this Code section.

(14)(A) A lessor of motor vehicles that leases motor vehicles for more than 31 consecutive days to lessees residing in this state shall register with the department. The department shall collect an annual fee of \$100.00 for such registrations. Failure of a lessor to register under this subparagraph shall subject such lessor to a civil penalty of \$2,500.00.

(B) A lessee residing in this state who leases a motor vehicle under this paragraph shall register such motor vehicle with the tag agent in such lessee's county of residence within 30 days of the commencement of the lease of such motor vehicle or beginning residence in this state, whichever is later.

(C) A lessor that leases a motor vehicle under this paragraph to a lessee residing in this state shall apply for a certificate of title in this state within 30 days of the commencement of the lease of such motor vehicle.

(15) There shall be no liability for any additional state or local title ad valorem tax fees in any of the following title transactions:

(A) The addition or substitution of lienholders on a motor vehicle title so long as the owner of the motor vehicle remains the same;

(B) The acquisition of a bonded title by a person or entity pursuant to Code Section 40-3-28 if the title is to be issued in the name of such person or entity;

(C) The acquisition of a title to a motor vehicle by a person or entity as a result of the foreclosure of a mechanic's lien pursuant to Code Section 40-3-54 if such title is to be issued in the name of such lienholder;

(D) The acquisition of a title to an abandoned motor vehicle by a person or entity pursuant to Chapter 11 of this title if such person or entity is a manufacturer or dealer of motor vehicles and the title is to be issued in the name of such person or entity;

(E) The obtaining of a title to a stolen motor vehicle by a person or entity pursuant to Code Section 40-3-43;

(F) The obtaining of a title by and in the name of a motor vehicle manufacturer, licensed distributor, licensed dealer, or licensed rebuilder for the purpose of resale or to obtain a corrected title, provided that the manufacturer, distributor, dealer, or rebuilder shall submit an affidavit in a form promulgated by the commissioner attesting that the transfer of title is for the purpose of accomplishing a resale or to correct a title only;

(G) The obtaining of a title by and in the name of the holder of a security interest when a motor vehicle has been repossessed after default in accordance with Part 6 of Article 9 of Title 11 if such title is to be issued in the name of such security interest holder; and

(H) The obtaining of a title by a person or entity for purposes of correcting a title, changing an odometer reading, or removing an odometer discrepancy legend, provided that, subject to subparagraph (F) of this paragraph, title is not being transferred to another person or entity.

(16) It shall be unlawful for a person to fail to obtain a title for and register a motor vehicle in accordance with the provisions of this chapter. Any person who knowingly and willfully fails to obtain a title for or register a motor vehicle in accordance with the provisions of this chapter shall be guilty of a misdemeanor.

(17) Any person who purchases a 1963 through 1985 model year motor vehicle for which such person obtains a title shall be subject to this Code section, but the state title ad valorem tax fee shall be in an amount equal to .50 percent of the fair market value of such motor vehicle, and the local title ad valorem tax fee shall be in an amount equal to .50 percent of the fair market value of such motor vehicle.

(e) The fair market value of any motor vehicle subject to this Code section shall be appealable in the same manner as otherwise authorized for a motor vehicle subject to ad valorem taxation under Code Section 48-5-450; provided, however, that the person appealing the fair market value shall first pay the full amount of the state and local title ad valorem tax prior to filing any appeal. If the appeal is successful, the amount of the tax owed shall be recalculated and, if the amount paid by the person appealing the determination of fair market value is greater than the recalculated tax owed, the person shall be promptly given a refund of the difference.

(f) Beginning in 2014, on or before January 31 of each year, the department shall provide a report to the chairpersons of the House Committee on Ways and Means and the Senate Finance Committee showing the state and local title ad valorem tax fee revenues collected pursuant to this chapter and the motor vehicle ad valorem tax proceeds collected pursuant to Chapter 5 of this title during the preceding calendar year."

SECTION 2.

Said title is further amended by revising paragraph (95) of Code Section 48-8-3, relating to exemptions from state sales and use taxes, as follows:

"(95) The sale or purchase of any motor vehicle titled in this state on or after March 1, 2013, pursuant to Code Section 48-5C-1. This Except as otherwise provided in this

paragraph, this exemption shall not apply to leases or rentals of motor vehicles for periods of 31 or fewer consecutive days or to those sales and use taxes collected pursuant to subsection (d) of Code Section 48-8-241. Lease payments for a motor vehicle that is leased for more than 31 consecutive days for which a state and local title ad valorem tax is paid shall be exempt from sales and use taxes as provided for in this paragraph. No sales and use taxes shall be imposed upon state and local title ad valorem tax fees imposed pursuant to Chapter 5C of this title as a part of the purchase price of a motor vehicle or any portion of a lease or rental payment that is attributable to payment of state and local title ad valorem tax fees under Chapter 5C of this title."

SECTION 3.

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

SECTION 4.

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:

Y Abrams	Y Coomer	Y Hamilton	Y McCall	Y Sims, C
N Alexander	Y Cooper	Y Harbin	Y Meadows	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y Harden	Y Mitchell	Y Smith, L
Y Anderson	Y Deffenbaugh	Y Harrell	Y Morgan	Y Smith, M
Y Atwood	Y Dempsey	Y Hatchett	Y Morris	Y Smith, R
Y Ballinger	Y Dickerson	Y Hawkins	Y Mosby	E Smyre
Y Barr	Y Dickey	Y Henson	E Murphy	Y Spencer
Y Battles	Y Dickson	Y Hightower	Y Neal	Y Stephenson, M
E Beasley-Teague	E Dollar	Y Hill	Y Nimmer	Y Stephens, R
E Bell	Y Douglas	Y Hitchens	Y Nix	Y Stephenson
Y Bennett	E Drenner	Y Holcomb	Oliver	Y Stovall
N Bentley	Y Dudgeon	Y Holmes	Y O'Neal	Y Strickland
Y Benton	Y Dukes	Y Holt	Y Pak	Y Talton
Y Beverly	Y Dunahoo	Y Houston	Y Parrish	Y Tankersley
Y Black	Y Duncan	E Howard	Y Parsons	Y Tanner
Y Braddock	Y Dutton	E Hugley	Y Peake	Y Taylor, D
Y Broadrick	Y Ehrhart	Y Jackson	Y Pezold	Y Taylor, T
Y Brockway	Y England	Y Jacobs	Y Powell, A	Y Teasley
Y Brooks	Y Epps, C	Y Jasperse	Y Powell, J	N Thomas, A.M.
Y Bruce	Y Epps, J	Y Jones, J	Y Pruett	Y Thomas, B
Y Bryant	Y Evans	Y Jones, L	Y Quick	Y Turner
Y Buckner	Y Fleming	Y Jones, S	E Ramsey	VACANT
Y Burns	Y Floyd	Y Jordan	E Randall	Y Waites
Y Caldwell, J	Y Fludd	Y Kaiser	Y Rice	Y Watson, B
Y Caldwell, M	Y Frazier	Y Kelley	Y Riley	Y Watson, S
Y Carson	Y Frye	Y Kendrick	Y Roberts	Y Welch

Y Carter	Y Fullerton	Y Kidd	Y Rogers, C	Y Weldon
E Casas	Y Gardner	Y Kirby	Y Rogers, T	Y Wilkerson
Y Chandler	Y Gasaway	Y Knight	Y Rutledge	Y Wilkinson
Y Channell	Y Geisinger	Y Lindsey	Y Rynders	Y Willard
Y Chapman	Y Glanton	Y Lumsden	Y Scott	Y Williams, A
Y Cheokas	Y Golick	Y Mabra	Y Setzler	Y Williams, C
Y Clark, J	Gordon	Y Marin	N Sharper	Y Williams, E
Y Clark, V	Y Gravley	Y Martin	Y Shaw	Y Williamson
Y Coleman	Y Greene	Y Maxwell	Y Sheldon	Y Yates
Y Cooke	Y Gregory	E Mayo	Y Sims, B	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 159, nays 4.

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

Representative O`Neal of the 146th asked unanimous consent that HR 80 be immediately transmitted to the Senate.

It was so ordered.

HB 202. By Representatives Epps of the 144th, Roberts of the 155th and Shaw of the 176th:

A BILL to be entitled an Act to amend Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, so as to provide for requirements for performing value engineering studies; to provide for criteria for the allocation of federal and state funds by the Department of Transportation; to provide for related matters; 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 Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, so as to provide for requirements for performing value engineering studies; to provide for criteria for the allocation of federal and state funds by the Department of Transportation; to provide for qualifications for the issuance of annual commercial wrecker emergency tow permits; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, is amended by revising subsection (d) of Code Section 32-2-41.2, relating to the development of benchmarks, reports, and value engineering studies by the Department of Transportation, to read as follows:

"(d) Value engineering studies shall be performed on all projects whose costs exceed ~~\$10~~ \$50 million, except for any project procured in accordance with Code Sections 32-2-79, 32-2-80, and 32-2-81, and the director shall submit an annual report to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, and the chairpersons of the House and Senate Transportation Committees detailing the amount saved due to the value engineering studies. This report shall also be published on the website of the department."

SECTION 2.

Said title is further amended by revising paragraph (1) of subsection (a) of Code Section 32-5-30, relating to the allocation of state and federal funds, budgeting periods, and reduction of funds, to read as follows:

"(a)(1) The total of expenditures from the State Public Transportation Fund under paragraphs (4), (5), and (6) of Code Section 32-5-21 plus expenditures of federal funds appropriated to the department, ~~not including any federal funds specifically designated for projects that have been earmarked by a member of Congress in excess of appropriated funds,~~ shall be budgeted by the department over two successive budgeting periods every decade. However, such budgeting shall not include:

(A) Any federal funds specifically designated for projects that have been earmarked by a member of Congress in excess of appropriated funds;

(B) Any funds for a project undertaken for purposes of providing for the planning, surveying, constructing, paving, and improving of The Dwight D. Eisenhower System of Interstate and Defense Highways within the state; or

(C) Any funds for a project undertaken for purposes of providing for the planning, surveying, constructing, paving, and improving of any part of the state designated freight corridor, when such designation is made by the director of planning with approval from a majority of the board."

SECTION 3.

Said title is further amended by revising paragraph (3) of subsection (b) of Code Section 32-6-28, relating to permits for excess weight and dimensions, to read as follows:

"(3) **Annual commercial wrecker emergency tow permit.** Pursuant to this Code section, the commissioner may issue an annual permit for vehicles towing disabled, damaged, abandoned, or wrecked commercial vehicles, including combination vehicles, even though such wrecker or its load exceeds the maximum limits specified in this article. ~~However, an~~ An annual commercial wrecker emergency tow permit shall not authorize the operation of a vehicle:

(A) Whose single axle weight exceeds ~~21,000~~ 25,000 pounds;

(B) Whose load on ~~any one~~ one tandem axle exceeds ~~40,000~~ 50,000 pounds and whose load on any secondary tandem axle exceeds 38,000 pounds; or

(C) Whose total load length exceeds 125 feet."

SECTION 4.

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:

Y Abrams	Y Coomer	Y Hamilton	Y McCall	Y Sims, C
Y Alexander	Y Cooper	Y Harbin	Y Meadows	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y Harden	Y Mitchell	Y Smith, L
Y Anderson	Y Deffenbaugh	Y Harrell	Y Morgan	Y Smith, M
Y Atwood	Y Dempsey	Y Hatchett	Y Morris	Y Smith, R
Y Ballinger	Y Dickerson	Y Hawkins	Y Mosby	E Smyre
Y Barr	Y Dickey	Y Henson	E Murphy	Y Spencer
Y Battles	Y Dickson	Y Hightower	Y Neal	Y Stephens, M
E Beasley-Teague	E Dollar	Y Hill	Y Nimmer	Y Stephens, R
E Bell	Y Douglas	Y Hitchens	Y Nix	Y Stephenson
Y Bennett	E Drenner	Y Holcomb	Oliver	Y Stovall
Y Bentley	Y Dudgeon	Y Holmes	Y O'Neal	Y Strickland
Y Benton	Y Dukes	Y Holt	Y Pak	Y Talton
Y Beverly	Y Dunahoo	Y Houston	Y Parrish	Y Tankersley
Y Black	Y Duncan	Y Howard	Y Parsons	Y Tanner
Y Braddock	Y Dutton	E Hugley	Y Peake	Y Taylor, D
Y Broadrick	Y Ehrhart	Y Jackson	Y Pezold	Y Taylor, T
Y Brockway	Y England	Y Jacobs	Y Powell, A	Y Teasley
Y Brooks	Y Epps, C	Y Jasperse	Y Powell, J	Y Thomas, A.M.
Y Bruce	Epps, J	Y Jones, J	Y Pruett	Thomas, B
Y Bryant	Y Evans	Y Jones, L	Y Quick	Y Turner
Y Buckner	Y Fleming	Y Jones, S	E Ramsey	VACANT
Y Burns	Y Floyd	Y Jordan	E Randall	Y Waites
Y Caldwell, J	Y Fludd	Y Kaiser	Y Rice	Y Watson, B
Y Caldwell, M	Y Frazier	Y Kelley	Y Riley	Y Watson, S
Y Carson	Y Frye	Y Kendrick	Y Roberts	Y Welch
Y Carter	Y Fullerton	Y Kidd	Y Rogers, C	Y Weldon
E Casas	Y Gardner	Y Kirby	Y Rogers, T	Y Wilkerson
Y Chandler	Y Gasaway	Y Knight	Y Rutledge	Y Wilkinson
Y Channell	Y Geisinger	Y Lindsey	Y Rynders	Y Willard
Y Chapman	Y Glanton	Y Lumsden	Y Scott	Y Williams, A
Y Cheokas	Y Golick	Y Mabra	Y Setzler	Y Williams, C
Y Clark, J	Y Gordon	Y Marin	Y Sharper	Y Williams, E
Y Clark, V	Y Gravley	Y Martin	Y Shaw	Y Williamson
Y Coleman	Y Greene	Y Maxwell	Y Sheldon	Y Yates
Y Cooke	Y Gregory	E Mayo	Y Sims, B	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 163, nays 0.

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

HB 87. By Representatives Hightower of the 68th, Smith of the 70th, Powell of the 171st, Nix of the 69th, Cooke of the 18th and others:

A BILL to be entitled an Act to amend Article 7 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to precincts and polling places, so as to authorize the use of the boundaries of a gated community as the boundaries of a precinct; to require detailed maps and certain other information to be maintained; to require that such communities be open to the public on election days; to provide for related matters; to provide 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 Article 7 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to precincts and polling places, so as to authorize the use of the boundaries of a restricted access community as the boundaries of a precinct; to require detailed maps and certain other information to be maintained; to require that such communities be open to the public on election days; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 7 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to precincts and polling places, is amended by revising Code Section 21-2-261.1, relating to boundary requirements for precincts, as follows:

"21-2-261.1.

(a) All voting precincts established or altered under the provisions of this article shall consist of areas which are bounded on all sides only by:

(1) Visible features which are readily distinguishable upon the ground (such as streets, railroad tracks, streams, lakes, and ridges) and which are indicated upon official Department of Transportation maps, current census maps, city or county planning maps, official municipal maps, official county maps, or any combination of such maps;

~~(1.1)~~(2) The boundaries of public parks;

~~(1.2)~~(3) The boundaries of public school grounds;

~~(1.3)~~(4) The boundaries of churches; or

~~(2)~~(5) The boundaries of counties and incorporated municipalities; or

(6) The boundaries of restricted access residential communities.

(b) The superintendent of a county or the governing authority of a municipality shall notify the board of registrars within ten days after such changes are adopted.

(c) The superintendent of a county or the governing authority of a municipality shall file with the Secretary of State and the Legislative and Congressional Reapportionment Office:

(1) A map reflecting any changes in precincts within 20 days after the changes are made;

(2) A copy of any communications to or from the United States Department of Justice relating to any precincts within 20 days after such communication is sent or received;

(3) A copy of any pleading initiating a court action potentially affecting any precincts within 30 days after it is filed;

(4) A copy of any court order affecting any precincts within 20 days after it is entered; ~~and~~

(5) For precincts that use the boundaries of a restricted access residential community, a map clearly delineating the boundaries of the community and clearly depicting the streets contained within such community and a list of the streets within such community and the address ranges of such streets; and

(6) Any other documentation necessary to allow the Secretary of State to maintain a current listing of all precincts in ~~the~~ this state."

SECTION 2.

Said article is further amended by adding a new subsection (c) to Code Section 21-2-266, relating to polling places, to read as follows:

"(c) When the boundaries of a restricted access residential community are used as the boundaries for a precinct and a polling place is established within such restricted access residential community for the use of the voters in such precinct, such restricted access community and polling place shall be open to full and complete access by the public when such polling place is in use on the day of a general or special primary or general or special election, including the time while poll officers are setting up the polling place prior to the opening of the polls, the time while the polls are open, and the time while the poll officers are completing the tabulation of the votes, election paperwork, and similar functions after the close of the polls. Such restricted access community and polling place shall also be open to full and complete access by the election superintendent, investigators of the State Election Board, all affected candidates and their representatives, and the public in the event of a recount or recanvass of the votes cast in any primary or election involving such precinct and polling place conducted at such precinct and polling place. In addition, in the event of a contest or challenge to the results of any primary or election involving such precinct and polling place, the election superintendent, upon reasonable notice and at reasonable times, may require such restricted access community and polling place to be open to full and complete access by

the election superintendent, investigators of the State Election Board, and all affected candidates and their representatives for the purpose of determining the issues involved in such contest or challenge."

SECTION 3.

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

SECTION 4.

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:

Y Abrams	Y Coomer	Y Hamilton	Y McCall	Y Sims, C
N Alexander	Y Cooper	Y Harbin	Y Meadows	Y Smith, E
Y Allison	N Dawkins-Haigler	Y Harden	Y Mitchell	Y Smith, L
N Anderson	Y Deffenbaugh	Y Harrell	Y Morgan	Y Smith, M
Y Atwood	Y Dempsey	Y Hatchett	Y Morris	Y Smith, R
Y Ballinger	Y Dickerson	Y Hawkins	Y Mosby	E Smyre
Y Barr	Y Dickey	N Henson	E Murphy	Spencer
Y Battles	Y Dickson	Y Hightower	Y Neal	Stephens, M
E Beasley-Teague	E Dollar	Y Hill	Y Nimmer	Y Stephens, R
E Bell	Y Douglas	Y Hitchens	Y Nix	N Stephenson
N Bennett	E Drenner	N Holcomb	Oliver	Y Stovall
Y Bentley	Y Dudgeon	Y Holmes	Y O'Neal	Y Strickland
Y Benton	N Dukes	Y Holt	Y Pak	Y Talton
Y Beverly	Y Dunahoo	Y Houston	Y Parrish	Y Tankersley
Y Black	Y Duncan	Y Howard	Y Parsons	Y Tanner
Y Braddock	Y Dutton	E Hugley	Y Peake	Y Taylor, D
Y Broadrick	Y Ehrhart	Y Jackson	Y Pezold	Y Taylor, T
Y Brockway	Y England	Y Jacobs	Y Powell, A	Y Teasley
N Brooks	Y Epps, C	Y Jasperse	Y Powell, J	N Thomas, A.M.
N Bruce	Y Epps, J	Y Jones, J	Y Pruett	Thomas, B
Bryant	Y Evans	N Jones, L	Y Quick	Y Turner
N Buckner	Y Fleming	N Jones, S	E Ramsey	VACANT
Y Burns	Y Floyd	Y Jordan	E Randall	Y Waites
Y Caldwell, J	Fludd	Y Kaiser	Y Rice	Y Watson, B
Y Caldwell, M	N Frazier	Y Kelley	Y Riley	Y Watson, S
Y Carson	N Frye	Y Kendrick	Y Roberts	Y Welch
Y Carter	Y Fullerton	Y Kidd	Y Rogers, C	Y Weldon
E Casas	N Gardner	Y Kirby	Y Rogers, T	N Wilkerson
Y Chandler	Y Gasaway	Y Knight	Y Rutledge	Y Wilkinson
Y Channell	Y Geisinger	Y Lindsey	Y Rynders	Y Willard
Y Chapman	Y Glanton	Y Lumsden	N Scott	Y Williams, A
Y Cheokas	Y Golick	Y Mabra	Y Setzler	Y Williams, C
Y Clark, J	Y Gordon	Y Marin	Y Sharper	N Williams, E
Y Clark, V	Y Gravley	Y Martin	Y Shaw	Y Williamson

Y Coleman
Y Cooke

Y Greene
Y Gregory

Y Maxwell
E Mayo

Y Sheldon
Y Sims, B

Y Yates
Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 141, nays 20.

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

The following Resolutions of the House were read and referred to the Committee on Rules:

HR 362. By Representatives Dickerson of the 113th, Stephenson of the 90th, Dawkins-Haigler of the 91st, Kirby of the 114th, Anderson of the 92nd and others:

A RESOLUTION commending Alex Mann for placing third in the 20th International Environmental Project Olympiad and inviting him to be recognized by the House of Representatives; and for other purposes.

HR 363. By Representatives Dickerson of the 113th, Stephenson of the 90th, Dawkins-Haigler of the 91st, Kirby of the 114th, Anderson of the 92nd and others:

A RESOLUTION commending Johnathan Davis and Crystal Brockington for placing second in the 20th International Environmental Project Olympiad and inviting them to be recognized by the House of Representatives; and for other purposes.

HR 364. By Representatives Gardner of the 57th and O'Neal of the 146th:

A RESOLUTION recognizing and commending Dr. Don Meck and inviting him to be recognized by the House of Representatives; and for other purposes.

HR 365. By Representatives Gardner of the 57th and Golick of the 40th:

A RESOLUTION recognizing and commending Dr. Jennifer Kelly and inviting her to be recognized by the House of Representatives; and for other purposes.

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 362 Do Pass
HR 363 Do Pass

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

HR 149. By Representatives Holmes of the 129th and Yates of the 73rd:

A RESOLUTION recognizing and commending William Arthur Connelly on his significant accomplishments and inviting him to be recognized by the House of Representatives; and for other purposes.

HR 362. By Representatives Dickerson of the 113th, Stephenson of the 90th, Dawkins-Haigler of the 91st, Kirby of the 114th, Anderson of the 92nd and others:

A RESOLUTION commending Alex Mann for placing third in the 20th International Environmental Project Olympiad and inviting him to be recognized by the House of Representatives; and for other purposes.

HR 363. By Representatives Dickerson of the 113th, Stephenson of the 90th, Dawkins-Haigler of the 91st, Kirby of the 114th, Anderson of the 92nd and others:

A RESOLUTION commending Johnathan Davis and Crystal Brockington for placing second in the 20th International Environmental Project Olympiad and inviting them to be recognized by the House of Representatives; and for other purposes.

The following Resolutions of the House were read and adopted:

HR 366. By Representatives Randall of the 142nd, Beverly of the 143rd, Smyre of the 135th, Williams of the 168th and Brooks of the 55th:

A RESOLUTION recognizing and commending Reverend Dr. Al Sharpton on his outstanding public service; and for other purposes.

HR 367. By Representatives Hitchens of the 161st and Burns of the 159th:

A RESOLUTION recognizing and commending Tre' and Jenny Wilkins for founding the Catie Wilkins Memorial Fund through CURE Childhood Cancer; and for other purposes.

HR 368. By Representative Benton of the 31st:

A RESOLUTION commending Mrs. Lisa Simmons, East Jackson County Comprehensive High School's 2013 STAR Teacher; and for other purposes.

HR 369. By Representative Benton of the 31st:

A RESOLUTION commending Ms. Natalie Peterson, Jackson County Comprehensive High School's 2013 STAR Teacher; and for other purposes.

HR 370. By Representative Benton of the 31st:

A RESOLUTION commending Ms. Sarah Cosey, West Jackson County Middle School's 2013 Teacher of the Year and Jackson County System Teacher of the Year; and for other purposes.

HR 371. By Representative Benton of the 31st:

A RESOLUTION commending Sam Derochers, East Jackson County Comprehensive High School's 2013 STAR Student; and for other purposes.

HR 372. By Representative Benton of the 31st:

A RESOLUTION commending Caitlyn Martin, Jackson County Comprehensive High School's 2013 STAR Student; and for other purposes.

HR 373. By Representative Benton of the 31st:

A RESOLUTION commending the Georgia Civil War Commission; and for other purposes.

HR 374. By Representatives Jackson of the 128th, Williams of the 168th, Williams of the 87th, Frazier of the 126th, Holcomb of the 81st and others:

A RESOLUTION honoring the life and memory of Chief Warrant Officer Four Shawn Colin Adolphus, Sr.; and for other purposes.

HR 375. By Representatives Maxwell of the 17th, Braddock of the 19th, Gravley of the 67th and Alexander of the 66th:

A RESOLUTION commending Leadership Paulding 23; and for other purposes.

HR 376. By Representatives McCall of the 33rd, Watson of the 172nd, Williams of the 119th and Black of the 174th:

A RESOLUTION recognizing Wednesday, February 20, 2013, as Alpha Gamma Rho Day at the state capitol; and for other purposes.

HR 377. By Representatives Nix of the 69th, Roberts of the 155th and Epps of the 144th:

A RESOLUTION honoring Mr. Wayne Marshall for his dedication to the environment and to the State of Georgia; and for other purposes.

HR 378. By Representatives Powell of the 32nd, Ralston of the 7th, Taylor of the 173rd, Atwood of the 179th, Lumsden of the 12th and others:

A RESOLUTION commending police chiefs and other heads of law enforcement agencies in this state and recognizing Tuesday, March 12, 2013, as Police Chiefs and Heads of Law Enforcement Agencies Recognition Day at the capitol; and for other purposes.

HR 379. By Representatives McCall of the 33rd, Channell of the 120th and Fleming of the 121st:

A RESOLUTION commending the Kettle Creek Battlefield Association for its efforts to preserve and protect the land where the Battle of Kettle Creek was fought, promote awareness of the battle's importance in American history, and recognize the heroic actions of free and enslaved colonists of Wilkes County in support of American independence; and for other purposes.

HR 380. By Representatives Jordan of the 77th, Stephens of the 165th, Hugley of the 136th and Morgan of the 39th:

A RESOLUTION commending Alpha Phi Alpha Fraternity, Inc., and the Georgia District Chapters and recognizing February 21, 2013, as Alpha Phi Alpha Day at the state capitol; and for other purposes.

HR 381. By Representatives Gardner of the 57th and Stephenson of the 90th:

A RESOLUTION recognizing and commending Dr. Nadine Kaslow for her significant achievements; and for other purposes.

HR 382. By Representatives Gardner of the 57th and Stephenson of the 90th:

A RESOLUTION recognizing and commending Dr. Carol Webb for her significant achievements; and for other purposes.

HR 383. By Representative Channell of the 120th:

A RESOLUTION honoring and celebrating the tenth birthday of John Scott Shepherd, Jr.; and for other purposes.

HR 384. By Representatives Bennett of the 94th, Morgan of the 39th, Hugley of the 136th and Randall of the 142nd:

A RESOLUTION honoring the life and memory of Mrs. Juanita Orr during the February 18, 2013, Alpha Kappa Alpha day at the capitol; and for other purposes.

HR 385. By Representatives Kendrick of the 93rd and Harrell of the 106th:

A RESOLUTION recognizing the month of February, 2013, as African American History Month in the City of Snellville, Georgia; and for other purposes.

HR 386. By Representatives Gordon of the 163rd, Stephens of the 165th and Bryant of the 162nd:

A RESOLUTION commending Pastor Terrance LaVorn Burrell, Sr.; and for other purposes.

HR 387. By Representatives McCall of the 33rd, Kirby of the 114th, England of the 116th, Roberts of the 155th, Harden of the 148th and others:

A RESOLUTION commending the Georgia peanut industry and recognizing March 1, 2013, as Peanut Butter and Jelly Day at the capitol; and for other purposes.

Representative O'Neal of the 146th moved that the House do now adjourn until 10:00 o'clock, A.M., Tuesday, February 19, 2013, and the motion prevailed.

Pursuant to the adjournment Resolution previously adopted by the House and Senate, the Speaker announced the House adjourned until 10:00 o'clock, A.M., Tuesday, February 19, 2013.