

**Representative Hall, Atlanta, Georgia**

**Thursday, February 20, 2014**

**Twenty-Fifth 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:

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

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

Representatives Abrams of the 89th, Beverly of the 143rd, Dawkins-Haigler of the 91st, Dollar of the 45th, Gregory of the 34th, Lindsey of the 54th, Mosby of the 83rd,

Oliver of the 82nd, Parsons of the 44th, Peake of the 141st, Randall of the 142nd, Smith of the 41st, Smyre of the 135th, Stephens of the 164th, and Willard of the 51st.

They wished to be recorded as present.

Prayer was offered by Minister Butch Jones, Ellijay Church of Christ, Ellijay, Georgia.

The members pledged allegiance to the flag.

Representative Cheokas of the 138th, 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 1033. By Representative Moore of the 22nd:

A BILL to be entitled an Act to amend Article 2 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to offenses against public order, so as to repeal the offense of loitering; to provide that no local governing authority shall adopt an ordinance prohibiting loitering; to provide that under no circumstances shall a citizen be required to identify himself or

herself to a law enforcement officer; to amend Chapter 1 of Title 42 of the Official Code of Georgia Annotated, relating to general provisions relative to penal institutions, so as to repeal certain prohibitions against sexual offenders loitering in certain locations; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 1034. By Representative Weldon of the 3rd:

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 increase the percentage of the investment portfolio of the Georgia Firefighters Pension Fund allowed for alternative investments; to repeal a certain provision relating to such fund that historical cost of alternative investments shall include contractually committed, unpaid amounts; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

HB 1035. By Representative Weldon of the 3rd:

A BILL to be entitled an Act to amend Code Section 47-20-83 of the Official Code of Georgia Annotated, relating to certificated or uncertificated forms of investments and real estate investments, so as to authorize public retirement systems to invest in publicly traded limited partnerships which derive 90 percent of their cash flows from real estate, natural resources, and commodities; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

HB 1036. By Representative Buckner of the 137th:

A BILL to be entitled an Act to reincorporate the Town of Waverly Hall in Harris County; to provide for a charter for the Town of Waverly Hall; to provide for other matters relative to the foregoing; to provide for severability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 1037. By Representatives Duncan of the 26th, Moore of the 22nd, Dudgeon of the 25th, Hamilton of the 24th and Tanner of the 9th:

A BILL to be entitled an Act to amend an Act to create the Forsyth County Public Facilities Authority, approved May 1, 2008 (Ga. L. 2008, p. 3637), so as to revise a definition; to remove certain limitations regarding the construction of buildings; to remove references to road and highway construction and related references; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 1039. By Representatives Rogers of the 29th, Rice of the 95th and Evans of the 42nd:

A BILL to be entitled an Act to amend Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the Georgia Student Finance Authority, so as to provide a short title; to provide for the establishment and administration of the Pay As You Earn student loan program; to provide for the calculation and repayment of such loans; to provide for eligibility and disqualifications; to amend Code Section 48-7-27 of the Official Code of Georgia Annotated, relating to computation of taxable net income, so as to provide for a deduction; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Higher Education.

HB 1040. By Representatives Mayo of the 84th, Scott of the 76th, Dawkins-Haigler of the 91st, Gordon of the 163rd, Thomas of the 56th and others:

A BILL to be entitled an Act to amend Code Section 20-3-519.1 of the Official Code of Georgia Annotated, relating to eligibility for scholarships or grants, so as to provide for the residency of students who have been in the custody of the Department of Juvenile Justice so that such students may qualify for HOPE scholarships or grants without waiting 12 additional months; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Higher Education.

HB 1041. By Representative Morris of the 156th:

A BILL to be entitled an Act to provide for a new charter for the City of Baxley; to provide an effective date; to provide a general repealer; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 1042. By Representatives Dempsey of the 13th, Coleman of the 97th, Teasley of the 37th, Watson of the 172nd, Clark of the 98th and others:

A BILL to be entitled an Act to amend Chapter 6 of Title 43 of the Official Code of Georgia Annotated, relating to auctioneers, so as to change certain provisions relative to auctioneers and the auction business; to provide and change certain definitions applicable to the licensing of auctioneers and those engaged in the business of auctioning; to eliminate the authority for the Georgia Auctioneers Commission to issue apprentice auctioneer licenses and remove any references to such licenses; to provide for gender neutrality; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries.

HB 1043. By Representatives Rutledge of the 109th, Welch of the 110th, Strickland of the 111th, Knight of the 130th and Yates of the 73rd:

A BILL to be entitled an Act to amend an Act to provide for the Henry County Board of Elections and Registration, approved May 3, 2006 (Ga. L. 2006, p. 4062), as amended, so as to provide for a process for removing the elections supervisor for cause; to provide for a term of office for the elections supervisor; to provide for a method of appointing a successor elections supervisor in the event of death, resignation, or removal; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 1044. By Representatives Scott of the 76th, Mayo of the 84th, Dawkins-Haigler of the 91st, Dickerson of the 113th, Dukes of the 154th and others:

A BILL to be entitled an Act to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to provide for in-state tuition at units of the University System of Georgia and branches of the Technical College System of Georgia for youth who are from foster care or homeless situations; to provide a short title; to exclude foster care assistance from consideration as income for purposes of calculating financial aid; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Higher Education.

HB 1045. By Representatives Ehrhart of the 36th, Maxwell of the 17th, Welch of the 110th, Braddock of the 19th and Gravley of the 67th:

A BILL to be entitled an Act to amend Part 1 of Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding state sales and use taxes, so as to change the exemption from such taxes for certain jet fuel; 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.

HR 1448. By Representatives Houston of the 170th, Roberts of the 155th, Talton of the 147th, Bentley of the 139th, Carter of the 175th and others:

A RESOLUTION dedicating the Georgia Grown Trail: 41; and for other purposes.

Referred to the Committee on Transportation.

HR 1449. By Representatives Scott of the 76th, Mayo of the 84th, Dawkins-Haigler of the 91st, Dickerson of the 113th, Dukes of the 154th and others:

A RESOLUTION encouraging the Board of Regents of the University System of Georgia and the Technical College System of Georgia to provide programmatic assistance to students who are foster care and unaccompanied homeless youth; and for other purposes.

Referred to the Committee on Higher Education.

HR 1499. By Representative Ralston of the 7th:

A RESOLUTION honoring the life of Mr. Robert K. Ballew and dedicating a bridge in his memory; and for other purposes.

Referred to the Committee on Transportation.

By unanimous consent, the rules were suspended in order that the following Bills and Resolution of the House could be introduced, read the first time and referred to the Committees:

HB 1053. By Representatives Chandler of the 105th, Weldon of the 3rd, Atwood of the 179th, Golick of the 40th, Welch of the 110th and others:

A BILL to be entitled an Act to amend Article 7 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to registration of organizations providing services to runaway and homeless youth, so as to change a definition; to clarify that registered organizations are not exempt from the regulation of early care and education programs; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Juvenile Justice.

HB 1054. By Representatives Mitchell of the 88th, Mosby of the 83rd, Stephenson of the 90th, Kendrick of the 93rd, Dawkins-Haigler of the 91st and others:

A BILL to be entitled an Act to amend an Act establishing in DeKalb County districts from which members of the county board of education shall be elected, approved April 12, 1963 (Ga. L. 1963, p. 3424), as amended, particularly by an Act approved April 25, 2002 (Ga. L. 2002, p. 4536), an Act approved April 16, 2012 (Ga. L. 2012, p. 5507), and an Act approved April 16, 2012 (Ga. L. 2012, p. 5509), so as to reconstitute the board of education of DeKalb County; to provide for currently serving members; to provide for new district descriptions; to provide for elections and terms of office; to describe certain terms; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 1055. By Representatives Alexander of the 66th, Clark of the 101st, Abrams of the 89th, Kaiser of the 59th, Maxwell of the 17th and others:

A BILL to be entitled an Act to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to provide requirements for safety plans in early care and education programs; to provide a short title; to revise the requirements for school safety plans at public elementary and secondary schools; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

HR 1522. By Representatives Stover of the 71st, Benton of the 31st, Clark of the 101st and Lindsey of the 54th:

A RESOLUTION proposing an amendment to the Constitution so as to provide that the members of the State Board of Education are elected; to

provide for related matters; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

Referred to the Committee on Governmental Affairs.

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

HB 1012	HB 1013
HB 1014	HB 1015
HB 1016	HB 1017
HB 1018	HB 1019
HB 1020	HB 1021
HB 1022	HB 1026
HB 1027	HB 1028
HB 1029	HB 1030
HB 1031	HB 1032
HB 1038	HR 1366
HR 1367	HR 1368
HR 1369	HR 1370
HR 1447	SB 336
SB 337	SB 344
SB 346	SB 349
SB 350	SB 359
SB 366	

Representative Coleman of the 97th District, Chairman of the Committee on Education, submitted the following report:

Mr. Speaker:

Your Committee on Education has had under consideration the following Bills and Resolutions of the House and has instructed me to report the same back to the House with the following recommendations:

HB 405	Do Pass, by Substitute	HB 802	Do Pass, by Substitute
HB 886	Do Pass, by Substitute	HB 897	Do Pass, by Substitute
HR 1109	Do Pass, by Substitute	HR 1186	Do Pass

Respectfully submitted,  
/s/ Coleman of the 97th  
Chairman

Representative Tankersley of the 160th District, Chairman of the Committee on Intra-Governmental Coordination, submitted the following report:

Mr. Speaker:

Your Committee on Intra-Governmental Coordination 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 938     Do Pass  
HB 939     Do Pass

Respectfully submitted,  
/s/ Tankersley of the 160th  
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 Bills of the House and has instructed me to report the same back to the House with the following recommendations:

HB 904     Do Pass  
HB 908     Do Pass  
HB 957     Do Pass, by Substitute

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

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

HOUSE RULES CALENDAR  
THURSDAY, FEBRUARY 20, 2014

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 25th Legislative Day as enumerated below:

## DEBATE CALENDAR

**Open Rule**

None

**Modified Open Rule**

- HB 704 South Fulton, City of; incorporate; provide charter (GAff-Bruce-61st)
- HB 749 Crimes and offenses; crime of cargo theft; provide (Substitute)(JudyNC-Duncan-26th)
- HB 770 Crimes and offenses; crime of home invasion; create (Substitute)(JudyNC-Efstration-104th)
- HB 838 Invasions of privacy; transmission of photography or video depicting nudity or sexually explicit conduct of an adult under certain circumstances; prohibit (Substitute)(JudyNC-Tanner-9th)
- HB 911 Crimes and offenses; strangulation as aggravated assault; add provisions (JudyNC-Ballinger-23rd)

**Modified Structured Rule**

- HB 790 Civil practice; four-year statute of limitations for actions involving removal of timber from the property of another; provisions (Substitute)(Judy-Williams-119th)
- HB 890 Courts; sheriff to collect and deposit certain fees; provide (Judy-Atwood-179th)
- HB 979 Education; provide for membership of certain boards in the event local legislation is not passed during 2014 regular session of General Assembly conforming size of boards to requirements of law; provisions (Substitute)(GAff-Jacobs-80th)
- HR 1215 Congress; convention of states under Article V of United States Constitution; apply (Judy-Brockway-102nd)
- SB 206 Interstate Cooperation; provide for delegation from the State of Georgia to certain conventions (IntC-Welch-110th) Cowsert-46th

**Structured Rule**

- HB 794 Compact for a Balanced Budget; adopt (Judy-Braddock-19th)
- SR 371 U.S. Congress; making renewed application to call for a convention for purpose of proposing an amendment to U.S. Constitution (Judy-Golick-40th) Cowsert-46th

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

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

The following message was received from the Senate through Mr. Cook, the Secretary thereof:

Mr. Speaker:

The Senate insists on its amendment to the House amendment to the following bill of the Senate:

SB 134. By Senators Carter of the 1st, Millar of the 40th, Hufstetler of the 52nd, Orrock of the 36th and Stone of the 23rd:

A BILL to be entitled an Act to amend Code Section 16-13-21 of the Official Code of Georgia Annotated, relating to definitions relative to controlled substances, so as to revise the definition of "prescriber"; to repeal conflicting laws; and for other purposes.

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

SB 342. By Senators Burke of the 11th, Unterman of the 45th, Balfour of the 9th and Hufstetler of the 52nd:

A BILL to be entitled an Act to amend Code Section 24-12-21 of the Official Code of Georgia Annotated, relating to disclosure of AIDS confidential information, so as to provide for disclosure of a person's HIV status to certain health care providers; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

SR 788. By Senators Albers of the 56th, Crane of the 28th, Dugan of the 30th, Carter of the 1st and Jones of the 25th:

A RESOLUTION authorizing the conveyance of certain state owned real property located in Appling County, Chatham County, Cobb County,

Columbia County, Dade County, Fulton County, Liberty County, Meriwether County, Monroe County, Rabun County, Toombs County, Troup County, Troup County; to provide an effective date; to repeal conflicting laws; and for other purposes.

SR 868. By Senators Albers of the 56th, Jones of the 25th, Hill of the 6th and Dugan of the 30th:

A RESOLUTION authorizing the granting of nonexclusive easements for the construction, operation, and maintenance of facilities, utilities, and ingress and egress in, on, over, under, upon, across, or through property owned by the State of Georgia in the counties of Appling, Barrow, Bibb, Bryan, Fulton, Gordon, Jasper, Laurens, McIntosh, Monroe, Toombs, and Troup; to provide for an effective date; to repeal conflicting laws; and for other purposes.

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

HB 752. By Representative Dickey of the 140th:

A BILL to be entitled an Act to abolish the office of elected county surveyor of Crawford County; to provide for the appointment of a county surveyor by the governing authority of the county; to provide for other matters relative to the foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 901. By Representative Dickerson of the 113th:

A BILL to be entitled an Act to amend an Act entitled "An Act to provide a new charter for the City of Porterdale," approved May 1, 2002 (Ga. L. 2002, p. 5272), so as to provide for certain appropriations; to provide for certain codes and regulations; to change provisions relative to the management of public property; to change provisions relating to voting by the city council; to change the powers and duties of the mayor; to change provisions relating to the mayor's veto; to provide for duties of the mayor pro tempore; to provide for members of boards and commissions; to provide that the city clerk shall be under the supervision of the city manager; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

- SB 95. By Senators Millar of the 40th, Staton of the 18th, Shafer of the 48th and Cowsert of the 46th:

A BILL to be entitled an Act to amend Article 2 of Chapter 5 of Title 36 of the Official Code of Georgia Annotated, relating to county governing authorities, and Code Section 21-2-139 of the Official Code of Georgia Annotated, relating to the authorization for and conduct of nonpartisan elections, so as to provide that, in counties that utilize a chief executive officer/county commission form of government, all elections for the chief executive officer shall be conducted on a nonpartisan basis; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

- SB 342. By Senators Burke of the 11th, Unterman of the 45th, Balfour of the 9th and Hufstetler of the 52nd:

A BILL to be entitled an Act to amend Code Section 24-12-21 of the Official Code of Georgia Annotated, relating to disclosure of AIDS confidential information, so as to provide for disclosure of a person's HIV status to certain health care providers; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health & Human Services.

- SR 788. By Senators Albers of the 56th, Crane of the 28th, Dugan of the 30th, Carter of the 1st and Jones of the 25th:

A RESOLUTION authorizing the conveyance of certain state owned real property located in Appling County, Chatham County, Cobb County, Columbia County, Dade County, Fulton County, Liberty County, Meriwether County, Monroe County, Rabun County, Toombs County, Troup County, Troup County; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Properties.

- SR 868. By Senators Albers of the 56th, Jones of the 25th, Hill of the 6th and Dugan of the 30th:

A RESOLUTION authorizing the granting of nonexclusive easements for the construction, operation, and maintenance of facilities, utilities, and ingress and egress in, on, over, under, upon, across, or through property owned by

the State of Georgia in the counties of Appling, Barrow, Bibb, Bryan, Fulton, Gordon, Jasper, Laurens, McIntosh, Monroe, Toombs, and Troup; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Properties.

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

Representatives Epps of the 144th et al., Jordan of the 77th, Willard of the 51st, Williamson of the 115th, Williams of the 119th, Beasley-Teague of the 65th, Benton of the 31st, Mayo of the 84th, Fludd of the 64th, Gravley of the 67th, Wilkinson of the 52nd et al., Morgan of the 39th, and Holt of the 112th.

The Speaker Pro Tem assumed the Chair.

Pursuant to HR 1188, the House commended the American Red Cross of Georgia and invited its representatives to be recognized by the House of Representatives.

The Speaker assumed the Chair.

Representative Weldon of the 3rd District, Chairman of the Committee on Juvenile Justice, submitted the following report:

Mr. Speaker:

Your Committee on Juvenile Justice 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 251	Do Pass, by Substitute	HB 524	Do Pass, by Substitute
HB 674	Do Pass, by Substitute	HB 826	Do Pass, by Substitute
HB 898	Do Pass	HB 923	Do Pass, by Substitute

Respectfully submitted,  
/s/ Weldon of the 3rd  
Chairman

Representative Rice of the 95th District, Chairman of the Committee on Motor Vehicles, submitted the following report:

Mr. Speaker:

Your Committee on Motor Vehicles 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 88	Do Pass, by Substitute	HB 180	Do Pass, by Substitute
HB 566	Do Pass, by Substitute	HB 753	Do Pass, by Substitute
HB 827	Do Pass	HB 878	Do Pass

Respectfully submitted,  
/s/ Rice of the 95th  
Chairman

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

HB 979. By Representatives Jacobs of the 80th, Oliver of the 82nd, Taylor of the 79th and Holcomb of the 81st:

A BILL to be entitled an Act to amend Code Section 20-2-52.1 of the Official Code of Georgia Annotated, relating to composition and election of county boards of education in counties in which there is a homestead option sales and use tax and a county sales and use tax for educational purposes and terms of service, so as to provide for membership of certain boards of education in the event that local legislation is not passed during the 2014 regular session of the General Assembly conforming the size of such boards to the requirements of law; to provide for terms of office for such members; 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:

A BILL TO BE ENTITLED  
AN ACT

To amend Code Section 20-2-52.1 of the Official Code of Georgia Annotated, relating to composition and election of county boards of education in counties in which there is a homestead option sales and use tax and a county sales and use tax for educational purposes and terms of service, so as to provide for membership of certain boards of education in the event that local legislation is not passed during the 2014 regular session of the General Assembly conforming the size of such boards to the requirements of law; to provide for terms of office for such members; 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.**

Code Section 20-2-52.1 of the Official Code of Georgia Annotated, relating to composition and election of county boards of education in counties in which there is a homestead option sales and use tax and a county sales and use tax for educational purposes and terms of service, is amended by revising subsection (a) and by adding a new subsection to read as follows:

"(a) On and after January 1, 2015, in counties in which there is being collected a homestead option sales and use tax pursuant to Article 2A of Chapter 8 of Title 48 and a county sales and use tax for educational purposes pursuant to Part 2 of Article 3 of Chapter 8 of Title 48 and the county board of education consists of more than seven members, such county boards of education shall comply with this Code section. Such county boards of education shall consist of seven members elected from separate single-member districts of approximately equal population. The number of members may be reduced to less than seven members by local legislation, but such members shall be elected from separate single-member districts of approximately equal population."

"(d) In the event that a local law is not enacted prior to the qualifying period for the 2014 elections to conform the provisions of law regarding boards of education subject to this Code section to the size requirements of this Code section and if the election structure of such local board of education contains a plan for seven members from separate single-member districts encompassing all of the school district in addition to any other election provisions, then on January 1, 2015, the board of education shall consist only of seven members elected from such separate single-member districts and all other positions in excess of those seven shall be eliminated. In such case, those persons serving from even-numbered districts shall serve for an initial term of two years and until their respective successors are elected and qualified. Those persons serving from odd-numbered districts shall serve for an initial term of four years and until their respective successors are elected and qualified. Thereafter, successors to such members shall be elected at the general election immediately prior to the end of their respective terms of office to take office on January 1 immediately following such election for terms of four years and until their respective successors are elected and qualified. After January 1, 2015, the composition of such districts, number of districts, and staggering of terms may be changed by local law consistent with the provisions of this Code section."

**SECTION 2.**

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

**SECTION 3.**

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

Representative Mosby of the 83rd moved that HB 979 be placed upon the table.

On the motion, the roll call was ordered and the vote was as follows:

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

On the motion, the ayes were 61, nays 112.

The motion was lost.

The Committee substitute was adopted.

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

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

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

On the passage of the Bill, by substitute, the ayes were 111, nays 60.

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

Representative Jacobs of the 80th moved that HB 979 be immediately transmitted to the Senate.

On the motion, the roll call was ordered and the vote was as follows:

N Abrams	Y Coomer	Y Gregory	McCall	Y Sims, C
N Alexander	Y Cooper	Y Hamilton	N McClain	N Smith, E

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

On the motion, the ayes were 113, nays 57.

The motion prevailed.

Pursuant to HR 1450, the House recognized February 20, 2014, as Apple Day at the Capitol and invited members of the Gilmer County Chamber of Commerce, local elected officials, apple growers, representatives of agritourism attractions, apple queens, and others to be recognized by the House of Representatives.

Pursuant to HR 1451, the House honored the life of Martitia "Marty" Martin Jones and invited members of her family 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 838. By Representatives Tanner of the 9th, Golick of the 40th, Ramsey of the 72nd, Powell of the 171st, Hamilton of the 24th and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to invasions of privacy, so as to prohibit the transmission of photography or video depicting nudity or sexually explicit conduct of an adult under certain circumstances; to provide for definitions; to provide for penalties; to provide for venue; to provide for exceptions; 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 Article 3 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to invasions of privacy, so as to prohibit the transmission of photography or video depicting nudity or sexually explicit conduct of an adult under certain circumstances; to provide for definitions; to provide for penalties; to provide for venue; to provide for exceptions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article 3 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to invasions of privacy, is amended by adding a new part to read as follows:

"Part 3

16-11-90.

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

(1) 'Harassment' means engaging in conduct directed at a depicted person that is intended to cause substantial emotional harm to the depicted person.

(2) 'Nudity' means:

(A) The showing of the human male or female genitals, pubic area, or buttocks without any covering or with less than a full opaque covering;

(B) The showing of the female breasts without any covering or with less than a full opaque covering; or

(C) The depiction of covered male genitals in a discernibly turgid state.

(3) 'Sexually explicit conduct' shall have the same meaning as set forth in Code Section 16-12-100.

(b) A person violates this Code section if he or she knowingly and without the consent of the depicted person:

(1) Electronically transmits or posts, in one or more transmissions or posts, a photograph or video which depicts nudity or sexually explicit conduct of an adult when the transmission or post is harassment or causes financial loss to the depicted person and serves no legitimate purpose to the depicted person; or

(2) Causes the electronic transmission or posting, in one or more transmissions or posts, of a photograph or video which depicts nudity or sexually explicit conduct of an adult when the transmission or post is harassment or causes financial loss to the depicted person and serves no legitimate purpose to the depicted person.

(c) Any person who violates this Code section shall be guilty of a misdemeanor of a high and aggravated nature; provided, however, that upon a second or subsequent violation of this Code section, he or she shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment of not less than one nor more than five years, a fine of not more than \$100,000.00, or both.

(d) A person shall be subject to prosecution in this state pursuant to Code Section 17-2-1 for any conduct made unlawful by this Code section which the person engages in while:

(1) Either within or outside of this state if, by such conduct, the person commits a violation of this Code section which involves an individual who resides in this state; or

(2) Within this state if, by such conduct, the person commits a violation of this Code section which involves an individual who resides within or outside this state.

(e) The provisions of subsection (b) of this Code section shall not apply to:

(1) The activities of law enforcement and prosecution agencies in the investigation and prosecution of criminal offenses;

(2) Legitimate medical, scientific, or educational activities;

(3) Any person who transmits or posts a photograph or video depicting only himself or herself engaged in nudity or sexually explicit conduct;

(4) The transmission or posting of a photograph or video that was originally made for commercial purposes; or

(5) Any person who transmits or posts a photograph or video depicting a person voluntarily engaged in nudity or sexually explicit conduct in a public setting.

(f) Any violation of this Code section shall constitute a separate offense and shall not merge with any other crimes set forth in this title."

## **SECTION 2.**

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

On the passage of the Bill, by substitute, the ayes were 168, nays 3.

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

HB 770. By Representatives Efstration of the 104th, Pak of the 108th, Ballinger of the 23rd, Lindsey of the 54th and Cooper of the 43rd:

A BILL to be entitled an Act to amend Chapter 7 of Title 16 of the Official Code of Georgia Annotated, relating to damage to and intrusion upon property, so as to create the crime of home invasion; to provide for a

definition; to provide for penalties; 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 7 of Title 16 of the Official Code of Georgia Annotated, relating to damage to and intrusion upon property, so as to create the crimes of home invasion in the first degree and home invasion in the second degree; to provide for a definition; to provide for penalties; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Chapter 7 of Title 16 of the Official Code of Georgia Annotated, relating to damage to and intrusion upon property, is amended by adding a new article to read as follows:

"ARTICLE 1A

16-7-5.

(a) As used in this Code section, the term 'dwelling' shall have the same meaning as provided in Code Section 16-7-1.

(b) A person commits the offense of home invasion in the first degree when, without authority and with intent to commit a forcible felony therein and while in possession of a firearm, deadly weapon, or instrument which, when used offensively against a person, is likely to or actually does result in serious bodily injury, he or she enters the dwelling house of another while such dwelling house is occupied by any person with authority to be present therein.

(c) A person commits the offense of home invasion in the second degree when, without authority and with intent to commit a forcible misdemeanor therein and while in possession of a firearm, deadly weapon, or instrument which, when used offensively against a person, is likely to or actually does result in serious bodily injury, he or she enters the dwelling house of another while such dwelling house is occupied by any person with authority to be present therein.

(d) A person convicted of the offense of home invasion in the first degree or home invasion in the second degree shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for life or imprisonment for not less than ten nor more than 20 years and by a fine of not less than \$10,000.00 nor more than \$100,000.00.

(e) Adjudication of guilt or imposition of sentence for home invasion in the first degree shall not be suspended, probated, deferred, or withheld. Adjudication of guilt or

imposition of sentence for home invasion in the second degree may be suspended, probated, deferred, or withheld at the discretion of the judge.

(f) A sentence imposed under this Code section may be imposed separately from and consecutive to a sentence for any other offense related to the act or acts establishing the offense under this Code section."

## SECTION 2.

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

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

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

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

On the passage of the Bill, by substitute, the ayes were 109, nays 61.

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

The Speaker announced the House in recess until 1:30 o'clock, this afternoon.

**AFTERNOON SESSION**

The Speaker called the House to order.

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

HR 1500. By Representative Rynders of the 152nd:

A RESOLUTION commending Carly Mathis, Miss Georgia 2013, and inviting her to be recognized by the House of Representatives; and for other purposes.

HR 1501. By Representatives Beasley-Teague of the 65th, Thomas of the 56th, Smyre of the 135th and Brooks of the 55th:

A RESOLUTION commending the work of Grace Towns Hamilton and inviting the Urban League of Greater Atlanta to be recognized by the House of Representatives; and for other purposes.

HR 1502. By Representatives Smith of the 125th, Dukes of the 154th, Epps of the 132nd, Smyre of the 135th, Dickerson of the 113th and others:

A RESOLUTION honoring Dosh Jackson on his 103rd birthday and inviting him to appear before the House of Representatives; and for other purposes.

HR 1503. By Representatives Ralston of the 7th, Jones of the 47th, Smith of the 70th, Randall of the 142nd, Braddock of the 19th and others:

A RESOLUTION commending First Lady Sandra Deal and inviting her to be recognized by the House of Representatives; and for other purposes.

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 1287 Do Pass

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

HR 1287. By Representatives Rogers of the 29th, Williams of the 119th, Dukes of the 154th and Greene of the 151st:

A RESOLUTION commending AAmir Greene and inviting him to be recognized by the House of Representatives; and for other purposes.

The following Resolutions of the House were read and adopted:

HR 1504. By Representative Kirby of the 114th:

A RESOLUTION congratulating Loganville Christian Academy varsity wrestler, Cole Kendall; and for other purposes.

HR 1505. By Representatives Fleming of the 121st, Allison of the 8th, Ballinger of the 23rd, Strickland of the 111th, Powell of the 171st and others:

A RESOLUTION recognizing February 16-22, 2014, as Georgia Court Reporting and Captioning Week at the capitol; and for other purposes.

HR 1506. By Representative Marin of the 96th:

A RESOLUTION commending the Georgia Chapter of Association of Physicians of Pakistani Descent of North America (GA-APPNA) and its members and recognizing February 19, 2014, as GA-APPNA Day at the state capitol; and for other purposes.

HR 1507. By Representatives Bennett of the 94th, Chandler of the 105th, Mayo of the 84th, Broadrick of the 4th, Henson of the 86th and others:

A RESOLUTION commending the citizenship and contributions of Sikh Americans in Georgia and recognizing March, 4, 2014, as Georgia Sikh American Legislative Day at the state capitol; and for other purposes.

HR 1508. By Representatives Geisinger of the 48th, Willard of the 51st, Riley of the 50th, Wilkinson of the 52nd, Jones of the 47th and others:

A RESOLUTION commending Roger Wise, Jr., and recognizing March 13, 2014, as Roger Wise, Jr., Day at the state capitol; and for other purposes.

HR 1509. By Representative Kirby of the 114th:

A RESOLUTION congratulating the Loganville Christian Academy rodeo team on its World Championship performance at the Pinto Horse Association World Show; and for other purposes.

HR 1510. By Representatives Jones of the 53rd, Fludd of the 64th, McClain of the 100th, Williams of the 168th, Brooks of the 55th and others:

A RESOLUTION recognizing and commending CVS Caremark's decision to stop selling tobacco products; and for other purposes.

HR 1511. By Representatives Benton of the 31st and Quick of the 117th:

A RESOLUTION commending Stephanie Bridwell, Jackson County Comprehensive High School's 2014 STAR Teacher; and for other purposes.

HR 1512. By Representatives Benton of the 31st and Quick of the 117th:

A RESOLUTION commending Zach Bloomquist, Jefferson County Comprehensive High School's 2014 STAR Student; and for other purposes.

HR 1513. By Representatives Benton of the 31st and Quick of the 117th:

A RESOLUTION commending Miguel Guisasola, East Jackson Comprehensive High School's 2014 STAR Teacher; and for other purposes.

HR 1514. By Representatives Benton of the 31st and Quick of the 117th:

A RESOLUTION commending Chris Cooley, East Jackson Comprehensive High School's 2014 STAR Teacher; and for other purposes.

HR 1515. By Representatives Benton of the 31st and Quick of the 117th:

A RESOLUTION recognizing and commending Mr. David Farmer, South Jackson Elementary School's 2014 Teacher of the Year; and for other purposes.

HR 1516. By Representatives Beasley-Teague of the 65th, Anderson of the 92nd, Brooks of the 55th and Bennett of the 94th:

A RESOLUTION recognizing and honoring Minister Murphy Oswald Green, Sr., for his years of faithful service to the Lord; and for other purposes.

HR 1517. By Representative Harden of the 148th:

A RESOLUTION recognizing the annual Cordele-Crisp County Fish Fry and commending Mr. Arthur James Nance, Mr. Jamie Fernandez, Mr. Ray

Hughes, Ms. Bridget Milani, and the Cordele-Crisp County Fish Fry cooking team; and for other purposes.

HR 1518. By Representatives Dawkins-Haigler of the 91st, Stephenson of the 90th, Bennett of the 94th, Jones of the 53rd and Anderson of the 92nd:

A RESOLUTION recognizing and commending Reverend Hope Sims Sutton; and for other purposes.

HR 1519. By Representative Morris of the 156th:

A RESOLUTION honoring the life and memory of John Moore, Sr.; and for other purposes.

HR 1520. By Representatives Rutledge of the 109th, Welch of the 110th, Strickland of the 111th, Watson of the 172nd, Black of the 174th and others:

A RESOLUTION commending and recognizing Jake Carter; and for other purposes.

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

HB 749. By Representatives Duncan of the 26th, Tanner of the 9th, Martin of the 49th, Golick of the 40th, Pak of the 108th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated, relating to theft, so as to provide for the crime of cargo theft; to provide for a definition; to provide for penalties; to provide for the crime of unlawful possession or use of a fifth wheel; to amend Code Section 35-3-4 of the Official Code of Georgia Annotated, relating to powers and duties of the Georgia Bureau of Investigation generally, so as to provide the GBI with jurisdiction with regard to cargo theft; to provide for related matters; to provide 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 Article 1 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated, relating to theft, so as to provide for the crime of cargo theft; to provide for definitions; to provide for penalties; to provide for the crime of unlawful possession or use of a fifth wheel; to amend Code Section 35-3-4 of the Official Code of Georgia Annotated, relating to powers and duties of the Georgia Bureau of Investigation generally, so as to provide the GBI with jurisdiction with regard to cargo theft; to provide for related matters; to provide 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.**

Article 1 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated, relating to theft, is amended by adding new Code sections to read as follows:

"16-8-22.

(a) For purposes of this Code section, the term 'vehicle' includes, without limitation, any railcar.

(b) Notwithstanding any provision of this article to the contrary, a person commits the offense of cargo theft when he or she unlawfully takes or, being in lawful possession thereof, unlawfully appropriates:

(1) Any vehicle engaged in commercial transportation of cargo or any appurtenance thereto, including, without limitation, any trailer, semitrailer, container, or other associated equipment, or the cargo being transported therein or thereon, which is the property of another with the intention of depriving such other person of the property, regardless of the manner in which the property is taken or appropriated; or

(2) Any trailer, semitrailer, container, or other associated equipment, or the cargo being transported therein or thereon, which is deployed by or used by a law enforcement agency, which is the property of another with the intention of depriving such other person of the property, regardless of the manner in which the property is taken or appropriated.

(c) The value of a vehicle engaged in commercial transportation of cargo and any appurtenance thereto and the cargo being transported which is taken or unlawfully appropriated shall be based on the fair market value of such vehicle, appurtenances, and cargo taken or unlawfully appropriated.

(d)(1) If the property taken is one or more controlled substances as defined in Code Section 16-13-21 with a collective value of less than \$10,000.00, a person convicted of a violation of this Code section shall be punished by imprisonment for not less than one nor more than ten years, a fine of not less than \$10,000.00 nor more than \$100,000.00, or both.

(2) If the property taken is one or more controlled substances as defined in Code Section 16-13-21 with a collective value of at least \$10,000.00 but less than \$1 million, a person convicted of a violation of this Code section shall be punished by

imprisonment for not less than five nor more than 25 years, a fine of not less than \$50,000.00 nor more than \$1 million, or both.

(3) If the property taken is one or more controlled substances as defined in Code Section 16-13-21 with a collective value of \$1 million or more, a person convicted of a violation of this Code section shall be punished by imprisonment for not less than ten nor more than 30 years, a fine of not less than \$100,000.00 nor more than \$1 million, or both.

(e)(1) Except as otherwise provided in subsection (d) of this Code section, if the property taken has a collective value of \$1,500.00 or less, a person convicted of a violation of this Code section shall be punished as for a misdemeanor.

(2) Except as otherwise provided in subsection (d) of this Code section, if the property taken has a collective value of more than \$1,500.00 but less than \$10,000.00, a person convicted of a violation of this Code section shall be punished by imprisonment for not less than one nor more than ten years, a fine of not less than \$10,000.00 nor more than \$100,000.00, or both.

(3) Except as otherwise provided in subsection (d) of this Code section, if the property taken has a collective value of at least \$10,000.00 but less than \$1 million, a person convicted of a violation of this Code section shall be punished by imprisonment for not less than five nor more than 20 years, a fine of not less than \$50,000.00 nor more than \$1 million, or both.

(4) Except as otherwise provided in subsection (d) of this Code section, if the property taken has a collective value of \$1 million or more, a person convicted of a violation of this Code section shall be punished by imprisonment for not less than ten nor more than 20 years, a fine of not less than \$100,000.00 nor more than \$1 million, or both.

(f) Notwithstanding subsections (d) and (e) of this Code section, if the property taken is a trailer, semitrailer, container, or other associated equipment, or the cargo being transported therein or thereon, which is deployed by or used by a law enforcement agency, regardless of its value, a person convicted of a violation of this Code section shall be punished by imprisonment for not less than one nor more than ten years, a fine of not less than \$10,000.00 nor more than \$100,000.00, or both.

(e) A person convicted of a violation of this Code section may also be punished by, if applicable, the revocation of the defendant's commercial driver's license in accordance with Code Section 40-5-151.

16-8-23.

(a) For the purposes of this Code section, the term 'fifth wheel' means a device mounted on a truck tractor or similar towing vehicle, including, but not limited to, a converter dolly, which interfaces with and couples to the upper coupler assembly of a semitrailer.

(b) It shall be unlawful for any person to modify, alter, attempt to alter, and, if altered, sell, possess, offer for sale, move, or cause to be moved on the highways of this state a device known as a fifth wheel or the antitheft locking device attached to the fifth wheel

with the intent to use the fifth wheel to commit or attempt to commit cargo theft as defined in Code Section 16-8-22.

(c) A person convicted of a violation of this Code section shall be punished by imprisonment for not less than one nor more than ten years, a fine of not less than \$10,000.00 nor more than \$100,000.00, or both."

### SECTION 2.

Said article is further amended by revising paragraph (8) of subsection (a) of Code Section 16-8-12, relating to penalties for theft in violation of Code Sections 16-8-2 through 16-8-9, as follows:

~~"(8) If the property that was the subject of the theft was a vehicle engaged in commercial transportation of cargo or any appurtenance thereto, including, without limitation, any such trailer, semitrailer, container, or other associated equipment, or the cargo being transported therein or thereon, by imprisonment for not less than three years nor more than ten years, a fine not less than \$5,000.00 nor more than \$50,000.00, and, if applicable, the revocation of the defendant's commercial driver's license in accordance with Code Section 40-5-151, or any combination of such penalties. For purposes of this paragraph, the term 'vehicle' includes, without limitation, any railcar Reserved; or"~~

### SECTION 3.

Code Section 35-3-4 of the Official Code of Georgia Annotated, relating to powers and duties of the Georgia Bureau of Investigation generally, is amended by revising subsection (a) to add a new paragraph to read as follows:

"(11.1) Identify and investigate violations of Code Sections 16-8-22 and 16-8-23;".

### SECTION 4.

This Act shall become effective on July 1, 2014, and shall apply to all offenses committed on or after such date. The enactment of Code Sections 16-8-22 and 16-8-23 shall not affect any prosecutions for acts occurring before the effective date of Code Sections 16-8-22 and 16-8-23 and shall not act as an abatement of any such prosecutions.

### SECTION 5.

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	E Coomer	N Gregory	Y McCall	Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	Y Dawkins-Haigler	E Harbin	Y Meadows	Y Smith, L

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

On the passage of the Bill, by substitute, the ayes were 161, nays 2.

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

HB 911. By Representatives Ballinger of the 23rd, Golick of the 40th, Oliver of the 82nd, Pak of the 108th, Quick of the 117th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to assault and battery, so as to add provisions regarding strangulation as an aggravated assault; to amend Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to juvenile proceedings, so as to fix cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following amendment was read and adopted:

Representative Ballinger of the 23rd offers the following amendment:

*Amend HB 911 (LC 34 4012ER) by replacing "(1) or ~~(3)~~ (4)" with "(1), ~~or~~ (3), or (4)" on line 86.*

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

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

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

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

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

HB 790. By Representatives Williams of the 119th, Willard of the 51st, Golick of the 40th, Black of the 174th, Nimmer of the 178th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 3 of Title 9 of the O.C.G.A., relating to specific periods of limitation, so as to provide for a four-year statute of limitations for actions involving the removal of timber from the property of another; to amend Part 1 of Article 1 of Chapter 6 of Title 12 of the O.C.G.A., relating to the State Forestry Commission; to amend Code Section 12-6-23 of the O.C.G.A., relating to wood load ticket required for wood removal; to amend Chapter 4 of Title 44 of the O.C.G.A., relating to real estate boundary determinations, so as to repeal provisions relating to processioning; to amend Title 51 of the Official Code of Georgia Annotated, relating to torts; 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 Article 2 of Chapter 3 of Title 9 of the Official Code of Georgia Annotated, relating to specific periods of limitation, so as to provide for a four-year statute of limitations for actions involving the cutting or cutting and carrying away of timber from the property of another; to amend Part 1 of Article 1 of Chapter 6 of Title 12 of the Official Code of Georgia Annotated, relating to the State Forestry Commission, so as to provide additional enforcement authority to commission investigators; to amend Code Section 12-6-23 of the Official Code of Georgia Annotated, relating to wood load ticket required for wood removal, so as to require purchasers to provide the proper tickets to sellers of timber within 20 days; to amend Chapter 4 of Title 44 of the Official Code of Georgia Annotated, relating to real estate boundary determinations, so as to repeal provisions relating to processioning; to amend Title 51 of the Official Code of Georgia Annotated, relating to torts, so as to change provisions relating to the unauthorized cutting or cutting and carrying away of timber; to provide that a certain right of action shall not be applicable in certain cases; to provide a defense to tort liability for timber sellers who establish property boundaries; to provide for measures of damages for converted timber; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article 2 of Chapter 3 of Title 9 of the Official Code of Georgia Annotated, relating to specific periods of limitation, is amended by revising Code Section 9-3-32, relating to damages for conversion or destruction, as follows:

"9-3-32.

Actions for the recovery of personal property, or for damages for the conversion or destruction of the same, shall be brought within four years after the right of action accrues, and actions involving the unauthorized cutting or cutting and carrying away of timber from the property of another shall be brought within four years after the cutting or cutting and carrying away of timber."

**SECTION 2.**

Part 1 of Article 1 of Chapter 6 of Title 12 of the Official Code of Georgia Annotated, relating to the State Forestry Commission, is amended by revising Code Section 12-6-20, relating to forestry investigators, as follows:

"12-6-20.

(a) As used in this Code section, the term 'forestry laws' means laws relating to forestry or timber resources and the protection, security, conservation, or sale of such resources.

(a.1) The director, with the approval of the commission, may appoint investigators to enforce the forestry laws ~~and regulations~~ of this state.

(b) The investigators so appointed and any fire-fighting crews under their direction may enter upon any land for the purpose of preventing and suppressing fires and enforcing the fire and other forestry laws ~~and regulations~~ of this state.

(c) Investigators who have been so appointed ~~and who have been~~ shall be certified by the Georgia Peace Officer Standards and Training Council ~~as~~ after having successfully completed the course of training required by Chapter 8 of Title 35, the 'Georgia Peace Officer Standards and Training Act,' and thereafter shall be authorized and empowered to:

(1) Make summary arrests for violations of the fire and other forestry laws ~~and regulations~~ of this state; and, in case of such arrests, the investigator shall as soon as possible deliver the arrested person or persons to the custody of the sheriff of the county wherein the offense was committed;

(2) Arrest persons accused of violating any law ~~or regulation~~ which such investigators are empowered to enforce by the issuance of a citation, provided that the offense is committed in the presence of the investigator or information concerning the offense constituting a basis for arrest was received by the arresting investigator from a law enforcement officer or commission firefighter or forester who observed the offense being committed. The arresting investigator may issue to the accused person a citation which shall enumerate the specific charges against such person and the date upon which such person is to appear and answer such charges. Whenever an arrest is made by the arresting investigator on the basis of information received from another law enforcement officer or commission firefighter or forester who observed the offense being committed, such citation shall list the name of each officer, firefighter,

or forester and each officer, firefighter, or forester shall be present when the charges against the offender are heard; ~~and~~

(3) Execute search warrants and arrest warrants for criminal violations relating to the forestry laws of this state and to arrest, upon probable cause and without warrant, any person found violating any criminal law of this state; and

~~(3)(4) Carry weapons in order to enforce the forestry laws and regulations of this state~~ execute their enforcement authority under this Code section.

~~(d) The provisions of paragraphs (1) and (2) of subsection (c) of this Code section notwithstanding, no arrest shall be made of any person for an offense described in subsection (e) of Code Section 12-6-90 unless on two previous occasions such person was issued warnings by a forestry investigator, other law enforcement officer, or State Forestry Commission firefighter for such an offense.~~

~~(e)~~(d) If any person charged by citation as provided in paragraph (2) of subsection (c) of this Code section shall fail to appear in court as specified in the citation, the judge having jurisdiction of the offense may issue a warrant ordering the apprehension of such person and commanding that he or she be brought before the court to answer the charge contained within such citation and the charge of his or her failure to appear as required. Such person shall then be allowed to make a reasonable bond to appear on a given date before the court."

### SECTION 3.

Code Section 12-6-23 of the Official Code of Georgia Annotated, relating to wood load ticket required for wood removal, is amended by revising subsection (a) as follows:

"(a) Any person, company, corporation, or others purchasing ~~trees or timber directly from the landowner~~ from lands in Georgia shall ~~be required to, within 20 days of removal of such timber,~~ furnish the ~~owner of said lands~~ seller of timber a wood load scale ticket for each and every load of wood removed ~~from said property,~~ when such load is sold by weight, cord, or measure of board feet. A ~~wood load scale~~ ticket shall include, ~~but not be limited to,~~ information clearly understandable to the ~~landowner~~ seller as follows:

- (1) Ticket number;
- (2) Name and location of the person or company and its facility where the load of wood is received and weighed or measured;
- (3) Date wood was received at ~~said~~ such facility;
- (4) Tract name;
- (5) County and state of origin;
- (6) Dealer name (if any);
- (7) Producer or logging company name;
- (8) Species of wood;
- (9) Weight or scale information. If the load is measured by weight, the gross, tare, and net weights shall be shown. If the load is measured by scale, the total volume shall be shown;

- (10) Weight, scale, or amount of wood deducted and the deduction classification (cull, undersize, metal, knots, etc.); and
- (11) Name of the person receiving, weighing, or scaling the wood."

#### SECTION 4.

Chapter 4 of Title 44 of the Official Code of Georgia Annotated, relating to real estate boundary determinations, is amended by repealing Article 1, relating to processions, and designating such article as reserved.

#### SECTION 5.

Title 51 of the Official Code of Georgia Annotated, relating to torts, is amended in Code Section 51-10-6, relating to owner's right of action for damage to or theft of personal property, by adding a new subsection to read as follows:

"(h) The measure of damages provided for in this Code section shall not be applicable in cases involving the unauthorized cutting or cutting and carrying away of timber from the property of another. In such cases, damages shall be awarded in accordance with Code Section 51-12-50."

#### SECTION 6.

Said title is further amended in Article 1 of Chapter 11, relating to defenses to tort actions generally, by adding a new Code section to read as follows:

"51-11-10.

There shall be a rebuttable presumption that a property owner selling timber from his or her land and acting in good faith shall not be liable to adjoining landowners for any trespass or conversion of property caused by a third party timber harvester who is not subject to the control and direction of the property owner selling timber if, prior to the harvesting of such timber:

(1) A land surveyor possessing a certificate of registration issued by the State Board of Registration for Professional Engineers and Land Surveyors has surveyed the property from which the timber is to be harvested and plainly established and clearly marked the metes and bounds of the property such that a reasonable person would know or should have known of the existence of such markings when harvesting the timber and has provided a copy of that survey to the third-party timber harvester;

(2) The boundaries of the property from which timber is sold have been completely and accurately indicated using physical markers that are clearly visible such that a reasonable person would know or should have known of the existence of such physical markers; or

(3) The property owner has obtained a document indicating where the boundaries are and signed by adjoining landowners indicating that they agree on the location of such boundaries and has provided a copy of such document to the third-party timber harvester; provided, however, that such document shall only create a presumption in favor of the property owner with regard to those landowners who have signed such document."

**SECTION 7.**

Said title is further amended by revising Code Section 51-12-50, relating to measure of damages for converted timber, as follows:

"51-12-50.

(a) Except as provided in Code Section 51-12-51, ~~where~~ when a plaintiff recovers for timber cut or cut and carried away, the measure of ~~damage~~: damages shall be:

(1) Treble the fair market value of the trees cut as they stood;

(2) Treble the diminished fair market value of any trees incidentally harmed;

(3) Costs of reasonable reforestation activities related to the plaintiff's injury; and

(4) Attorney fees and expenses of litigation.

(b) ~~When the (1) Where defendant is a willful trespasser, is the full value of the property at the time and place of demand or when an action is brought without deduction for his labor or expense; the plaintiff may also recover punitive damages.~~

~~(2) Where defendant is an unintentional or innocent trespasser or an innocent purchaser from such trespasser, is the value at the time of conversion less the value he or his venter added to the property; and~~

~~(3) Where defendant is a purchaser without notice from a willful trespasser, is the value at the time of his purchase.~~

(c) When the boundary lines of the property have been clearly and accurately marked, it shall be presumed that the defendant was a willful trespasser."

**SECTION 8.**

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	N Gregory	Y McCall	Y Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	Y Dawkins-Haigler	E Harbin	Y Meadows	Y Smith, L
Y Anderson	Y Deffenbaugh	Y Harden	Y Mitchell	Y Smith, M
Y Atwood	Y Dempsey	Y Harrell	N Moore	Y Smith, R
Y Ballinger	Y Dickerson	Y Hatchett	Y Morgan	Smyre
Y Barr	Y Dickey	Y Hawkins	Y Morris	Y Spencer
Y Battles	Y Dickson	E Henson	Y Mosby	Y Stephens, M
Y Beasley-Teague	Y Dollar	Y Hightower	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Y Nix	Y Stephenson
Y Bennett	Y Drenner	Y Holcomb	Y Oliver	Y Stovall
Y Bentley	Y Dudgeon	Y Holmes	Y O'Neal	Y Stover
Y Benton	Y Dukes	Y Holt	Y Pak	Y Strickland
Y Beverly	Y Dunahoo	Y Houston	Y Parrish	Y Talton
Y Black	Y Duncan	Y Howard	Y Parsons	Y Tankersley
Y Braddock	Y Dutton	Y Hugley	Y Peake	Y Tanner
Y Broadrick	Y Efstoration	Y Jackson	Y Pezold	Y Tarvin

Y Brockway	Y Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
Y Brooks	Y England	Y Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	Y Epps, C	Y Jones, J	Y Prince	Y Teasley
Y Bryant	Y Epps, J	Y Jones, L	Y Pruett	Y Thomas, A.M.
Y Buckner	Y Evans	Y Jones, S	Y Quick	Y Turner
Y Burns	Y Fleming	Y Jordan	Y Ramsey	Y Waites
Y Caldwell, J	Y Floyd	Y Kaiser	Y Randall	Y Watson, B
Y Caldwell, M	Y Fludd	Y Kelley	Y Rice	Y Watson, S
Y Carson	Y Frazier	Y Kendrick	Y Riley	Y Welch
Y Carter	Y Frye	Y Kidd	Y Roberts	Weldon
E Casas	E Fullerton	Y Kirby	Y Rogers, C	Y Wilkerson
Y Chandler	Y Gardner	Y Knight	Y Rogers, T	Y Wilkinson
Y Channell	Y Gasaway	Y Lindsey	Y Rutledge	Y Willard
Y Chapman	Y Geisinger	Y Lumsden	Y Rynders	Y Williams, A
Y Cheokas	Y Glanton	Y Mabra	E Scott	Y Williams, C
Y Clark, J	Y Gordon	Y Marin	Y Setzler	Y Williams, E
Y Clark, V	Y Gordon	Y Martin	Y Sharper	Y Williamson
Coleman	Y Gravley	Y Maxwell	Y Shaw	Y Yates
Y Cooke	Y Greene	Y Mayo	Y Sims, B	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 169, nays 2.

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

HB 890. By Representatives Atwood of the 179th and Willard of the 51st:

A BILL to be entitled an Act to amend Code Section 15-16-21 of the Official Code of Georgia Annotated, relating to fees for sheriff's services, so as to provide for the sheriff to collect and deposit certain fees; 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 Gregory	Y McCall	Y Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	Y Dawkins-Haigler	E Harbin	Y Meadows	Y Smith, L
Y Anderson	Y Deffenbaugh	Y Harden	Y Mitchell	Y Smith, M
Y Atwood	Y Dempsey	Y Harrell	Y Moore	Y Smith, R
Y Ballinger	Y Dickerson	Y Hatchett	Y Morgan	Y Smyre
Y Barr	Y Dickey	Y Hawkins	Y Morris	Y Spencer
Y Battles	Y Dickson	E Henson	Y Mosby	Y Stephens, M
Y Beasley-Teague	Y Dollar	Y Hightower	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Y Nix	Y Stephenson
Y Bennett	Y Drenner	Y Holcomb	Y Oliver	Y Stovall
Y Bentley	Y Dudgeon	Y Holmes	Y O'Neal	Y Stover
Y Benton	Y Dukes	Y Holt	Y Pak	Y Strickland

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

On the passage of the Bill, the ayes were 174, nays 0.

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

The Speaker Pro Tem assumed the Chair.

Pursuant to Rule 33.3, debate was limited to 60 minutes on SR 371, SB 206, HR 1215, and HB 794.

SR 371. By Senators Cowsert of the 46th, Shafer of the 48th, Chance of the 16th, Hill of the 32nd, Loudermilk of the 14th and others:

A RESOLUTION making renewed application to the Congress of the United States to call for a convention for the purpose of proposing an amendment to the Constitution of the United States; and for other purposes.

The report of the Committee, which was favorable to the adoption of the Resolution, was agreed to.

On the adoption of the Resolution, the roll call was ordered and the vote was as follows:

N Abrams	Y Coomer	N Gregory	E McCall	E Sims, C
N Alexander	Y Cooper	Y Hamilton	N McClain	N Smith, E
Y Allison	N Dawkins-Haigler	E Harbin	Y Meadows	Y Smith, L

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

On the adoption of the Resolution, the ayes were 108, nays 63.

The Resolution, having received the requisite constitutional majority, was adopted.

SB 206. By Senators Cowser of the 46th, Shafer of the 48th, Chance of the 16th, Hill of the 32nd, Loudermilk of the 14th and others:

A BILL to be entitled an Act to amend Chapter 6 of Title 28 of the Official Code of Georgia Annotated, relating to interstate cooperation, so as to provide for delegations from the State of Georgia to certain conventions called by the Congress of the United States for proposing amendments to the Constitution of the United States pursuant to Article V of said constitution; 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:

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

On the passage of the Bill, the ayes were 102, nays 68.

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

HR 1215. By Representatives Brockway of the 102nd, Allison of the 8th, Cooke of the 18th, Dutton of the 157th, Williamson of the 115th and others:

A RESOLUTION applying for a convention of the states under Article V of the United States Constitution; and for other purposes.

The report of the Committee, which was favorable to the adoption of the Resolution, was agreed to.

On the adoption of the Resolution, the roll call was ordered and the vote was as follows:

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

On the adoption of the Resolution, the ayes were 100, nays 65.

The Resolution, having received the requisite constitutional majority, was adopted.

The Speaker assumed the Chair.

HB 794. By Representatives Braddock of the 19th, Welch of the 110th, Lindsey of the 54th, Clark of the 98th, Hawkins of the 27th and others:

A BILL to be entitled an Act to amend Title 50 of the Official Code of Georgia Annotated, relating to state government, so as to adopt the Compact

for a Balanced Budget and promote the proposal and ratification of a balanced budget amendment to the United States Constitution; to provide for powers, duties, and procedures relative to the Compact; 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:

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

On the passage of the Bill, the ayes were 103, nays 63.

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

HB 704. By Representatives Bruce of the 61st, Fludd of the 64th, Kaiser of the 59th, Lindsey of the 54th, Mabra of the 63rd and others:

A BILL to be entitled an Act to incorporate the City of South Fulton in Fulton County; to provide for a charter for the City of South Fulton; to provide for incorporation, boundaries, and powers of the city; to provide for general powers and limitations on powers; to provide for other matters relative to the foregoing; to provide for referenda; to provide for an automatic repeal; to provide effective dates and transitional provisions governing the transfer of various functions and responsibilities from Fulton County to the City of South Fulton; to provide for severability; 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 Gregory	E McCall	E Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	Y Dawkins-Haigler	E Harbin	Y Meadows	Y Smith, L
Y Anderson	Y Deffenbaugh	Y Harden	Y Mitchell	Y Smith, M
Y Atwood	Y Dempsey	Y Harrell	Y Moore	Y Smith, R
Y Ballinger	Y Dickerson	Y Hatchett	Y Morgan	Y Smyre
Y Barr	Y Dickey	Y Hawkins	Y Morris	Y Spencer
Y Battles	Y Dickson	Y Henson	Y Mosby	Y Stephens, M
N Beasley-Teague	E Dollar	Y Hightower	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Y Nix	Y Stephenson
Y Bennett	Y Drenner	Y Holcomb	Y Oliver	Y Stovall
Y Bentley	Y Dudgeon	Y Holmes	Y O'Neal	Y Stover
Y Benton	Y Dukes	Y Holt	N Pak	Y Strickland
Y Beverly	Y Dunahoo	Y Houston	Y Parrish	Y Talton
Y Black	Y Duncan	Y Howard	Y Parsons	Y Tankersley
Y Braddock	Y Dutton	Y Hugley	Y Peake	Y Tanner
Y Broadrick	Y Efrstration	Y Jackson	Y Pezold	Y Tarvin
Y Brockway	E Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
Y Brooks	Y England	Y Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	Y Epps, C	Y Jones, J	Y Prince	E Teasley
Y Bryant	Y Epps, J	Y Jones, L	Y Pruett	Y Thomas, A.M.
Y Buckner	Y Evans	Y Jones, S	Y Quick	Y Turner
Y Burns	Y Fleming	Y Jordan	Y Ramsey	Y Waites
Y Caldwell, J	Y Floyd	Y Kaiser	Y Randall	Y Watson, B
Y Caldwell, M	Y Fludd	Y Kelley	Y Rice	Y Watson, S
Y Carson	Y Frazier	E Kendrick	Y Riley	Y Welch
Y Carter	Y Frye	Y Kidd	Y Roberts	Y Weldon
E Casas	E Fullerton	Y Kirby	Y Rogers, C	Y Wilkerson
Y Chandler	Y Gardner	Y Knight	Rogers, T	Y Wilkinson
Y Channell	Y Gasaway	Y Lindsey	Y Rutledge	Y Willard
Y Chapman	Y Geisinger	Y Lumsden	Y Rynders	Y Williams, A
Y Cheokas	Y Glanton	Y Mabra	E Scott	Y Williams, C

Y Clark, J	Y Golick	Marin	Y Setzler	Y Williams, E
Y Clark, V	Y Gordon	Y Martin	Y Sharper	Y Williamson
Coleman	Y Gravley	Y Maxwell	Y Shaw	Y Yates
Y Cooke	Y Greene	Y Mayo	Sims, B	Ralston, Speaker

On the passage of the Bill, the ayes were 163, nays 2.

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

Representative Lindsey of the 54th asked unanimous consent that HB 704 be immediately transmitted to the Senate.

It was so ordered.

Representative Riley of the 50th moved that the following Bill of the House be withdrawn from the Rules Calendar and recommitted to the Committee on Rules:

HB 788. By Representatives Riley of the 50th, Ramsey of the 72nd, Abrams of the 89th, Smyre of the 135th, Williams of the 119th and others:

A BILL to be entitled an Act to amend Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of property, so as to provide for an ad valorem tax exemption for property owned by the University System of Georgia that is operated by a third party; to provide that such arrangements shall not constitute special franchises; to provide for a state-wide referendum; to provide for an effective date; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

The motion prevailed.

Representative Willard of the 51st District, Chairman of the Committee on Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on Judiciary 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 438	Do Pass
HB 854	Do Pass

Respectfully submitted,  
/s/ Willard of the 51st  
Chairman

Representative Channell of the 120th District, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. Speaker:

Your Committee on Ways and Means 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 412	Do Pass, by Substitute	HB 658	Do Pass, by Substitute
HB 755	Do Pass, by Substitute	HB 757	Do Pass, by Substitute
HB 782	Do Pass, by Substitute	HB 900	Do Pass
HB 918	Do Pass, by Substitute		

Respectfully submitted,  
/s/ Channell of the 120th  
Chairman

Representative O'Neal of the 146th moved that the House stand in recess until 6:00 o'clock, P.M., at which time the House will stand adjourned until 9:00 o'clock, tomorrow morning.

The Speaker announced the House in recess until 6:00 o'clock, P.M., at which time the House will stand adjourned until 9:00 o'clock, tomorrow morning.