

Representative Hall, Atlanta, Georgia

Thursday, January 31, 2013

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

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

Representatives Benton of the 31st, Beverly of the 143rd, Cheokas of the 138th, Clark of the 98th, Epps of the 132nd, Harbin of the 122nd, Jacobs of the 80th, Knight of the 130th, Marin of the 96th, Pezold of the 133rd, Rice of the 95th, Smith of the 134th, Williams of the 168th, and Williamson of the 115th.

They wished to be recorded as present.

Prayer was offered by Reverend Olin McBride, McDonough Presbyterian Church, McDonough, 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 19. By Representatives Waites of the 60th and Floyd of the 99th:

A BILL to be entitled an Act to amend Subpart 2 of Part 1 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to compulsory attendance in elementary and secondary education, so as to enact the "Dropout Deterrent Act"; to provide for a short title; to revise the age of mandatory education; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

HB 33. By Representative Smith of the 125th:

A BILL to be entitled an Act to amend Code Section 40-6-391 of the Official Code of Georgia Annotated, relating to driving under the influence of alcohol, drugs, or other intoxicating substances, so as to mandate incarceration for a first conviction of driving under the influence of alcohol, drugs, or other intoxicating substances; to provide for a short title; to amend Code Section 42-4-7 of the Official Code of Georgia Annotated, relating to maintenance of inmate records by the sheriff and earned time allowances, so as to prohibit earned time allowances for a first conviction of driving under the influence of alcohol, drugs, or other intoxicating substances; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 148. By Representatives Alexander of the 66th and Wilkerson of the 38th:

A BILL to be entitled an Act to amend Chapter 2 of Title 48 of the Official Code of Georgia Annotated, relating to state administration and enforcement of taxation, so as to provide for a short title; to provide for definitions; to provide for an actuarial investigation and a legislative procedure for review and perfection of all bills proposing tax exemptions; 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 149. By Representatives Kendrick of the 93rd, Sharper of the 177th, Mayo of the 84th, Fludd of the 64th, Marin of the 96th and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 34 of the O.C.G.A., relating to general provisions regarding labor and industrial relations, so as to prohibit employers from requesting or requiring that an employee or applicant for employment disclose a username or password for the purpose of accessing personal social media; to prohibit employers from requesting or requiring that an employee or applicant access personal social media in the presence of the employer; to prohibit an employer from taking adverse action against an employee or applicant for employment for not complying with such a request or demand; to provide for definitions; to provide for exceptions; to provide for a civil cause of action; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Industry and Labor.

HB 150. By Representatives Bruce of the 61st, Pruett of the 149th, Roberts of the 155th, Burns of the 159th, Lindsey of the 54th and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 10, Chapter 1 of Title 35, Article 4 of Chapter 18 of Title 50, and Title 51 of the O.C.G.A., relating to selling and other trade practices, general provisions for law enforcement officers and agencies, inspection of public records, and torts, respectively, so as to enact provisions relating to the reproduction of arrest booking photographs; to require law enforcement agencies to copyright or watermark certain photographs; to authorize copyrighting of public records; to provide for the right of publicity in an individual's persona; to prohibit the use of an individual's persona for commercial purposes without authorization; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 151. By Representatives Williams of the 168th and Glanton of the 75th:

A BILL to be entitled an Act to amend Chapter 5B of Title 50 of the Official Code of Georgia Annotated, relating to the state accounting office, so as to direct the state accounting officer to pay state obligations to vendors within a certain time period; to provide that, if such payments are not made within the time specified, the state will owe interest equal to 12 percent per annum; to provide for information from state agencies; to provide for promulgation of rules and regulations; to provide for an effective date; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

HB 152. By Representatives Bentley of the 139th and Marin of the 96th:

A BILL to be entitled an Act to amend Code Section 50-36-1 of the Official Code of Georgia Annotated, relating to verification requirements for lawful presence within the United States, procedures, conditions, exceptions, regulations, and criminal and other penalties for violations, so as to no longer require an applicant for a public benefit or license who has clearly established his or her United States citizenship to repeatedly establish his or her citizenship for the same benefit or license; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

- HB 153. By Representatives Carson of the 46th, Golick of the 40th, Stephens of the 164th, Dudgeon of the 25th, Riley of the 50th and others:

A BILL to be entitled an Act to amend Part 1 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to the county special purpose local option sales tax, so as to allow such taxes to be imposed at a rate of less than 1 percent; to provide for the simultaneous levy of more than one tax under such part if the combined rate of such taxes does not exceed 1 percent; to change the beginning date for imposition of a tax; 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 154. By Representatives Hamilton of the 24th, Pruett of the 149th, Kirby of the 114th, Lindsey of the 54th, Fleming of the 121st and others:

A BILL to be entitled an Act to amend Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to workers' compensation, so as to change certain provisions relating to awards and benefits of workers' compensation; to provide for a limitation period on medical benefits; to provide for changes related to reimbursement of mileage charges; to provide for changes related to interest on lump sum payments of compensation; to provide for changes related to benefits for attempting work; to increase the compensation benefits for total disability and temporary partial disability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Industry and Labor.

- HB 155. By Representatives Knight of the 130th, Burns of the 159th, Williams of the 119th, Roberts of the 155th and Meadows of the 5th:

A BILL to be entitled an Act to amend Title 27 of the Official Code of Georgia Annotated, relating to game and fish, so as to revise provisions concerning the licensing and operation of shooting preserves; to revise the definition of "pen raised game birds"; to change licensing requirements for shooting preserves; to create a lifetime shooting preserve license; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Game, Fish, & Parks.

- HB 156. By Representatives Neal of the 2nd, Atwood of the 179th, Nix of the 69th, Hitchens of the 161st and Hightower of the 68th:

A BILL to be entitled an Act to amend Code Section 16-12-100.2 of the Official Code of Georgia Annotated, relating to computer or electronic pornography and child exploitation prevention, so as to clarify certain acts amounting to unlawfully seducing, soliciting, luring, or enticing a child through use of a computer online service, Internet service, or similar service, to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 157. By Representatives Neal of the 2nd, Nix of the 69th, Braddock of the 19th, Powell of the 32nd, Dickerson of the 113th and others:

A BILL to be entitled an Act to amend Code Section 16-12-81 of the Official Code of Georgia Annotated, relating to the unsolicited distribution of material depicting nudity or sexual conduct and penalties, so as to clarify the application of the offense of unlawful distribution of material depicting nudity or sexual conduct to unsolicited materials distributed through electronic transmissions; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 158. By Representatives Knight of the 130th, Burns of the 159th, Williams of the 119th, Williams of the 168th and Meadows of the 5th:

A BILL to be entitled an Act to amend Code Section 27-2-1 of the Official Code of Georgia Annotated, relating to general license requirements for hunting, trapping, and fishing, so as to allow registered boat owners to hunt and fish without a license on certain days; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Game, Fish, & Parks.

HB 159. By Representatives Harrell of the 106th, Knight of the 130th, England of the 116th, Powell of the 171st, Battles of the 15th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding ad valorem taxation of property, so as to provide that property tax bills shall not include any nontax related fees or assessments; to provide for

applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 160. By Representatives Jacobs of the 80th, Welch of the 110th, Oliver of the 82nd, Lindsey of the 54th, Weldon of the 3rd and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 14 of Title 44 of the Official Code of Georgia Annotated, relating to mortgages, conveyances to secure debt, and liens in general, so as to revise provisions relating to vacant and foreclosed real property registries; to prohibit a fee for a future conveyance except under limited circumstances; to provide for a definition; 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.

HB 161. By Representatives Atwood of the 179th, Willard of the 51st, Fleming of the 121st, Hightower of the 68th, Pak of the 108th and others:

A BILL to be entitled an Act to amend Part 1 of Article 5 of Chapter 12 of Title 15 of the Official Code of Georgia Annotated, relating to trial juries in general, so as to change provisions relating to the oath of bailiffs; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 162. By Representatives Jones of the 53rd and Scott of the 76th:

A BILL to be entitled an Act to amend Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to student health in elementary and secondary education, so as to require public schools to provide parents or guardians of sixth grade students information concerning human papillomavirus including the availability of a vaccination against such virus; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

HB 163. By Representatives Jones of the 53rd and Scott of the 76th:

A BILL to be entitled an Act to amend Chapter 1 of Title 43 of the Official Code of Georgia Annotated, relating to general provisions relative to professions and businesses, so as to provide that each professional licensing board shall waive licensing fees for military veterans; to provide for an application; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries.

HB 164. By Representatives Atwood of the 179th, Peake of the 141st, Smyre of the 135th, Knight of the 130th, Gordon of the 163rd and others:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so as to eliminate the sunset from the exemption regarding the sale or use of engines, parts, equipment, or other tangible personal property used in the maintenance or repair of certain aircraft; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 165. By Representatives Dukes of the 154th and Henson of the 86th:

A BILL to be entitled an Act to establish the "Georgia Buy American Act"; to amend Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to general authority, duties, and procedure relative to state purchasing, so as to provide a short title; to define certain terms; to provide for a preference for the purchase of products made or produced in the United States; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes

Referred to the Committee on Governmental Affairs.

HB 166. By Representatives Bruce of the 61st and Anderson of the 92nd:

A BILL to be entitled an Act to amend Chapter 1 of Title 34 of the Official Code of Georgia Annotated, relating to general provisions relative to labor and industrial relations, so as to enact the "Parent Protection Act"; to provide for leave for employees to attend school conferences and medical appointments; to provide for definitions; to provide for conditions to take

leave; to provide for annual notification; to provide for statutory construction; to provide that retaliatory actions are unlawful; to provide for a remedy; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Industry and Labor.

HB 167. By Representatives Drenner of the 85th, Bennett of the 94th, Henson of the 86th, Fullerton of the 153rd, Frazier of the 126th and others:

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 for a short title; to provide for an income tax credit for energy costs of certain families; to provide for conditions and limitations; to provide for powers, duties, and authority of the state revenue commissioner with respect to the foregoing; to provide an effective date; to provide for applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HR 107. By Representatives Sheldon of the 104th, Rynders of the 152nd, Channell of the 120th, Parrish of the 158th, Cooper of the 43rd and others:

A RESOLUTION creating the Joint Study Committee on Medicaid Reform; and for other purposes.

Referred to the Committee on Appropriations.

HR 108. By Representatives Duncan of the 26th, Lindsey of the 54th, Jones of the 47th, Ramsey of the 72nd, Kelley of the 16th and others:

A RESOLUTION proposing an amendment to the Constitution so as to provide that where local, state, or federal law requires elections for public office or public votes on initiatives or referendums, or requires designations or authorizations of employee representation, the right of individuals to vote by secret ballot shall be guaranteed; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

Referred to the Committee on Judiciary.

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

HB 129	HB 130
HB 131	HB 132
HB 133	HB 134
HB 135	HB 136
HB 137	HB 138
HB 139	HB 140
HB 141	HB 142
HB 143	HB 144
HB 145	HB 146
HB 147	HR 5
SB 25	SB 26
SB 27	SB 29
SB 30	SB 31
SB 32	

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 Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 86 Do Pass

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

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

HOUSE RULES CALENDAR
THURSDAY, JANUARY 31, 2013

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 8th Legislative Day as enumerated below:

DEBATE CALENDAR

Open Rule

None

Modified Open Rule

None

Modified Structured Rule

- HB 55 Wiretapping; interception of wire or oral transmissions by law enforcement; change provisions (Substitute)(JudyNC-Golick-40th)
- HB 57 Controlled substances; definition of Schedule I; expand (JudyNC-Ramsey-72nd)

Structured Rule

None

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

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

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

HB 86. By Representatives Channell of the 120th and Kidd of the 145th:

A BILL to be entitled an Act to amend an Act to provide for compensation for the judge of the State Court of Putnam County, the solicitor of the State Court of Putnam County, and the clerk of the State Court of Putnam County, approved April 1, 1996 (Ga. L. 1996, p. 3721), so as to change the compensation for the judge of the State Court of Putnam County and the solicitor-general of the State Court of Putnam County; to provide for related matters; to provide an effective date; 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	Coomer	Y Hamilton	Y McCall	Sims, C
Y Alexander	Cooper	Y Harbin	Y Meadows	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y Harden	Y Mitchell	Y Smith, L
E 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	Y Smyre
Y Barr	Y Dickey	Y Henson	E Murphy	Y Spencer
Y Battles	Y Dickson	Y Hightower	Y Neal	Y Stephens, M
Y Beasley-Teague	Y Dollar	Hill	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Y Nix	Y Stephenson
Y Bennett	Y Drenner	Y Holcomb	E Oliver	Y Stovall
Y Bentley	Y Dudgeon	Y Holmes	Y O'Neal	Y Strickland
Y Benton	Y Dukes	Y Holt	Y Pak	Y Talton
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	Jackson	Y Pezold	Y Taylor, T
E Brockway	Y England	Jacobs	Y Powell, A	E 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
Y Bryant	Y Evans	Y Jones, L	Y Quick	VACANT
Buckner	Y Fleming	Y Jones, S	Y Ramsey	VACANT
Y Burns	Floyd	Y Jordan	Y Randall	Y Waites
Y Caldwell, J	Y Fludd	Y Kaiser	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	Setzler	Y Williams, C
Y Clark, J	Y Gordon	Y Marin	Y Sharper	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	Y Mayo	Y Sims, B	Ralston, Speaker

On the passage of the Bill, the ayes were 158, nays 0.

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

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

Representatives Stovall of the 74th, Maxwell of the 17th, Braddock of the 19th, Alexander of the 66th, Gravley of the 67th, Meadows of the 5th, Jones of the 62nd,

Coomer of the 14th, Smyre of the 135th, Smith of the 134th, Ehrhart of the 36th, Morgan of the 39th, Carson of the 46th, Knight of the 130th, Mosby of the 83rd, Wilkerson of the 38th, Kendrick of the 93rd, Bennett of the 94th, Houston of the 170th, Powell of the 171st, and Watson of the 172nd.

Pursuant to HR 29, the House recognized and commended the Screven County Development Authority on the 50th anniversary of the signing of the legislation that created the development authority and invited its members to be recognized by the House of Representatives.

Pursuant to HR 79, the House recognized and commended St. Joseph's/Candler Health System of Savannah, Georgia, and invited President and CEO Mr. Paul P. Hinchey to be recognized by the House of Representatives.

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 55. By Representatives Golick of the 40th, Ramsey of the 72nd, Atwood of the 179th, Pak of the 108th, Coomer of the 14th and others:

A BILL to be entitled an Act to amend Part 1 of Article 3 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to wiretapping, eavesdropping, surveillance, and related offenses, so as to change provisions relating to interception of wire or oral transmissions by law enforcement officers; to change provisions relating to the application and issuance of orders authorizing installation and use of pen register and trap and trace device; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Part 1 of Article 3 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to wiretapping, eavesdropping, surveillance, and related offenses, so as to change provisions relating to interception of wire or oral transmissions by law enforcement officers; to change provisions relating to the application and issuance of orders authorizing installation and use of pen register and trap and trace device; 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.

Part 1 of Article 3 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to wiretapping, eavesdropping, surveillance, and related offenses, is amended by revising subsection (c) of Code Section 16-11-64, relating to interception of wire or oral transmissions by law enforcement officers, as follows:

"(c) Upon written application, under oath, of the ~~prosecuting~~ district attorney having jurisdiction over prosecution of the crime under investigation, or the Attorney General, made before a judge of superior court having jurisdiction over the crime under investigation, ~~said such~~ court may issue an investigation warrant permitting the use of ~~such a~~ a device, ~~as defined in Code Section 16-11-60~~, for the surveillance of ~~such a~~ person or place to the extent the same is consistent with and subject to the terms, conditions, and procedures provided for by ~~Chapter 119 of Title 18 of the United States Code Annotated, as amended~~ 18 U.S.C. Chapter 119. Such warrant shall have state-wide application and interception of communications shall be permitted in any location in this state."

SECTION 2.

Said part is further amended by revising Code Section 16-11-64.1, relating to the application and issuance of orders authorizing installation and use of pen register and trap and trace device, as follows:

"16-11-64.1.

Any district attorney having jurisdiction over the prosecution of the crime under investigation or the Attorney General is authorized to make application for an order or an extension of an order authorizing or approving the installation and use of a pen register or a trap and trace device to a judge of the superior court of the same judicial circuit as the district attorney, or, in the case of the Attorney General, in any judicial circuit; and ~~said such~~ court ~~is~~ shall be authorized to enter an order authorizing the use of a pen register or a trap and trace device, to the extent the same is consistent with and permitted by the laws of the United States. Such order shall have state-wide application and the interception by use of a pen register or trap and trace device shall be permitted in any location in this state."

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
Y Alexander	Cooper	Y Harbin	Y Meadows	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y Harden	Y Mitchell	Y Smith, L
E 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	Y Smyre
Y Barr	Y Dickey	Y Henson	E Murphy	Y Spencer
Y Battles	Y Dickson	Y Hightower	Y Neal	Y Stephens, M
Y Beasley-Teague	Y Dollar	Y Hill	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Y Nix	Y Stephenson
Y Bennett	Y Drenner	Y Holcomb	E Oliver	Y Stovall
Y Bentley	Y Dudgeon	Y Holmes	Y O'Neal	Y Strickland
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	Jackson	Y Pezold	Y Taylor, T
Brockway	Y England	Y Jacobs	Y Powell, A	E 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
Y Bryant	Y Evans	Y Jones, L	Y Quick	VACANT
Y Buckner	Y Fleming	Y Jones, S	Y Ramsey	VACANT
Y Burns	Y Floyd	Y Jordan	Y Randall	Y Waites
Y Caldwell, J	Y Fludd	Y Kaiser	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	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	N Gregory	Y Mayo	Y Sims, B	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 164, nays 1.

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

Representative Golick of the 40th asked unanimous consent that HB 55 be immediately transmitted to the Senate.

It was so ordered.

HB 57. By Representatives Ramsey of the 72nd, Golick of the 40th, Cooke of the 18th, Hightower of the 68th, Gravley of the 67th and others:

A BILL to be entitled an Act to amend Code Section 16-13-25 of the Official Code of Georgia Annotated, relating to Schedule I controlled substances, so as to expand the definition of Schedule I controlled substances; to provide for related matters; to provide for an effective date; 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	Y Dawkins-Haigler	Y Harden	Y Mitchell	Y Smith, L
E 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	Y Smyre
Y Barr	Y Dickey	Y Henson	E Murphy	Y Spencer
Y Battles	Y Dickson	Y Hightower	Y Neal	Y Stephens, M
Y Beasley-Teague	Y Dollar	Y Hill	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Y Nix	Y Stephenson
Y Bennett	Y Drenner	Y Holcomb	E 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	Jackson	Y Pezold	Y Taylor, T
Y Brockway	Y England	Y Jacobs	Y Powell, A	E 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
Y Bryant	Y Evans	Y Jones, L	Y Quick	VACANT
Y Buckner	Y Fleming	Y Jones, S	Y Ramsey	VACANT
Y Burns	Y Floyd	Y Jordan	Y Randall	Y Waites
Y Caldwell, J	Y Fludd	Y Kaiser	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	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	N Gregory	Y Mayo	Y Sims, B	Ralston, Speaker

On the passage of the Bill, the ayes were 167, nays 1.

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

Representative Knight of the 130th moved that the following Bill of the House be withdrawn from the Committee on Banks & Banking and recommitted to the Committee on Small Business Development:

HB 83. By Representatives Knight of the 130th, Clark of the 98th, Teasley of the 37th, Pezold of the 133rd and Braddock of the 19th:

A BILL to be entitled an Act to amend Article 13 of Chapter 1 of Title 7 of the Official Code of Georgia Annotated, relating to the licensing of mortgage lenders and mortgage brokers, so as to exempt licensed real estate brokers and salespersons assisting in a short sale real estate transaction from the mortgage broker licensing requirements; to provide for related matters; to repeal conflicting laws; and for other purposes.

The motion prevailed.

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

HR 147. By Representatives Gardner of the 57th, Oliver of the 82nd, Bell of the 58th and Mosby of the 83rd:

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

HR 148. By Representatives Ramsey of the 72nd, Fludd of the 64th and Mabra of the 63rd:

A RESOLUTION recognizing and congratulating the McIntosh High School Lady Chiefs soccer team of Fayette County for winning the Class AAAAA State Championship and inviting them to be recognized by the House of Representatives; and for other purposes.

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 150. By Representatives Jones of the 47th, Golick of the 40th, Ramsey of the 72nd, Maxwell of the 17th, Thomas of the 56th and others:

A RESOLUTION commending Georgia State University; recognizing February 6, 2013, as Georgia State University Day at the state capitol; and inviting President Mark Becker and students Marcus Kernizan, Eric McGhee, Shelby Lohr, and Kelsey Spinks to be recognized by the House of Representatives; and for other purposes.

HR 151. By Representatives Rogers of the 29th, Casas of the 107th, Dempsey of the 13th, Ehrhart of the 36th, Carter of the 175th and others:

A RESOLUTION commending LaNette Holloman and inviting her to be recognized by the House of Representatives; and for other purposes.

The following Resolutions of the House were read and adopted:

HR 152. By Representative Drenner of the 85th:

A RESOLUTION congratulating Bishop William "Bill" C. Harris on his 70th birthday; and for other purposes.

HR 153. By Representatives Powell of the 32nd, Ralston of the 7th, O'Neal of the 146th, Atwood of the 179th, Taylor of the 173rd and others:

A RESOLUTION honoring and commending the firefighters of Georgia and recognizing February 5, 2013, as the 41st annual Firefighters Appreciation Day at the capitol; and for other purposes.

HR 154. By Representatives Carter of the 175th, Black of the 174th, Shaw of the 176th and Sharper of the 177th:

A RESOLUTION recognizing and celebrating 40 years of Dance Arts with Linda Chase; and for other purposes.

HR 155. By Representatives Carter of the 175th, Black of the 174th, Shaw of the 176th and Sharper of the 177th:

A RESOLUTION recognizing and commending the Valdosta-Lowndes County Chamber of Commerce; and for other purposes.

HR 156. By Representatives Howard of the 124th, Murphy of the 127th, Smith of the 125th and Frazier of the 126th:

A RESOLUTION recognizing and commending Angela Crosby on the occasion of her retirement; and for other purposes.

HR 157. By Representatives Buckner of the 137th, Jones of the 47th, Abrams of the 89th, Clark of the 101st, Hugley of the 136th and others:

A RESOLUTION recognizing February 12, 2013, as Girl Scouts Day at the capitol; and for other purposes.

HR 158. By Representatives Coomer of the 14th, Meadows of the 5th, Battles of the 15th, Wilkinson of the 52nd, Willard of the 51st and others:

A RESOLUTION recognizing and commending the Etowah Valley Young Marines unit; and for other purposes.

The following communications were received:

Legislative Services Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

January 28, 2013

TO: MEMBERS OF THE GENERAL ASSEMBLY
FROM THE 1ST CONGRESSIONAL DISTRICT

RE: CAUCUS TO ELECT 1ST CONGRESSIONAL DISTRICT
STATE TRANSPORTATION BOARD MEMBER

Pursuant to the provisions of O.C.G.A. Section 32-2-20, the President of the Senate and the Speaker of the House have directed me to notify you that a caucus is hereby called for the purpose of electing the member of the State Transportation Board from the 1st Congressional District. Such caucus will be held in the Senate Chamber, State Capitol Building, Atlanta, Georgia, on **February 6, 2013, at 3:00 P.M.**

Members of the Senate from those senatorial districts embraced or partly embraced within the 1st Congressional District are eligible to participate in said caucus. Members of the House of Representatives from those representative districts embraced or partly embraced within the 1st Congressional District are eligible to participate in said caucus.

Sincerely,

/s/ Wayne R. Allen
Legislative Counsel

WRA:dd

Legislative Services Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

January 28, 2013

TO: MEMBERS OF THE GENERAL ASSEMBLY
FROM THE 2ND CONGRESSIONAL DISTRICT

RE: CAUCUS TO ELECT 2ND CONGRESSIONAL DISTRICT
STATE TRANSPORTATION BOARD MEMBER

Pursuant to the provisions of O.C.G.A. Section 32-2-20, the President of the Senate and the Speaker of the House have directed me to notify you that a caucus is hereby called for the purpose of electing the member of the State Transportation Board from the 2nd Congressional District. Such caucus will be held in the Senate Chamber, State Capitol Building, Atlanta, Georgia, on **February 6, 2013, at 4:00 P.M.**

Members of the Senate from those senatorial districts embraced or partly embraced within the 2nd Congressional District are eligible to participate in said caucus. Members of the House of Representatives from those representative districts embraced or partly embraced within the 2nd Congressional District are eligible to participate in said caucus.

Sincerely,

/s/ Wayne R. Allen
Legislative Counsel

WRA:dd

JOURNAL OF THE HOUSE

Legislative Services Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

January 28, 2013

TO: MEMBERS OF THE GENERAL ASSEMBLY
FROM THE 5TH CONGRESSIONAL DISTRICT

RE: CAUCUS TO ELECT 5TH CONGRESSIONAL DISTRICT
STATE TRANSPORTATION BOARD MEMBER

Pursuant to the provisions of O.C.G.A. Section 32-2-20, the President of the Senate and the Speaker of the House have directed me to notify you that a caucus is hereby called for the purpose of electing the member of the State Transportation Board from the 5th Congressional District. Such caucus will be held in the Senate Chamber, State Capitol Building, Atlanta, Georgia, on **February 7, 2013, at 3:00 P.M.**

Members of the Senate from those senatorial districts embraced or partly embraced within the 5th Congressional District are eligible to participate in said caucus. Members of the House of Representatives from those representative districts embraced or partly embraced within the 5th Congressional District are eligible to participate in said caucus.

Sincerely,

/s/ Wayne R. Allen
Legislative Counsel

WRA:dd

Legislative Services Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

January 28, 2013

TO: MEMBERS OF THE GENERAL ASSEMBLY
FROM THE 6TH CONGRESSIONAL DISTRICT

RE: CAUCUS TO ELECT 6TH CONGRESSIONAL DISTRICT
STATE TRANSPORTATION BOARD MEMBER

Pursuant to the provisions of O.C.G.A. Section 32-2-20, the President of the Senate and the Speaker of the House have directed me to notify you that a caucus is hereby called for the purpose of electing the member of the State Transportation Board from the 6th Congressional District. Such caucus will be held in the Senate Chamber, State Capitol Building, Atlanta, Georgia, on **February 7, 2013, at 2:00 P.M.**

Members of the Senate from those senatorial districts embraced or partly embraced within the 6th Congressional District are eligible to participate in said caucus. Members of the House of Representatives from those representative districts embraced or partly embraced within the 6th Congressional District are eligible to participate in said caucus.

Sincerely,

/s/ Wayne R. Allen
Legislative Counsel

WRA:dd

Legislative Services Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

January 28, 2013

TO: MEMBERS OF THE GENERAL ASSEMBLY
FROM THE 8TH CONGRESSIONAL DISTRICT

RE: CAUCUS TO ELECT 8TH CONGRESSIONAL DISTRICT
STATE TRANSPORTATION BOARD MEMBER

Pursuant to the provisions of O.C.G.A. Section 32-2-20, the President of the Senate and the Speaker of the House have directed me to notify you that a caucus is hereby called for the purpose of electing the member of the State Transportation Board from the 8th Congressional District. Such caucus will be held in the Senate Chamber, State Capitol Building, Atlanta, Georgia, on **February 6, 2013, at 2:00 P.M.**

Members of the Senate from those senatorial districts embraced or partly embraced within the 8th Congressional District are eligible to participate in said caucus. Members of the House of Representatives from those representative districts embraced or partly embraced within the 8th Congressional District are eligible to participate in said caucus.

Sincerely,

/s/ Wayne R. Allen
Legislative Counsel

WRA:dd

Legislative Services Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

January 28, 2013

TO: MEMBERS OF THE GENERAL ASSEMBLY
FROM THE 9TH CONGRESSIONAL DISTRICT

RE: CAUCUS TO ELECT 9TH CONGRESSIONAL DISTRICT
STATE TRANSPORTATION BOARD MEMBER

Pursuant to the provisions of O.C.G.A. Section 32-2-20, the President of the Senate and the Speaker of the House have directed me to notify you that a caucus is hereby called for the purpose of electing the member of the State Transportation Board from the 9th Congressional District. Such caucus will be held in the Senate Chamber, State Capitol Building, Atlanta, Georgia, on **February 12, 2013, at 2:00 P.M.**

Members of the Senate from those senatorial districts embraced or partly embraced within the 9th Congressional District are eligible to participate in said caucus. Members of the House of Representatives from those representative districts embraced or partly embraced within the 9th Congressional District are eligible to participate in said caucus.

Sincerely,

/s/ Wayne R. Allen
Legislative Counsel

WRA:dd

THURSDAY, JANUARY 31, 2013

183

Legislative Services Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

January 28, 2013

TO: MEMBERS OF THE GENERAL ASSEMBLY
FROM THE 10TH CONGRESSIONAL DISTRICT

RE: CAUCUS TO ELECT 10TH CONGRESSIONAL DISTRICT
STATE TRANSPORTATION BOARD MEMBER

Pursuant to the provisions of O.C.G.A. Section 32-2-20, the President of the Senate and the Speaker of the House have directed me to notify you that a caucus is hereby called for the purpose of electing the member of the State Transportation Board from the 10th Congressional District. Such caucus will be held in the Senate Chamber, State Capitol Building, Atlanta, Georgia, on **February 12, 2013, at 4:00 P.M.**

Members of the Senate from those senatorial districts embraced or partly embraced within the 10th Congressional District are eligible to participate in said caucus. Members of the House of Representatives from those representative districts embraced or partly embraced within the 10th Congressional District are eligible to participate in said caucus.

Sincerely,

/s/ Wayne R. Allen
Legislative Counsel

WRA:dd

Legislative Services Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

January 28, 2013

TO: MEMBERS OF THE GENERAL ASSEMBLY
FROM THE 13TH CONGRESSIONAL DISTRICT

RE: CAUCUS TO ELECT 13TH CONGRESSIONAL DISTRICT
STATE TRANSPORTATION BOARD MEMBER

Pursuant to the provisions of O.C.G.A. Section 32-2-20, the President of the Senate and the Speaker of the House have directed me to notify you that a caucus is hereby called for the purpose of electing the member of the State Transportation Board from the 13th Congressional District. Such caucus will be held in the Senate Chamber, State Capitol Building, Atlanta, Georgia, on **February 7, 2013, at 4:00 P.M.**

Members of the Senate from those senatorial districts embraced or partly embraced within the 13th Congressional District are eligible to participate in said caucus. Members of the House of Representatives from those representative districts embraced or partly embraced within the 13th Congressional District are eligible to participate in said caucus.

Sincerely,

/s/ Wayne R. Allen
Legislative Counsel

WRA:dd

Legislative Services Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

January 28, 2013

TO: MEMBERS OF THE GENERAL ASSEMBLY
FROM THE 14TH CONGRESSIONAL DISTRICT

RE: CAUCUS TO ELECT 14TH CONGRESSIONAL DISTRICT
STATE TRANSPORTATION BOARD MEMBER

Pursuant to the provisions of O.C.G.A. Section 32-2-20, the President of the Senate and the Speaker of the House have directed me to notify you that a caucus is hereby called for the purpose of electing the member of the State Transportation Board from the 14th Congressional District. Such caucus will be held in the Senate Chamber, State Capitol Building, Atlanta, Georgia, on **February 12, 2013, at 3:00 P.M.**

Members of the Senate from those senatorial districts embraced or partly embraced within the 14th Congressional District are eligible to participate in said caucus. Members of the House of Representatives from those representative districts embraced or partly embraced within the 14th Congressional District are eligible to participate in said caucus.

Sincerely,

/s/ Wayne R. Allen
Legislative Counsel

WRA:dd

Representative O'Neal of the 146th moved that the House do now adjourn until 9:00 o'clock, tomorrow morning, and the motion prevailed.

The Speaker announced the House adjourned until 9:00 o'clock, tomorrow morning.