

Representative Hall, Atlanta, Georgia

Wednesday, February 26, 2014

Twenty-Ninth Legislative Day

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

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

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

Due to a mechanical malfunction, Representative Willard of the 51st was not recorded on the attendance roll call. He wished to be recorded as present.

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

Representatives Anderson of the 92nd, Beverly of the 143rd, Bruce of the 61st, Dempsey of the 13th, Jacobs of the 80th, Jordan of the 77th, Kendrick of the 93rd, Oliver of the 82nd, Rutledge of the 109th, Smith of the 41st, Smyre of the 135th, and Stephenson of the 90th.

They wished to be recorded as present.

Prayer was offered by Reverend Tom Purdy, Rector, Christ Church Frederica, St. Simons Island, 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.

The following communication was received:

House of Representatives
245 State Capitol
Atlanta, Georgia 30334

February 25, 2014

Mr. Bill Reilly
Clerk of the Georgia House of Representatives
309 State Capitol Building
Atlanta, GA 30334

Regarding HB 804

To Whom It May Concern:

Please enter into the minutes of the Georgia House of Representatives that on February 25, due to working on a constituent issue, I was not on the floor of the House when we voted on HB 804.

Please note that I would be voting Yes.

Thank you

/s/ Penny Houston
Rep. Penny Houston
Dist. 172

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 of the House were introduced, read the first time and referred to the Committees:

HB 1082. By Representative Jackson of the 128th:

A BILL to be entitled an Act to amend an Act providing for a new charter for the City of Sandersville, approved March 28, 1990 (Ga. L. 1990, p. 4823), as amended, so as to change the provisions regarding election of members of the city council; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 1086. By Representatives Black of the 174th and Spencer of the 180th:

A BILL to be entitled an Act to amend an Act creating one or more community improvement districts in the City of Kingsland, approved May 6, 2013 (Ga. L. 2013, p. 4135), so as to change a certain provision relating to debts of the district; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 1088. By Representatives Mitchell of the 88th, Bruce of the 61st, Jordan of the 77th, Scott of the 76th and Williams of the 87th:

A BILL to be entitled an Act to amend Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to local boards of education, so as to provide that no local board of education which receives state funding shall seek or maintain accreditation by an accrediting entity which does not have open meetings; to provide for a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

HB 1089. By Representative Stover of the 71st:

A BILL to be entitled an Act to amend Article 1 of Chapter 2 of Title 20 of the O.C.G.A., relating to the State Board of Education, so as to provide that the State Board of Education shall not adopt and the Department of Education shall not implement academic content standards for English, language arts, and mathematics developed by the common core standards initiative nor shall the state board use the Partnership for Assessment of Readiness for College and Careers (PARCC), or any other assessments related to or based on the common core standards, as any of the assessments required by law; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

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 1097. By Representatives Randall of the 142nd, Epps of the 144th, Peake of the 141st, Beverly of the 143rd and Dickey of the 140th:

A BILL to be entitled an Act to provide for the creation of one or more community improvement districts in Macon-Bibb County; to provide for a short title; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 1098. By Representative Efstrotation of the 104th:

A BILL to be entitled an Act to amend Part 1 of Article 2 of Chapter 10 of Title 32 of the Official Code of Georgia Annotated, relating to general provisions relative to the State Road and Tollway Authority, so as to prohibit the use of identifying information obtained from technology used to determine toll enforcement violations for the issuance of traffic citations other than those related to toll enforcement violations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Transportation.

HR 1599. By Representatives Maxwell of the 17th, Dickson of the 6th and Taylor of the 79th:

A RESOLUTION creating the Joint Study Committee on the Georgia Alcoholic Beverage Code; and for other purposes.

Referred to the Committee on Regulated Industries.

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

HB 1070	HB 1071
HB 1072	HB 1073
HB 1074	HB 1075
HB 1076	HB 1077
HB 1081	HB 1083
HB 1084	HB 1085
HB 1087	HR 1543
HR 1585	SB 255
SB 320	SB 324
SB 339	SB 352
SB 356	SB 367
SR 415	SR 828

Representative Rogers of the 29th District, Chairman of the Committee on Higher Education, submitted the following report:

Mr. Speaker:

Your Committee on Higher Education 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 726	Do Pass
HB 1007	Do Pass
HB 1008	Do Pass

Respectfully submitted,
/s/ Rogers of the 29th
Chairman

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

Mr. Speaker:

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

HB 1058	Do Pass	HB 1059	Do Pass
HB 1060	Do Pass	HB 1061	Do Pass
HB 1062	Do Pass	HB 1065	Do Pass
HB 1069	Do Pass	HB 1079	Do Pass
HR 1524	Do Pass	SB 376	Do Pass

Respectfully submitted,
/s/ Tankersley of the 160th
Chairman

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 47	Do Pass, by Substitute	HB 133	Do Pass, by Substitute
HB 291	Do Pass, by Substitute	HB 819	Do Pass, by Substitute
HB 1078	Do Pass		

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

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

Mr. Speaker:

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

HB 671	Do Pass, by Substitute	HB 771	Do Pass, by Substitute
HB 845	Do Pass, by Substitute	HB 870	Do Pass
HB 1052	Do Pass, by Substitute		

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

Representative Roberts of the 155th District, Chairman of the Committee on Transportation, submitted the following report:

Mr. Speaker:

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

HR 1200	Do Pass, by Substitute
HR 1544	Do Pass, by Substitute
HR 1573	Do Pass, by Substitute

Respectfully submitted,
/s/ Roberts of the 155th
Chairman

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

HOUSE RULES CALENDAR
WEDNESDAY, FEBRUARY 26, 2014

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 29th Legislative Day as enumerated below:

DEBATE CALENDAR

Open Rule

None

Modified Open Rule

- HB 405 Elementary and secondary education; members of governing boards of nonprofit organizations which are charter petitioners and charter schools to participate in governance training; require (Substitute)(Ed-Mayo-84th)
- HB 549 Water pollution; establish water emergency response procedures (Substitute)(NR&E-Burns-159th)
- HB 601 Judges of the Probate Courts Retirement Fund of Georgia; define certain terms; provisions (Substitute)(Ret-Maxwell-17th)
- HB 828 Insurance; solicitation, release, or sale of automobile accident information; prohibit (Ins-Mabra-63rd)
- HB 886 Elementary and secondary education; local board of education and each charter school shall hold at least two public hearings on proposed budget; provide (Substitute)(Ed-Caldwell-20th)
- HB 887 Tobacco products; manufacturers and importers; remove certain bonding requirements (RegI-Houston-170th)

Modified Structured Rule

- HB 88 Licenses; Class E and Class F drivers' license free of charge to qualified volunteer firefighters; provide (Substitute)(MotV-Shaw-176th)
- HB 459 Speed restrictions; impeding traffic flow and minimum speed in left-hand lanes; modify provisions (Substitute)(MotV-Hitchens-161st)
- HB 777 Watercraft; suspension of privileges to operate a vessel for violations of vessel laws of this state and other states; provisions (Substitute) (JudyNC-Powell-32nd)
- HB 788 Ad valorem tax; property owned by University System of Georgia operated by third party; provide exemption (Substitute)(W&M-Riley-50th) (AM# 34 0631)
- HB 810 HOPE; home study students regarding scores on standardized college admission test; revise requirements (Substitute)(App-Chandler-105th)
- HB 878 Motor vehicles; certain fees included in liens upon abandoned vehicles; provide (MotV-Powell-32nd)

- HB 881 Special license plates; Grady Health Foundation; provide (MotV-Epps-144th)
- HB 891 Elections; period for advance voting prior to municipal primary or election; change (GAff-Fleming-121st)(AM# 28 1300)
- HB 897 Elementary and secondary education; update and clarify provisions; repeal obsolete provisions (Substitute)(Ed-Dudgeon-25th)(AM # 33 1392)
- HB 899 Unlicensed personal care homes; criminal penalties for owning or operating; provide (Substitute)(H&HS-Cooper-43rd)
- HB 908 Tire disposal restrictions; extend sunset date for tire fees (NR&E-Riley-50th)
- HB 923 Journey Ann Cowart Act; enact (JuvJ-Coomer-14th)
- HB 957 Georgia Brownfield Act; enact (Substitute)(NR&E-Williams-119th)
- HB 998 Medical scholarships; revise provisions relating to scholarships and loans (Substitute)(H&HS-Hatchett-150th)

Structured Rule

- HB 153 Local option sales tax; taxes to be imposed at a rate of less than 1 percent; allow (Substitute)(W&M-Carson-46th)
- HB 918 Revenue and taxation; define terms "Internal Revenue Code" and Internal Revenue Code of 1986"; provisions (Substitute)(W&M-Peake-141st)

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

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

By unanimous consent, the following Bills and Resolution of the House and Senate were taken up for consideration and read the third time:

- HB 1058. By Representatives Willard of the 51st, Geisinger of the 48th, Jacobs of the 80th, Jones of the 47th, Lindsey of the 54th and others:

A BILL to be entitled an Act to repeal an Act providing for the appointment of magistrates in Fulton County, approved April 9, 1996 (Ga. L. 1996, p. 4368); 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.

HB 1059. By Representatives Willard of the 51st, Riley of the 50th, Wilkinson of the 52nd, Geisinger of the 48th, Lindsey of the 54th and others:

A BILL to be entitled an Act to amend an Act establishing a municipal court of the City of Atlanta (now a division of the State Court of Fulton County), approved August 20, 1913 (Ga. L. 1913, p. 145), as amended, particularly by an Act approved April 13, 1992 (Ga. L. 1992, p. 6045), so as to revise certain fees; 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.

HB 1060. By Representatives Willard of the 51st, Wilkinson of the 52nd, Lindsey of the 54th, Geisinger of the 48th, Golick of the 40th and others:

A BILL to be entitled an Act to provide for the administration of the budget of the clerk of the Superior Court of Fulton County; to provide that the clerk of the Superior Court of Fulton County shall have oversight of the budget; to provide that the clerk, with the approval of the chief judge, shall be authorized to make changes to line item appropriations; to provide that any unexpended funds at the end of the fiscal year shall lapse to the general fund of Fulton County; 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.

HB 1061. By Representatives Willard of the 51st, Martin of the 49th, Geisinger of the 48th, Wilkinson of the 52nd, Jones of the 47th and others:

A BILL to be entitled an Act to provide for the administration of the budget of the Fulton County Juvenile Court; to provide that the chief administrative officer shall have oversight of the budget; to provide that the chief administrative officer, with the approval of the chief judge, shall be authorized to make changes to line item appropriations; to provide that any unexpended funds at the end of the fiscal year shall lapse to the general fund of Fulton County; 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.

HB 1062. By Representatives Dickerson of the 113th, Anderson of the 92nd, Stephenson of the 90th, Dawkins-Haigler of the 91st, Rutledge of the 109th and others:

A BILL to be entitled an Act to authorize Rockdale County to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; 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.

HB 1065. By Representatives Jacobs of the 80th, Taylor of the 79th, Oliver of the 82nd, Mitchell of the 88th, Mayo of the 84th and others:

A BILL to be entitled an Act to amend an Act providing for a homestead exemption from certain DeKalb County ad valorem taxes for county purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the base year assessed value of such homestead, approved May 5, 2006 (Ga. L. 2006, p. 4636), as amended, so as to eliminate the time limitation on such exemption; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

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

HB 1069. By Representative Roberts of the 155th:

A BILL to be entitled an Act to amend an Act creating the board of commissioners of Irwin County, approved February 16, 1933 (Ga. L. 1933, p. 571), as amended, particularly by an Act approved April 4, 1977 (Ga. L. 1977, p. 3934), so as to provide the salary of the chairperson of the Irwin County Board of Commissioners; 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.

HB 1079. By Representatives Turner of the 21st, Caldwell of the 20th and Moore of the 22nd:

A BILL to be entitled an Act to amend an Act creating a new charter for the City of Holly Springs in the County of Cherokee, approved March 18, 1980 (Ga. L. 1980, p. 3281), as amended, particularly by an Act approved April 13, 2001 (Ga. L. 2001, p. 3679), and an Act approved April 24, 2013 (Ga. L. 2013, p. 3648), so as to provide for the terms and manner of election of the mayor and councilmembers; to provide for posts; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

HR 1524. By Representatives Stephens of the 164th, Gordon of the 163rd, Hitchens of the 161st, Watson of the 166th, Stephens of the 165th and others:

A RESOLUTION authorizing the leasing of certain improved real property owned by the State of Georgia in Chatham County, Georgia; to provide an effective date; to repeal conflicting laws; and for other purposes.

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

SB 376. By Senator Harper of the 7th:

A BILL to be entitled an Act to amend an Act creating the Fitzgerald and Ben Hill County Development Authority, approved February 26, 1963 (Ga. L. 1963, p. 2003), as amended, so as to repeal provisions relating to allowable expenditures of the authority; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

By unanimous consent, the following Bill of the House was taken up for the purpose of considering the Senate action thereon:

HB 851. By Representatives Coleman of the 97th, Clark of the 98th and Brockway of the 102nd:

A BILL to be entitled an Act to amend an Act creating a new charter for the City of Sugar Hill, Georgia, approved May 14, 2003 (Ga. L. 2003, p. 3546), as amended, so as to provide for the incorporation of certain parcels of land into the corporate limits of the City of Sugar Hill, Georgia; to repeal conflicting laws; and for other purposes.

The following Senate substitute was read:

A BILL TO BE ENTITLED
AN ACT

To amend an Act creating a new charter for the City of Sugar Hill, Georgia, approved May 14, 2003 (Ga. L. 2003, p. 3546), as amended, so as to provide for the incorporation of certain parcels of land into the corporate limits of the City of Sugar Hill, Georgia; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating a new charter for the City of Sugar Hill, Georgia, approved May 14, 2003 (Ga. L. 2003, p. 3546), as amended, is amended by designating the language contained in Exhibit A as paragraph (1) of Exhibit A and by adding a new paragraph (2) of Exhibit A, to read as follows:

"(2) As of the adoption of this 2014 amendment of this charter, the boundaries of the City of Sugar Hill, Georgia, are intended to include and are hereby declared to include all of the area included within the corporate boundaries upon the effective date of this charter which includes all areas described in the previous charter, Ga. L. 1975, p.3232 as amended, particularly by Ga. L. 2003, p. 3546, all properties added through amendments to that charter and all properties added by all annexation ordinances adopted by the Mayor and Council of the City of Sugar Hill since January of 2003, plus the additional property as added by this 2014 amendment. These boundaries are shown on a map entitled the Official Map of the Corporate Limits of the City of Sugar Hill, Georgia, dated November 12, 2013 which map is maintained in the office of the City Clerk of the City of Sugar Hill, Georgia, and is incorporated herein by reference. The properties described herein and shown on the map are intended to include and are hereby declared to include all of the property included in the tax parcels set forth in paragraph (1) of this Exhibit A as those tax parcels existed on the tax rolls and tax maps of Gwinnett County for the year 2002, and all properties annexed by ordinances approved by the Mayor and Council of the City of Sugar Hill since January, 2003, and all property included in the tax parcels set forth below as those tax parcels exist on the tax rolls and tax maps of Gwinnett County for the year 2013, and all of the public roadways and rights of way adjacent to those parcels, including railroad rights of way lying adjacent to those parcels or to the public roadways lying adjacent to those parcels:

7-256-012

7-256-150

7-256-152

7-257-092

7-257-237

7-257-247

7-323-032

7-339-027A

7-339-214	7-339-216	7-339-217	7-339-218
7-339-219	7-364-009	7-364-060	7-364-062"

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval or on June 1, 2014, whichever date is later.

SECTION 3.

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

By unanimous consent, the following roll call vote was made applicable to the previously read Bills and Resolution.

On the passage of the Bills, on the adoption of the Resolution, and on the agreement to the Senate substitute, the roll call was ordered and the vote was as follows:

Y Abrams	Y Coomer	N Gregory	Y McCall	Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	E Dawkins-Haigler	Y Harbin	Y Meadows	Y Smith, L
Anderson	Y Deffenbaugh	Y Harden	Y Mitchell	Smith, M
Y Atwood	Y Dempsey	Y Harrell	Y Moore	Y Smith, R
Y Ballinger	Y Dickerson	Y Hatcher	Y Morgan	Y Smyre
Y Barr	Y Dickey	Y Hawkins	Morris	Spencer
Y Battles	Y Dickson	Y Henson	Mosby	Stephens, M
N Beasley-Teague	Y Dollar	Y Hightower	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Y Nix	Stephenson
Y Bennett	Y Drenner	Y Holcomb	Oliver	Y Stovall
E Bentley	Y Dudgeon	Y Holmes	O'Neal	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 Efrstration	Y Jackson	Y Pezold	Y Tarvin
Y Brockway	Y Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
Y Brooks	Y England	E Jasperse	Y Powell, J	Y Taylor, T
Bruce	E 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	Jordan	Y Ramsey	Y Waites
Y Caldwell, J	Floyd	Y Kaiser	Y Randall	Y Watson, B
Y Caldwell, M	Y Fludd	Y Kelley	Y Rice	Y Watson, S
Y Carson	Y Frazier	Kendrick	Y Riley	Welch
Y Carter	Y Frye	Y Kidd	Y Roberts	Weldon
Y Casas	Y 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	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 Cooke

Y Gravley
Y Greene

Y Maxwell
Y Mayo

Y Shaw
Y Sims, B

Y Yates
Ralston, Speaker

On the passage of the Bills, on the adoption of the Resolution, and on the agreement to the Senate substitute, the ayes were 155, nays 2.

The Bills, having received the requisite constitutional majority, were passed; the Resolution, having received the requisite constitutional majority, was adopted; and the House has agreed to the Senate substitute.

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

Mr. Speaker:

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

SB 167. By Senators Ligon, Jr. of the 3rd, Loudermilk of the 14th, Albers of the 56th, Hufstetler of the 52nd, Hill of the 6th and others:

A BILL to be entitled an Act to amend Part 2 of Article 6 of Chapter 2 of Title 20 of the O.C.G.A., relating to competencies and core curriculum, so as to declare certain actions void ab initio relating to adoption of certain curricula; to prohibit state education agencies from entering into any commitments relating to the federal Race to the Top program; to require hearings and public input prior to adoption of state-wide competencies and content standards; to limit the compilation and sharing of personal student and teacher data; to prohibit the expenditure of funds for a state-wide longitudinal data system except for administrative needs and federal grant compliance; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 343. By Senators Mullis of the 53rd, Unterman of the 45th, Bethel of the 54th, Miller of the 49th, Hill of the 4th and others:

A BILL to be entitled an Act to amend Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to certain programs and activities under the "Quality Basic Education Act," so as to provide that no high school which receives funding under Article 6 of Chapter 2 of Title 20, the "Quality Basic Education Act," shall participate in or sponsor interscholastic sports events conducted by any athletic association unless the association meets certain conditions; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 397. By Senators Golden of the 8th, Unterman of the 45th, Shafer of the 48th, Chance of the 16th, Miller of the 49th and others:

A BILL to be entitled an Act to amend Code Section 33-24-59.10 of the Official Code of Georgia Annotated, relating to insurance coverage for autism, so as to provide for certain insurance coverage of autism spectrum disorders; to provide for definitions; to provide for limitations; to provide for premium cap and other conditions; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

HB 873. By Representative Gasaway of the 28th:

A BILL to be entitled an Act to create the Stephens County Public Facilities Authority; to provide for a short title; to provide for definitions; to provide for its purpose; to provide for its powers; to provide for the membership of the authority and their terms of office, qualifications, and compensation; to provide for the issuance and sale of revenue bonds and other obligations; to provide for the security for such revenue bonds and other obligations; to provide for refunding revenue bonds and other obligations; to repeal conflicting laws; and for other purposes.

HB 995. By Representative Pruett of the 149th:

A BILL to be entitled an Act to amend an Act entitled "An Act to reincorporate the City of Scotland, Georgia," approved March 24, 1988 (Ga. L. 1988, p. 4314), so as to provide for four-year terms for the mayor and councilmembers; to provide for initial terms; to provide for elections; to repeal conflicting laws; and for other purposes.

HB 1012. By Representative Parrish of the 158th:

A BILL to be entitled an Act to authorize the governing authority of the City of Metter to increase the excise tax levied pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1016. By Representatives Beasley-Teague of the 65th and Fludd of the 64th:

A BILL to be entitled an Act to authorize the City of Fairburn to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide for automatic repeal under certain circumstances; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1017. By Representatives Beasley-Teague of the 65th and Fludd of the 64th:

A BILL to be entitled an Act to authorize the governing authority of the City of Fairburn to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1022. By Representative Parrish of the 158th:

A BILL to be entitled an Act to provide for a new charter for the City of Oak Park; to provide an effective date; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

SB 167. By Senators Ligon, Jr. of the 3rd, Loudermilk of the 14th, Albers of the 56th, Hufstetler of the 52nd, Hill of the 6th and others:

A BILL to be entitled an Act to amend Part 2 of Article 6 of Chapter 2 of Title 20 of the O.C.G.A., relating to competencies and core curriculum, so as to declare certain actions void ab initio relating to adoption of certain curricula; to prohibit state education agencies from entering into any commitments relating to the federal Race to the Top program; to require hearings and public input prior to adoption of state-wide competencies and content standards; to limit the compilation and sharing of personal student and teacher data; to prohibit the expenditure of funds for a state-wide longitudinal data system except for administrative needs and federal grant compliance; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

SB 343. By Senators Mullis of the 53rd, Unterman of the 45th, Bethel of the 54th, Miller of the 49th, Hill of the 4th and others:

A BILL to be entitled an Act to amend Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to certain programs and activities under the "Quality Basic Education Act," so as to provide that no high school which receives funding under Article 6 of Chapter 2 of Title 20, the "Quality Basic Education Act," shall participate in or sponsor interscholastic sports events conducted by any athletic association unless the association meets certain conditions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

SB 397. By Senators Golden of the 8th, Unterman of the 45th, Shafer of the 48th, Chance of the 16th, Miller of the 49th and others:

A BILL to be entitled an Act to amend Code Section 33-24-59.10 of the Official Code of Georgia Annotated, relating to insurance coverage for autism, so as to provide for certain insurance coverage of autism spectrum disorders; to provide for definitions; to provide for limitations; to provide for premium cap and other conditions; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance.

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

Representatives Waites of the 60th, Hugley of the 136th, Glanton of the 75th, Williamson of the 115th et al., Rice of the 95th, Stovall of the 74th, McClain of the 100th, Chandler of the 105th et al., Rogers of the 10th et al., Rynders of the 152nd et al., Parrish of the 158th, Harden of the 148th, Cheokas of the 138th et al., Carson of the 46th, Strickland of the 111th et al., Tanner of the 9th, Morgan of the 39th, Taylor of the 79th et al., and Nimmer of the 178th et al.

Pursuant to HR 1576, the House commended Mrs. Melba Paulk-Veazey as the Distinguished Older Georgian for 2014 and invited her to be recognized by the House of Representatives.

Pursuant to HR 1124, the House recognized and commended Dr. H. Allen Ecker and invited him to be recognized by the House of Representatives.

Pursuant to HR 1310, the House recognized and commended Bert Williams on being selected as the 2013 American Community College Football Coaches Association's (ACCFCA) Coach of the Year and invited him 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 549. By Representatives Burns of the 159th, Tankersley of the 160th, Hitchens of the 161st, Parrish of the 158th, Stephens of the 164th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to control of water pollution and surface-water use, so as to establish water emergency response procedures; 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 5 of Title 12 of the Official Code of Georgia Annotated, relating to control of water pollution and surface-water use, so as to establish water emergency response procedures; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to control of water pollution and surface-water use, is amended by adding a new Code section to read as follows:

"12-5-30.4.

(a) Whenever any substance which would endanger the health or property of downstream users of the waters of this state is discharged into such waters, it shall be the duty of any person in charge of such substance to immediately notify the division of the location and nature of the discharge and to immediately take all reasonable steps to prevent injury to the health or property of such downstream users.

(b) The division shall immediately conduct an initial investigation upon receiving any notification made pursuant to this Code section or subsection (a) of Code Section 12-14-3 or by a member of the public who observes an emergency situation or discharge to determine if such notification satisfies the criteria described in subsection (a) of this Code section.

(c) If the division determines that there is a threat to the health or property of downstream users of the waters of this state, the division shall as soon as possible, but not more than 24 hours after such determination, notify and consult with the Georgia Emergency Management Agency, the appropriate local emergency management agency, the appropriate local county health department, and other appropriate divisions within the department as necessary to determine if it is necessary to prepare and distribute a public notice concerning such threat. Upon notification by the division, the local emergency management agency or the local county health department shall prepare and post such public notice through electronic media and print. Such public notice shall be located at places where the public regularly uses the waters of this state or seeks information about such waters.

(d) The division shall ensure that immediate corrective action is initiated to the maximum extent practicable and as otherwise authorized by this title in order to prevent further danger to the health or property of downstream users.

(e) The division shall establish a protocol, to be reviewed every five years, for coordinated responses to discharges that create emergency situations and shall coordinate with the appropriate emergency response agencies to provide for continual emergency response so as to most efficiently and effectively meet the needs of affected communities. The division may provide training to state and local emergency response agencies to further the purposes of this Code section.

(f) Nothing in this Code section shall prevent any local governmental entity from taking any actions within its authority to protect public health.

(g) The department shall promulgate any rules and regulations necessary to implement and administer this Code section on or before December 1, 2014."

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	Y Coomer	Y Gregory	Y McCall	Y Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	E Dawkins-Haigler	Harbin	Y Meadows	E 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 Hatcher	Y Morgan	Y Smyre
Y Barr	Y Dickey	Y Hawkins	Y Morris	Y Spencer
Y Battles	Y Dickson	Y Henson	Y Mosby	E Stephens, M
Y Beasley-Teague	Dollar	E Hightower	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Y Nix	Y Stephenson
Y Bennett	E Drenner	Y Holcomb	Y Oliver	Y Stovall
Y Bentley	Y Dudgeon	Y Holmes	Y O'Neal	Y Stover

Benton	Y Dukes	Y Holt	Y Pak	Y Strickland
Y Beverly	Y Dunahoo	Y Houston	Y Parrish	Y Talton
Black	Y Duncan	Y Howard	Y Parsons	Y Tankersley
Y Braddock	Dutton	Y Hugley	Y Peake	Y Tanner
Y Broadrick	Y Efrstration	Y Jackson	Y Pezold	Y Tarvin
Y Brockway	Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
Y Brooks	Y England	E Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	E 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	Jordan	Y Ramsey	Y Waites
Y Caldwell, J	E Floyd	Y Kaiser	Y Randall	Y Watson, B
Y Caldwell, M	Y Fludd	Y Kelley	Y Rice	Y Watson, S
Y Carson	Y Frazier	Kendrick	E Riley	Y Welch
Y Carter	Y Frye	Y Kidd	Y Roberts	Weldon
Y Casas	Fullerton	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	Y Scott	Y Williams, C
Y Clark, J	Y Golick	Y Marin	Setzler	Y Williams, E
Y Clark, V	Y Gordon	Y Martin	Y Sharper	E 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 157, nays 0.

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

HB 998. By Representatives Hatchett of the 150th, Parrish of the 158th, Cooper of the 43rd, Watson of the 166th, Nimmer of the 178th and others:

A BILL to be entitled an Act to amend Part 6 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to medical scholarships, so as to revise provisions relating to medical scholarships and loans; to revise provisions relating to the areas to be served as a condition of receiving a scholarship or loan; to revise provisions relating to immediate liability for repayment; to repeal a population act provision; to revise legislative purpose; 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 Part 6 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to medical scholarships, so as to revise provisions relating to medical scholarships and loans; to revise provisions relating to the areas to be served as a condition of receiving a scholarship or loan; to revise provisions relating to immediate liability for repayment; to repeal a population act provision; to revise legislative purpose; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 6 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to medical scholarships, is amended by revising Code Section 20-3-512, relating to powers of the Georgia Board for Physician Workforce as to medical student loans and scholarships, as follows:

"20-3-512.

(a) It shall be the duty of the board to receive and pass upon, allow or disallow all applications for loans made to or scholarships given to students who are bona fide citizens and residents of the State of Georgia and who desire to become doctors of medicine and who are acceptable for enrollment in an accredited ~~four-year~~ medical school in the United States which has received accreditation or provisional accreditation by the Liaison Committee on Medical Education ~~of the American Medical Association~~ or the Bureau of Professional Education of the American Osteopathic Association for a program in medical education designed to qualify the graduate for licensure by the Georgia Composite Medical Board. The purpose of such loans shall be to enable such applicants to obtain a standard ~~four-year~~ medical education from a medical school in the United States which has received accreditation or provisional accreditation by the Liaison Committee on Medical Education or the Bureau of Professional Education of the American Osteopathic Association which will qualify them to become licensed to practice medicine in the State of Georgia. It shall be the duty of the board to make a careful and full investigation of the ability, character, and qualifications of each applicant and determine the applicant's fitness to become the recipient of such loan or scholarship, and for ~~that~~ such purpose the board may propound such examination to each applicant which it deems proper. The board may also prescribe such rules and regulations as it deems necessary and proper to carry out the purpose and intention of this part. The investigation of the applicant shall include an investigation of the ability of the applicant, and of the parents of such applicant, to pay his or her own tuition at such medical school, and the board in granting such loans and scholarships shall give preference to qualified applicants who, and whose parents, are unable to pay the applicant's tuition at such a medical school.

(b) The board shall have authority to grant to each applicant deemed by the board to be qualified to receive the same a loan or scholarship on a one-year renewable basis for the purpose of acquiring a ~~standard four-year~~ medical education from a medical school in the United States which has received accreditation or provisional accreditation by the

Liaison Committee on Medical Education or the Bureau of Professional Education of the American Osteopathic Association, upon such terms and conditions as in the judgment of the board may be necessary or desirable. The board is authorized to consider, among other criteria, the home area of the student and the likelihood, if determinable, that the student will practice medicine in an area of this state which may entitle the student to repay the loan through services rendered as provided in this part."

SECTION 2.

Said part is further amended by repealing and reenacting Code Section 20-3-513, relating to determination of amount by board, terms and conditions, and repayment in services, as follows:

"20-3-513.

Students whose applications are approved shall receive a loan or scholarship in an amount to be determined by the board to defray the tuition and other expenses of the applicant in an accredited medical school in the United States which has received accreditation or provisional accreditation by the Liaison Committee on Medical Education or the Bureau of Professional Education of the American Osteopathic Association for a program in medical education designed to qualify the graduate for licensure by the Georgia Composite Medical Board. The loans and scholarships shall be paid in such manner as the Georgia Board for Physician Workforce shall determine and may be prorated so as to pay to the medical college or school to which any applicant is admitted such funds as are required by such college or school with the balance being paid directly to the applicant; all of which shall be under such terms and conditions as may be provided under rules and regulations of the board. The loans or scholarships to be granted to each applicant shall be based upon the condition that the full amount of the loans or scholarships shall be repaid to the State of Georgia in services to be rendered by the applicant by practicing his or her profession in an area of this state which is rural and underserved by primary care physicians as determined by the board, in a regional area of this state composed of rural counties where an unmet need for certain primary care and other critical need specialty physicians exists as determined by the board and approved by the commissioners of community health and public health, or at any hospital or facility operated by or under the jurisdiction of the Department of Public Health, the Department of Behavioral Health and Developmental Disabilities, the Department of Corrections, or the Department of Juvenile Justice. For each year of practicing his or her profession in such board approved location, the applicant shall receive credit for the amount of the scholarship received during any one year in medical school, with the interest due on such amount."

SECTION 3.

Said part is further amended by revising Code Section 20-3-514, relating to contract provisions for loan or scholarship, as follows:

"20-3-514.

(a) Each applicant before being granted a loan or scholarship shall enter into a contract with the State of Georgia agreeing to the terms and conditions upon which the loan or scholarship is granted, including such terms and provisions as will carry out the full purpose and intent of this part. The form of such contract shall be prepared and approved by the Attorney General, and each contract shall be signed by the chairperson of the board, countersigned by the executive director of the board, and shall be signed by the applicant. For the purposes of this part, the disabilities of minority of all applicants granted loans or scholarships pursuant to this part are removed, and ~~the said~~ such applicants are declared to be of full lawful age for the purpose of entering into the contract provided for in this Code section; and such contract so executed by an applicant is declared to be a valid and binding contract the same as though ~~the said~~ such applicant were of the full age of majority. The board is vested with full and complete authority to bring an action in its own name against any applicant for any balance due the board on any such contract.

(b) An applicant who has entered into a loan or scholarship contract with the board and who:

- (1) Is dismissed for either academic or disciplinary reasons from the college or school of medicine he or she is attending; ~~or~~
- (2) Voluntarily terminates his or her training and education in ~~that~~ such institution for any reason prior to completion of training; or
- (3) Is unable to obtain licensure from the Georgia Composite Medical Board to practice medicine

shall be immediately liable to the board for all sums advanced with interest at the minimum rate of 12 percent per annum from the date of each payment by the board and compounded annually to the date the scholarship or loan is paid in full; provided, however, that the board may consent or agree to a lesser measure of damages for compelling reasons as determined by the board. The board is authorized to increase annually ~~said~~ such rate of interest due on loans granted to new recipients; provided, however, that the increased rate of interest shall not exceed by more than 2 percent the prime rate published by the Board of Governors of the Federal Reserve System and in effect at the time of the increase.

(c) An applicant who has entered into a loan or scholarship contract with the board and who breaches ~~that~~ such contract by either failing to begin or failing to complete his or her service obligation under such loan or scholarship contract or who fails to obtain licensure from the Georgia Composite Medical Board to practice medicine shall be immediately liable to the board for three times the total uncredited amount of all such scholarship or loan payments paid to the applicant, such uncredited sums to be prorated on a monthly basis respecting the applicant's actual service and total service obligation. The board may consent or agree to a lesser measure of damages for compelling reasons as determined by the board.

(d) The board shall have the authority to cancel the loan or scholarship contract of any applicant at any time for any cause deemed sufficient by the board, provided that such

authority may not be arbitrarily or unreasonably exercised. Upon such cancellation by the board, the total uncredited amount of the scholarship paid to the applicant shall at once become due and payable to the board in cash with interest at the minimum rate of 12 percent per annum from the date of each payment by the board and compounded annually to the date the scholarship or loan is paid in full. The board is authorized to increase annually such rate of interest, subject to the limitations set forth in subsection (b) of this Code section."

SECTION 4.

Said part is further amended by revising Code Section 20-3-518, relating to legislative purpose, as follows:

"20-3-518.

It is the purpose and intent of this part to bring about an adequate supply of persons licensed to practice medicine in the more sparsely populated areas of the State of Georgia by increasing the number of medical students from Georgia ~~in~~ with scholarships awarded by the board pursuant to this part attending the various medical schools and inducing a sufficient number of the graduates from medical schools to return to Georgia and practice their profession in rural and underserved areas, thus affording adequate medical care to the people of Georgia."

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	Y Coomer	N Gregory	Y McCall	Sims, C
Y Alexander	Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	E Dawkins-Haigler	Y Harbin	Y Meadows	E Smith, L
Y Anderson	Y Deffenbaugh	Y Harden	Y Mitchell	Y Smith, M
Y Atwood	Y Dempsey	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
Battles	Y Dickson	Y Henson	Y Mosby	E Stephens, M
Y Beasley-Teague	Y Dollar	E Hightower	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Y Nix	Y Stephenson
Y Bennett	E 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 Efrstration	Y Jackson	Y Pezold	Y Tarvin
Y Brockway	Y Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D

Y Brooks	Y England	E Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	E Epps, C	Y Jones, J	Y Prince	Y Teasley
Y Bryant	Y Epps, J	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	E 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	E Riley	Y Welch
Y Carter	Y Frye	Y Kidd	Y Roberts	Y Weldon
Y Casas	Y Fullerton	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	Y Scott	Y Williams, C
Y Clark, J	Y Golick	Marin	Setzler	Y Williams, E
Y Clark, V	Y Gordon	Y Martin	Y Sharper	E 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 159, nays 2.

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

HB 601. By Representatives Maxwell of the 17th, Battles of the 15th, Weldon of the 3rd, Buckner of the 137th and Brooks of the 55th:

A BILL to be entitled an Act to amend Chapter 11 of Title 47 of the Official Code of Georgia Annotated, relating to the Judges of the Probate Courts Retirement Fund of Georgia, so as to define certain terms; to restrict and repeal an automatic cost-of-living benefit increase; to provide for a portion of fines and forfeited bonds for criminal, quasi-criminal, and civil cases for violating state statutes or traffic laws be paid to the fund; to provide for a member contribution; to provide conditions for an effective date and automatic repeal; 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 11 of Title 47 of the Official Code of Georgia Annotated, relating to the Judges of the Probate Courts Retirement Fund of Georgia, so as to define certain terms; to restrict and repeal an automatic cost-of-living benefit increase; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 11 of Title 47 of the Official Code of Georgia Annotated, relating to the Judges of the Probate Courts Retirement Fund of Georgia, is amended by revising Code Section 47-11-1, relating to definitions, as follows:

"47-11-1.

As used in this chapter, the term:

(1) 'Adjusted annual income' means the maximum income determined by application of paragraph (5) of Code Section 47-11-40.

(2) 'Adjusted monthly income' means a sum equal to one-twelfth of the adjusted annual income.

~~(1)~~(3) 'Board' means the Board of Commissioners of the Judges of the Probate Courts Retirement Fund of Georgia.

~~(2)~~(4) 'Fund' means the Judges of the Probate Courts Retirement Fund of Georgia.

~~(3)~~(5) 'Member' means a member of the Judges of the Probate Courts Retirement Fund of Georgia."

SECTION 2.

Said chapter is further amended by revising paragraph (2) of subsection (c) of Code Section 47-11-22, relating to powers and duties of the board, as follows:

"(2) Any provision of paragraph (1) of this subsection to the contrary notwithstanding, ~~no member who receives an annual cost of living benefit increase pursuant to subsection (e) of Code Section 47-11-71 shall receive a benefit increase under this subsection greater than 1 percent of the maximum monthly benefit then in effect; provided, however, that no such member shall receive any such increase unless the members not entitled to a benefit increase under subsection (e) of Code Section 47-11-71 receive a like amount plus an additional increase of 2 percent of the maximum benefit then in effect; provided, further, that no benefit increase shall be awarded under this subsection greater than 1.5 percent in any six-month period.~~"

SECTION 3.

Said chapter is further amended by repealing subsection (e) of Code Section 47-11-71, relating to amount of retirement benefits, optional retirement benefits, and manner in which persons not eligible for maximum benefits at retirement may become eligible, which reads as follows:

"(e) Any other provision of law to the contrary notwithstanding, additional retirement benefits shall be paid to each person, including a surviving spouse, who was receiving benefits under this chapter on January 1, 1993, or who became entitled to receive benefits on or after January 1, 1993. Such additional benefits shall be annual cost-of-living benefits equal to the benefit a member would otherwise be entitled to receive as calculated pursuant to subsections (a) through (d) of this Code section and any benefits previously received as authorized by this subsection multiplied by the percentage of any

increase in the Consumer Price Index of the Bureau of Labor Statistics of the United States Department of Labor for all items and major groups, United States city average, for the immediately preceding calendar year; provided, however, that such annual percentage increase in benefits shall not exceed 2 percent regardless of the percentage increase in the Consumer Price Index. In any year in which there is no percentage increase in such Consumer Price Index, no additional retirement benefits shall be paid under this subsection."

SECTION 4.

This Act shall become effective on July 1, 2014, only if it is determined to have been concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not become effective and shall be automatically repealed in its entirety on July 1, 2014, as required by subsection (a) of Code Section 47-20-50.

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:

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	Y Harbin	Y Meadows	E 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 Hatcher	Y Morgan	Y Smyre
Y Barr	Y Dickey	Y Hawkins	Y Morris	Y Spencer
Y Battles	Y Dickson	Y Henson	Y Mosby	E Stephens, M
Y Beasley-Teague	Y Dollar	E Hightower	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Y Nix	Y Stephenson
Y Bennett	E Drenner	Y Holcomb	Y Oliver	Y Stovall
Y Bentley	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	E Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	E Epps, C	Y Jones, J	Y Prince	Y Teasley
Y Bryant	Y Epps, J	Y Jones, L	Y Pruet	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	E 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
Y Casas	Y Fullerton	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	Y Scott	Williams, C
Y Clark, J	Y Golick	Y Marin	Y Setzler	Y Williams, E
Y Clark, V	Y Gordon	Y Martin	Y Sharper	E 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 164, nays 2.

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

HB 887. By Representative Houston of the 170th:

A BILL to be entitled an Act to amend Code Section 48-11-4 of the Official Code of Georgia Annotated, relating to the licensing of persons engaged in tobacco business, initial and annual fees, suspension and revocation, registration and inspection of vending machines, bond by distributor, jurisdiction, and licensing of promotional activities, so as to remove certain bonding requirements pertaining to manufacturers and importers of tobacco products; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

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

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

Y Abrams	Y Coomer	Y Gregory	Y McCall	Y Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y Harbin	Y Meadows	E 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 Hatcher	Y Morgan	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	E Hightower	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Y Nix	Y Stephenson
Y Bennett	E 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	E Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	E 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	Jones, S	Y Quick	Y Turner
Y Burns	Y Fleming	Y Jordan	Y Ramsey	Y Waites
Y Caldwell, J	E 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
Y Casas	Y Fullerton	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	Y Scott	Williams, C
Y Clark, J	Y Golick	Y Marin	Y Setzler	Y Williams, E
Y Clark, V	Y Gordon	Y Martin	Y Sharper	E 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 167, nays 0.

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

HB 459. By Representatives Hitchens of the 161st, Hawkins of the 27th, Lumsden of the 12th, Tanner of the 9th, Burns of the 159th and others:

A BILL to be entitled an Act to amend Article 9 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to speed restrictions, so as to modify provisions relating to impeding traffic flow and minimum speed in left-hand lanes; to provide for related matters; to provide for an effective date and 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 9 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to speed restrictions, so as to modify provisions relating to impeding traffic flow and minimum speed in left-hand lanes; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 9 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to speed restrictions, is amended by revising Code Section 40-6-184, relating to impeding traffic flow and minimum speed in left-hand lanes, as follows:

"40-6-184.

(a)(1) No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation.

~~(2) On roads, streets, or highways with two or more lanes allowing for movement in the same direction, no person shall continue to operate a motor vehicle in the most left hand lane at less than the maximum lawful speed limit once such person knows or should reasonably know that he is being overtaken in such lane from the rear by a motor vehicle traveling at a higher rate of speed, except when such motor vehicle is preparing for a left turn.~~

(b) Whenever the commissioner of public safety or the commissioner of transportation or local authorities determine on the basis of any engineering and traffic investigation that slow speeds on any part of a road under their respective jurisdictions impede the normal and reasonable movement of traffic, such commissioners jointly, or such local authorities, may determine and declare a minimum speed limit below which no person shall drive a vehicle except when necessary for safe operation, and ~~that~~ such limit shall be effective when posted upon fixed or variable signs.

(c) Upon roads, streets, or highways with two or more lanes allowing for movement in the same direction, no person shall continue to operate a motor vehicle in the passing lane once such person knows or should reasonably know that he or she is being overtaken in such lane from the rear by a motor vehicle traveling at a higher rate of speed. For purposes of this Code section, 'passing lane' means the most left-hand lane other than a high occupancy vehicle lane.

(d) Subsection (c) of this Code section shall not apply:

(1) When traffic conditions or congestion make it necessary to drive in the passing lane;

(2) When inclement weather, obstructions, or hazards make it necessary to drive in the passing lane;

(3) When compliance with a law of this state or with an official traffic control device makes it necessary to drive in the passing lane;

(4) When a vehicle must be driven in the passing lane to exit or turn left;

(5) On toll highways, when necessary to pay a toll or use a pass;

(6) To authorized emergency vehicles engaged in official duties; or

(7) To vehicles engaged in highway maintenance and construction operations."

SECTION 2.

This Act shall become effective on July 1, 2014, and shall apply to offenses committed on or after such date.

SECTION 3.

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

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

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

Y Abrams	Y Coomer	N Gregory	Y McCall	N Sims, C
N Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y 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
Battles	Y Dickson	Y Henson	Y Mosby	Y Stephens, M
Y Beasley-Teague	Y Dollar	E Hightower	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Y Nix	Y Stephenson
Y Bennett	E 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	N Jacobs	Y Powell, A	Y Taylor, D
Y Brooks	Y England	E Jasperse	Y Powell, J	Y Taylor, T
N Bruce	E Epps, C	Y Jones, J	Y Prince	Y Teasley
Y Bryant	Y Epps, J	Y Jones, L	Y Pruett	N 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	E Floyd	Y Kaiser	N Randall	Y Watson, B
Y Caldwell, M	N Fludd	Y Kelley	Y Rice	Y Watson, S
Y Carson	N Frazier	Y Kendrick	Y Riley	Y Welch
Y Carter	Y Frye	Y Kidd	Y Roberts	Y Weldon
Y Casas	Y Fullerton	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	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	E 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 162, nays 9.

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

HB 957. By Representatives Williams of the 119th, Smith of the 70th, Harden of the 148th and McCall of the 33rd:

A BILL to be entitled an Act to amend Article 9 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated, the "Georgia Hazardous Site Reuse and Redevelopment Act," so as provide a new short title; to revise definitions; to expand the limitation of liability to certain purchasers; to provide for transfer of limitation of liability; to provide for applicability; 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 9 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated, the "Georgia Hazardous Site Reuse and Redevelopment Act," so as provide a new short title; to revise definitions; to expand the limitation of liability to certain purchasers; to provide for transfer of limitation of liability; to provide for applicability; 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 9 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated, the "Georgia Hazardous Site Reuse and Redevelopment Act," is amended by revising Code Section 12-8-200, relating to short title, as follows:

"12-8-200.

This article shall be known and may be cited as the '~~Georgia Hazardous Site Reuse and Redevelopment~~ Brownfield Act.'

SECTION 2.

Said article is further amended by revising Code Section 12-8-202, relating to definitions, as follows:

"12-8-202.

(a) Unless otherwise provided in this article, the definition of all terms included in Code Sections 12-8-62 and 12-8-92 shall be applicable to this article.

(b) As used in this article, the term:

~~(1) 'Certificate of compliance' means the certification of compliance with a corrective action plan required by Code Section 12-8-207.~~

~~(2)~~(1) 'Corrective action plan' means the corrective action plan required by Code Section 12-8-207.

~~(3)~~(2) 'Ground water' means any subsurface water that is in a zone of saturation.

(4) ~~'Hazardous site inventory' means the hazardous site inventory published by the division pursuant to Code Section 12-8-97.~~

(4.1)(3) 'Petroleum' means petroleum, including crude oil or any fraction thereof (including gasoline, gasohol, diesel fuel, fuel oils including #2 fuel oil, kerosene, or jet turbine fuel), that is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute).

(5)(4) 'Preexisting release' means a release, as such term is defined in paragraph (11) of Code Section 12-8-92, which occurred prior to the prospective purchaser's application for a limitation of liability pursuant to this article. The term 'preexisting release' includes but is not limited to release of petroleum even if such release is from an underground storage tank system as defined in paragraph (18) of Code Section 12-13-3.

(5) 'Property interest' means any interest in real property, without regard to whether such interest is exclusive or possessory.

(6) 'Prospective purchaser' means a person who intends to ~~purchase~~ acquire a property interest in a property where there is a preexisting release or a person who has applied for a limitation of liability pursuant to this article within 30 days of acquiring ~~title to such property interest in~~ a property where there is a preexisting release.

(7) 'Qualifying property' means a property which meets the criteria of Code Section 12-8-205 ~~which a prospective purchaser intends to purchase and bring into compliance with the risk reduction standards.~~

(8) 'Risk reduction standards' means those standards promulgated by the board pursuant to Part 2 of Article 3 of this chapter.

(9) 'Soil' means any unconsolidated earth material, together with any unconsolidated plant or animal matter or foreign material that has been incorporated into it, that either consists of or remains within, or comes to be deposited on, native soil or regolith.

(10) 'Source material' means any preexisting release that acts or may likely act as a reservoir for continued releases to ground water, soil, surface water, or air or act as a source for direct exposure."

SECTION 3.

Said article is further amended by revising Code Section 12-8-205, relating to criteria used to determine whether a property qualifies for a limitation of liability, as follows:

"12-8-205.

In order to be considered a qualifying property for a limitation of liability as provided in Code Section 12-8-207, a property ~~must~~ shall meet the following criteria:

- (1) The property ~~must~~ shall have a preexisting release;
- (2) Any lien filed under subsection (e) of Code Section 12-8-96 or subsection (b) of Code Section 12-13-12 against the property ~~must~~ shall be satisfied or settled and released by the director pursuant to Code Section 12-8-94 or ~~Code Section~~ 12-13-6, and satisfactory provision ~~must~~ shall have been made as determined by the director for the repayment to the division of any funds expended by the division from the federal Leaking Underground Storage Tank Trust Fund;

(3) The property ~~must~~ shall not:

(A) Be listed on the federal National Priorities List pursuant to the federal Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601, et seq.;

(B) Be currently undergoing response activities required by an order of the regional administrator of the federal Environmental Protection Agency issued pursuant to the provisions of such act; or

(C) Be a hazardous waste facility, as defined in Code Section 12-8-62, that is currently subject to a permit for the treatment, storage, or disposal of hazardous waste issued pursuant to Code Section 12-8-66; and

(4) The property shall meet other criteria as may be established by the board as provided in this article and Article 3 of this chapter."

SECTION 4.

Said article is further amended in Code Section 12-8-207, relating to limitation of liability for prospective purchasers, by revising subsection (a) as follows:

"(a)(1) Upon the director's approval of the prospective purchaser corrective action plan or concurrence with the certification of compliance described in this Code section, whichever first occurs, a prospective purchaser shall not be liable to the state or any third party for costs incurred in the remediation of, equitable relief relating to, or damages resultant from the preexisting release, nor shall the prospective purchaser be required to certify compliance with risk reduction standards for ground water, perform corrective action, or otherwise be liable for any preexisting releases to ground water associated with the qualifying property.

(2) The limitation of liability provided under this Code section shall also benefit a qualifying purchaser who applies for a limitation of liability within 30 days following acquisition of title or any other new property interest in the qualifying property and subsequently receives the director's approval of a prospective purchaser corrective action plan or concurrence with a certification of compliance described in this Code section."

SECTION 5.

Said article is further amended in Code Section 12-8-208, relating to exceptions to the limitation of liability, by revising subsections (a) and (c) as follows:

"(a) The limitation of liability provided by subsection (a) of Code Section 12-8-207 shall be contingent upon the prospective purchaser's good faith implementation of the corrective action plan as approved by the director as well as the certification of compliance with the risk reduction standards and corrective action requirements. Such limitation of liability shall not be applicable ~~to any activities conducted on the qualifying property before the director's approval of the corrective action plan or concurrence with a certification of compliance, whichever first occurs, or during any time the director's approval of the corrective action plan has been suspended or revoked.~~"

~~"(c)(1) The limitation of liability provided by this article shall automatically inure to the benefit of heirs, assigns, successors in title, and designees of the person to whom such limitation of liability is granted; provided, however, that in no event shall the director's approval of a corrective action plan or concurrence with a certification of compliance operate to absolve from liability any party deemed to be a person who has contributed or is contributing to a release at the qualifying property; and provided, further, that a transfer of the title to the qualifying property or any portion thereof from the prospective purchaser to any other party deemed to be a person who has contributed or is contributing to a release at the property, to any person disqualified from obtaining a limitation of liability under Code Section 12-8-206, or back to the owner of the property from which the subject property was purchased shall terminate any limitation of liability applicable to the transferor under this article. The limitation of liability provided by this article shall survive any subsequent change in the nature of a prospective purchaser's interest in the qualifying property and shall automatically inure to the benefit of heirs, assigns, successors in title, and designees of the person to whom such limitation of liability is granted and to any person acquiring any other property interest in the property for which the limitation of liability was granted; provided, however, that in no event shall the director's approval of a corrective action plan or concurrence with a certification of compliance operate to absolve from liability any party deemed to be a person who has contributed or is contributing to a release at the qualifying property.~~

(2) Any voluntary transfer of the title to a property or any portion thereof for which a limitation of liability has been granted to any party that would be disqualified from obtaining a limitation of liability for such property under Code Section 12-8-206 shall terminate any limitation of liability applicable to the transferor under this article."

SECTION 6.

Said article is further amended by adding a new Code section to read as follows:

"12-8-211.

The limitation of liability provided under this article shall also apply to any qualifying prospective purchaser who, after May 1, 2012, has applied for a limitation of liability for a qualifying property and who subsequently obtains the director's approval of a prospective purchaser corrective action plan or concurrence with a certification of compliance for the qualifying property."

SECTION 7.

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

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

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

Y Abrams	Y Coomer	Y Gregory	Y McCall	Y Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y Harbin	Y Meadows	Y Smith, L
Y Anderson	Y Deffenbaugh	Y Harden	Y Mitchell	Y Smith, M
Atwood	Y Dempsey	Y Harrell	Y Moore	Y Smith, R
Y Ballinger	Y Dickerson	Y Hatcher	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	E Hightower	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Y Nix	Y Stephenson
Y Bennett	E 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 Efration	Y Jackson	Y Pezold	Y Tarvin
Y Brockway	Y Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
Y Brooks	Y England	E Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	E 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	E Floyd	Y Kaiser	Y Randall	Y Watson, B
Y Caldwell, M	Y Fludd	Y Kelley	Y Rice	Y Watson, S
Y Carson	Y Frazier	Kendrick	Y Riley	Y Welch
Y Carter	Y Frye	Y Kidd	Y Roberts	Y Weldon
Y Casas	Y Fullerton	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	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	E 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 170, nays 0.

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

Pursuant to HR 1582, the House recognized and commended Elana Meyers.

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 923. By Representatives Coomer of the 14th, Nimmer of the 178th, Riley of the 50th, Strickland of the 111th, Willard of the 51st and others:

A BILL to be entitled an Act to amend Article 11 of Chapter 11 of Title 15, Chapter 15 of Title 19, and Article 1 of Chapter 3 of Title 35 of the O.C.G.A., relating to the "Georgia Child Advocate for the Protection of Children Act," child abuse, and general provisions for the Georgia Bureau of Investigation; to amend Code Section 49-5-41 of the Official Code of Georgia Annotated, relating to persons and agencies permitted access to child abuse and dependency records, so as to clarify defined terms and change provisions relating to disclosure; 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 11 of Chapter 11 of Title 15, Chapter 15 of Title 19, and Article 1 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to the "Georgia Child Advocate for the Protection of Children Act," child abuse, and general provisions for the Georgia Bureau of Investigation, respectively, so as to move the responsibility of coordinating and supervising the work of the Georgia Child Fatality Review Panel from the Child Advocate for the Protection of Children to the director of the Georgia Bureau of Investigation or his or her designee; to provide for a short title; to provide for the director of the Georgia Bureau of Investigation to assist local child fatality review committees; to clarify definitions; to provide for legislative findings; to amend Code Section 49-5-41 of the Official Code of Georgia Annotated, relating to persons and agencies permitted access to child abuse and dependency records, so as to clarify defined terms and change provisions relating to disclosure; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be cited as the "Journey Ann Cowart Act."

SECTION 2.

Article 11 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to the "Georgia Child Advocate for the Protection of Children Act," is amended by revising Code Section 15-11-743, relating to the duties of the Child Advocate for the Protection of Children, as follows:

"15-11-743.

The advocate shall perform the following duties:

- (1) Identify, receive, investigate, and seek the resolution or referral of complaints made by or on behalf of children concerning any act, omission to act, practice, policy,

or procedure of an agency or any contractor or agent thereof that may adversely affect the health, safety, or welfare of the children;

(2) Refer complaints involving abused children to appropriate regulatory and law enforcement agencies;

~~(3) Coordinate and supervise the work of the Georgia Child Fatality Review Panel created by Code Section 19-15-4 and provide such staffing and administrative support to the panel as may be necessary to enable the panel to carry out its statutory duties;~~

(4) Report the death of any child to the chairperson of the ~~child fatality review subcommittee~~ of committee, as such term is defined in Code Section 19-15-1, for the county in which such child resided at the time of death, unless the advocate has knowledge that such death has been reported by the county medical examiner or coroner, pursuant to Code Section 19-15-3, and to provide such ~~subcommittee~~ committee access to any records of the advocate relating to such child;

~~(5)~~(4) Provide periodic reports on the work of the Office of the Child Advocate for the Protection of Children, including but not limited to an annual written report for the Governor and the General Assembly and other persons, agencies, and organizations deemed appropriate. Such reports shall include recommendations for changes in policies and procedures to improve the health, safety, and welfare of children and shall be made expeditiously in order to timely influence public policy;

~~(6)~~(5) Establish policies and procedures necessary for the Office of the Child Advocate for the Protection of Children to accomplish the purposes of this article, including without limitation providing DFCS with a form of notice of availability of the Office of the Child Advocate for the Protection of Children. Such notice shall be posted prominently, by DFCS, in DFCS offices and in facilities receiving public moneys for the care and placement of children and shall include information describing the Office of the Child Advocate for the Protection of Children and procedures for contacting ~~that~~ such office; and

~~(7)~~(6) Convene quarterly meetings with organizations, agencies, and individuals who work in the area of child protection to seek opportunities to collaborate and improve the status of children in Georgia."

SECTION 3.

Chapter 15 of Title 19 of the Official Code of Georgia Annotated, relating to child abuse, is amended by revising paragraphs (5), (7), (8), and (10) of Code Section 19-15-1, relating to definitions, as follows:

~~"(5) 'Eligible deaths' means deaths meeting the criteria for review by a county child fatality review committee, including deaths resulting from Sudden Infant Death Syndrome, unintentional injuries, intentional injuries, medical conditions when unexpected or when unattended by a physician, or any manner that is suspicious or unusual Reserved."~~

"(7) 'Panel' means the Georgia Child Fatality Review Panel established pursuant to Code Section 19-15-4. ~~The panel oversees the local child fatality review process and~~

~~reports to the Governor on the incidence of child deaths with recommendations for prevention.~~

(8) 'Protocol committee' means a multidisciplinary, multiagency ~~child abuse protocol~~ committee established for a county pursuant to Code Section 19-15-2. ~~The protocol committee is charged with developing local protocols to investigate and prosecute alleged cases of child abuse.~~"

"(10) 'Review committee' means a multidisciplinary, multiagency child fatality review committee established for a county or circuit pursuant to Code Section 19-15-3. ~~The review committee is charged with reviewing all eligible child deaths to determine manner and cause of death and if the death was preventable.~~"

SECTION 4.

Said chapter is further amended by revising Code Section 19-15-2, relating to child abuse protocol committees, as follows:

"19-15-2.

(a) Each county shall be required to establish a ~~child abuse~~ protocol for the investigation and prosecution of alleged cases of child abuse as provided in this Code section.

(b) The chief superior court judge of the circuit in which the county is located shall establish a ~~child abuse~~ protocol committee as provided in subsection (c) of this Code section and shall appoint an interim chairperson who shall preside over the first meeting, and the chief superior court judge shall appoint persons to fill any vacancies on the protocol committee. Thus established, the protocol committee shall thereafter elect a chairperson from its membership. The protocol committee shall be charged with developing local protocols for the investigation and prosecution of alleged cases of child abuse.

(c)(1) Each of the following individuals, agencies, of the county and entities shall designate a representative to serve on the protocol committee:

- (A) ~~The office of the~~ sheriff;
- (B) The county department of family and children services;
- (C) ~~The office of the~~ district attorney for the judicial circuit;
- (D) The juvenile court judge;
- (E) The chief magistrate ~~court~~;
- (F) The county board of education;
- (G) The county mental health organization;
- (H) ~~The office of the~~ chief of police of a county in counties which have a county police department;
- (I) ~~The office of the~~ chief of police of the largest municipality in the county;
- (J) The county ~~board of~~ public health department, which shall designate a physician to serve on the protocol committee; and
- (K) ~~The office of the~~ coroner or county medical examiner.

(2) In addition to the representatives serving on the protocol committee as provided for in paragraph (1) of this subsection, the chief superior court judge shall designate a

representative from a local citizen or advocacy group which focuses on child abuse awareness and prevention.

(3) If any designated agency fails to carry out its duties relating to participation on the protocol committee, the chief superior court judge of the circuit may issue an order requiring the participation of such agency. Failure to comply with such order shall be cause for punishment as for contempt of court.

(d) Each protocol committee shall elect or appoint a chairperson who shall be responsible for ensuring that written protocol procedures are followed by all agencies. Such ~~That~~ person can be independent of agencies listed in paragraph (1) of subsection (c) of this Code section. The ~~child-abuse~~ protocol committee ~~thus established~~ may appoint such additional members as necessary and proper to accomplish the purposes of the protocol committee.

(e) The protocol committee shall adopt a written ~~child-abuse~~ protocol which shall be filed with the Division of Family and Children Services of the Department of Human Services and the ~~Georgia Child Fatality Review Panel~~ panel, a copy of which shall be furnished to each agency in the county handling the cases of abused children. The protocol shall be a written document outlining in detail the procedures to be used in investigating and prosecuting cases arising from alleged child abuse and the methods to be used in coordinating treatment programs for the perpetrator, the family, and the child. The protocol shall also outline procedures to be used when child abuse occurs in a household where there is violence between past or present spouses, persons who are parents of the same child, parents and children, stepparents and stepchildren, foster parents and foster children, or other persons living or formerly living in the same household. The protocol adopted shall not be inconsistent with the policies and procedures of the Division of Family and Children Services of the Department of Human Services.

(f) The purpose of the protocol shall be to ensure coordination and cooperation between all agencies involved in a child abuse case so as to increase the efficiency of all agencies handling such cases, to minimize the stress created for the allegedly abused child by the legal and investigatory process, and to ensure that more effective treatment is provided for the perpetrator, the family, and the child, including counseling.

(g) Upon completion of the writing of the ~~child-abuse~~ protocol, the protocol committee shall continue in existence and shall meet at least semiannually for the purpose of evaluating the effectiveness of the protocol and appropriately modifying and updating the same.

(h) Each protocol committee shall adopt or amend its written ~~child-abuse~~ protocol ~~no later than July 1, 2001~~, to specify the circumstances under which law enforcement officers ~~will~~ shall and ~~will~~ shall not be required to accompany ~~child-abuse~~ investigators from the county department of family and children services when these investigators investigate reports of child abuse. In determining when law enforcement officers shall and shall not accompany ~~child-abuse~~ investigators, the protocol committee shall consider the need to protect the alleged victim and the need to preserve the confidentiality of the report. Each protocol committee shall establish joint work efforts

between the law enforcement and ~~child abuse~~ investigative agencies in child abuse investigations. The adoption or amendment of the protocol shall also describe measures which can be taken within the county to prevent child abuse and shall be filed with and furnished to the same entities with or to which an original protocol is required to be filed or furnished. The protocol ~~will~~ shall be further amended to specify procedures to be adopted by the protocol committee to ensure that written protocol procedures are followed.

(i) The protocol committee shall issue a report no later than the first day of July ~~in 2001 and no later than the first day of July~~ each year ~~thereafter~~. Such ~~That~~ report shall evaluate the extent to which ~~child abuse~~ investigations of child abuse during the 12 months prior to the report have complied with the ~~child abuse~~ protocols of the protocol committee, recommend measures to improve compliance, and describe which measures taken within the county to prevent child abuse have been successful. The report shall be transmitted to the county governing authority, the fall term grand jury of the judicial circuit, the ~~Georgia Child Fatality Review Panel~~ panel, and the chief superior court judge.

(j) Each member ~~By July 1, 2001, members~~ of each protocol committee shall receive appropriate training. ~~As new members are appointed, they will also receive training within 12 months after their~~ his or her appointment. The Office of the Child Advocate for the Protection of Children shall provide such training.

(k) The protocol committee shall adopt a written sexual abuse and sexual exploitation protocol which shall be filed with the Division of Family and Children Services of the Department of Human Services and the Office of the Child Advocate for the Protection of Children, a copy of which shall be furnished to each agency in the county handling the cases of sexually abused or exploited children. The sexual abuse and sexual exploitation protocol shall be a written document outlining in detail the procedures to be used in investigating and prosecuting cases arising from alleged ~~child~~ sexual abuse and sexual exploitation and the procedures to be followed concerning the obtainment of and payment for sexual assault examinations. Each protocol committee shall adopt or amend its written sexual abuse and sexual exploitation protocol ~~no later than December 31, 2004. The protocol may incorporate existing sexual abuse and exploitation protocols used within the county.~~ The sexual abuse and sexual exploitation protocol adopted shall be consistent with the policies and procedures of the Division of Family and Children Services of the Department of Human Services. ~~A failure by an agency to follow the protocol shall not constitute an affirmative or other defense to prosecution of a sexual abuse or exploitation offense, nor shall a failure by an agency to follow the protocol give rise to a civil cause of action.~~ A sexual abuse and sexual exploitation protocol is not intended to, does not, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any party in any matter civil or criminal. Such protocol shall not limit or otherwise restrict a prosecuting attorney in the exercise of his or her discretion nor in the exercise of any otherwise lawful litigative prerogatives."

SECTION 5.

Said chapter is further amended by revising subsections (a), (d), (e), (g) through (k), and (o) and paragraph (8) of subsection (1) of Code Section 19-15-3, relating to county multiagency child fatality review committees, as follows:

"(a)(1) Each county shall establish a local ~~multidisciplinary, multiagency child fatality~~ review committee as provided in this Code section. The review committee shall be charged with reviewing all deaths as set forth in subsection (e) of this Code section to determine manner and cause of death and if the death was preventable. The chief superior court judge of the circuit in which the county is located shall establish a ~~child fatality~~ review committee composed of, but not limited to, the following members:

- (A) The county medical examiner or coroner;
- (B) The district attorney or his or her designee;
- (C) A county department of family and children services representative;
- (D) A local law enforcement representative;
- (E) The sheriff or county police chief or his or her designee;
- (F) A juvenile court representative;
- (G) A county ~~board of~~ public health department representative; and
- (H) A county mental health representative.

(2) The district attorney or his or her designee shall serve as the chairperson to preside over all meetings."

"(d) If any designated agency fails to carry out its duties relating to participation on the ~~local~~ review committee, the chief superior court judge of the circuit or any superior court judge who is a member of the ~~Georgia Child Fatality Review Panel~~ panel shall issue an order requiring the participation of such agency. Failure to comply with such order shall be cause for punishment as for contempt of court.

(e) Deaths eligible for review by ~~local~~ review committees are all deaths of children ages birth through 17 as a result of:

- (1) Sudden Infant Death Syndrome;
- (2) Any unexpected or unexplained conditions;
- (3) Unintentional injuries;
- (4) Intentional injuries;
- (5) Sudden death when the child is in apparent good health;
- (6) Any manner that is suspicious or unusual;
- (7) Medical conditions when unattended by a physician. For the purpose of this paragraph, no person shall be deemed to have died unattended when the death occurred while the person was a patient of a hospice licensed under Article 9 of Chapter 7 of Title 31; ~~or~~
- (8) Serving as an inmate of a state hospital or a state, county, or city penal institution;
- or
- (9) Child abuse."

"(g) If the death of a child occurs outside the child's county of residence, it shall be the duty of the medical examiner or coroner in the county where the child died to notify the

medical examiner or coroner in the county of the child's residence. It shall be the duty of such medical examiner or coroner to provide the protocol committee of the county of such child's residence with copies of all information and reports required by subsections (i) and (j) of this Code section.

(h) When a county medical examiner or coroner receives a report regarding the death of any child, he or she shall within 48 hours of the death notify the chairperson of the ~~child fatality~~ review committee ~~of~~ for the county or circuit in which such child resided at the time of death.

(i) The coroner or county medical examiner shall review the findings regarding the cause and manner of death for each child death report received and respond as follows:

(1) If the death does not meet the criteria for review pursuant to subsection (e) of this Code section, the coroner or county medical examiner shall sign the form designated by the panel stating that the death does not meet the criteria for review. He or she shall forward the form and findings, within seven days of the child's death, to the chairperson of the ~~child fatality~~ review committee ~~in~~ for the county or circuit of the child's residence; or

(2) If the death meets the criteria for review pursuant to subsection (e) of this Code section, the coroner or county medical examiner shall complete and sign the form designated by the panel stating the death meets the criteria for review. He or she shall forward the form and findings, within seven days of the child's death, to the chairperson of the ~~child fatality~~ review committee ~~in~~ for the county or circuit of the child's residence.

(j) When the chairperson of a ~~local child fatality~~ review committee receives a report from the coroner or medical examiner regarding the death of a child, ~~that~~ such chairperson shall review the report and findings regarding the cause and manner of the child's death and respond as follows:

(1) If the report indicates the child's death does not meet the criteria for review and the chairperson agrees with this decision, the chairperson shall sign the form designated by the panel stating that the death does not meet the criteria for review. He or she shall forward the form and findings to the panel within seven days of receipt;

(2) If the report indicates the child's death does not meet the criteria for review and the chairperson disagrees with this decision, the chairperson shall follow the procedures for deaths to be reviewed pursuant to subsection (k) of this Code section;

(3) If the report indicates the child's death meets the criteria for review and the chairperson disagrees with this decision, the chairperson shall sign the form designated by the panel stating that the death does not meet the criteria for review. The chairperson shall also attach an explanation for this decision; or

(4) If the report indicates the child's death meets the criteria for review and the chairperson agrees with this decision, the chairperson shall follow the procedures for deaths to be reviewed pursuant to subsection (k) of this Code section.

(k) When a child's death meets the criteria for review, the chairperson shall convene the review committee within 30 days after receipt of the report for a meeting to review

and investigate the cause and circumstances of the death. Review committee members shall provide information as specified ~~below~~ in this subsection, except where otherwise protected by ~~statute~~ law:

(1) The providers of medical care and the medical examiner or coroner shall provide pertinent health and medical information regarding a child whose death is being reviewed by the ~~local~~ review committee;

(2) State, county, or local government agencies shall provide all of the following data on forms designated by the panel for reporting child fatalities:

(A) Birth information for children who died at less than one year of age, including confidential information collected for medical and health use;

(B) Death information for children who have not reached their eighteenth birthday;

(C) Law enforcement investigative data, medical examiner or coroner investigative data, and parole and probation information and records;

(D) Medical care, including dental, mental, and prenatal health care; and

(E) Pertinent information from any social services agency that provided services to the child or family; and

(3) The review committee may obtain from any superior court judge of the county or circuit for which the review committee was created a subpoena to compel the production of documents or attendance of witnesses when that judge has made a finding that such documents or witnesses are necessary for the review committee's review. Service of, objection to, and enforcement of subpoenas authorized by this Code section shall be governed by the procedures set forth in Chapter 13 of Title 24. However, this Code section shall not modify or impair the privileged communications as provided by law except as otherwise provided in Code Section 19-7-5.

(4) Disclosure of protected health information pursuant to this subsection shall be considered to be for a law enforcement purpose, and the review committee shall be considered to be a law enforcement official within the meaning of the rules and regulations adopted pursuant to the federal Health Insurance Portability and Accountability Act of 1996. Disclosure of confidential or privileged matter to the review committee pursuant to this Code section shall not serve to destroy or in any way abridge the confidential or privileged character thereof, except for the purpose for which such disclosure is made."

"(8) Include other findings as requested by the ~~Georgia Child Fatality Review Panel~~ panel."

"(o) Each ~~local~~ review committee shall issue an annual report no later than the first day of July ~~in 2001 and in each year thereafter~~. The report shall:

(1) Specify the numbers of reports received by ~~that~~ such review committee from a county medical examiner or coroner pursuant to subsection (h) of this Code section for the preceding calendar year;

(2) Specify the number of reports of child fatality reviews prepared by the review committee during such period;

- (3) Be published at least once annually in the legal organ of the county or counties for which the review committee was established with the expense of such publication paid each by such county; and
- (4) Be transmitted, no later than the fifteenth day of July ~~in 2001 and in each year thereafter~~, to the ~~Georgia Child Fatality Review Panel~~ panel."

SECTION 6.

Said chapter is further amended by revising subsections (a), (b), (c), and the introductory language of subsection (i) of Code Section 19-15-4, relating to the Georgia Child Fatality Review Panel, as follows:

"(a) There is created the Georgia Child Fatality Review Panel ~~as defined in paragraph (7) of Code Section 19-15-4~~. The panel shall oversee the local child fatality review process and report to the Governor on the incidence of child deaths with recommendations for prevention.

(b) ~~The Office of the Child Advocate for the Protection of Children~~ director of the Georgia Bureau of Investigation or his or her designee shall coordinate the work of the panel and shall provide such administrative and staff support to the panel as may be necessary to enable the panel to discharge its duties under this chapter. The panel shall be attached to the ~~Office of Planning and Budget~~ Division of Forensic Sciences of the Georgia Bureau of Investigation for administrative purposes, and its planning, policy, and budget functions shall be coordinated with those of the ~~Office of the Child Advocate~~ Division of Forensic Sciences of the Georgia Bureau of Investigation.

(c) The panel shall be composed as follows:

- (1) One district attorney appointed by the Governor;
- (2) One juvenile court judge appointed by the Governor;
- (3) Two citizen members ~~who shall be appointed by the Governor~~, who are not employed by or officers of the state or any political subdivision thereof ~~and shall be appointed by the Governor~~, one of whom shall come from each of the following:
 - (A) A a state-wide child abuse prevention organization; and
 - (B) A a state-wide childhood injury prevention organization;
- (4) One forensic pathologist appointed by the Governor;
- (5) The chairperson of the Board of Human Services;
- (6) The director of the Division of Family and Children Services of the Department of Human Services;
- (7) The director of the Georgia Bureau of Investigation;
- (8) The chairperson of the Criminal Justice Coordinating Council;
- (9) A member of the Georgia Senate appointed by the Lieutenant Governor;
- (10) A member of the Georgia House of Representatives appointed by the Speaker of the House of Representatives;
- (11) A local law enforcement official appointed by the Governor;
- (12) A superior court judge appointed by the Governor;
- (13) A coroner appointed by the Governor;
- (14) The Child Advocate for the Protection of Children;

- (15) The commissioner of public health; ~~and~~
- (16) The commissioner of behavioral health and developmental disabilities;
- (17) A member of the State Board of Education appointed by the Governor; and
- (18) The commissioner of early care and learning."

"(i) By January 1 of each calendar year, the panel shall submit a report to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, ~~and the Judiciary Committees~~ the chairperson of the Senate Judiciary Committee, and House of Representatives the chairperson of the House Committee on Judiciary regarding the prevalence and circumstances of child fatalities in ~~the~~ this state; shall recommend measures to reduce such fatalities caused by other than natural causes; and shall address in the report the following issues:"

SECTION 7.

Said chapter is further amended by revising subsections (b), (g), and (i) of Code Section 19-15-6, relating to use of information and records of protocol committees, review committees, and panels, as follows:

"(b) Notwithstanding any other provision of law to the contrary, reports of a review committee made pursuant to Code Section 19-15-3 and reports of the panel made pursuant to Code Section 19-15-4 shall be public records and shall be released to any person making a request therefor, ~~but the panel protocol committee, or review committee, or panel~~ having possession of such records or reports shall only release them after expunging therefrom all information contained therein which would permit identifying the deceased or abused child, any family member of the child, any alleged or suspected perpetrator of abuse upon the child, or any reporter of suspected child abuse."

"(g) A member of a protocol committee, a review committee, or the panel shall not be civilly liable or ~~criminally liable~~ subject to criminal prosecution for any disclosure of information made by such member as authorized by this Code section."

"(i) Notwithstanding any other provisions of law, information acquired by and documents, records, and reports of the panel and ~~child-abuse~~ protocol committees and review committees applicable to a child who at the time of his or her death was in the custody of a state department or agency or foster parent shall not be confidential and shall be subject to Article 4 of Chapter 18 of Title 50, relating to open records."

SECTION 8.

Article 1 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to general provisions for the Georgia Bureau of Investigation, is amended by revising Code Section 35-3-5, relating to the powers and duties of the director of the Georgia Bureau of Investigation, as follows:

"35-3-5.

(a) There is created the position of director.

(b) The director shall be the chief administrative officer and shall be both appointed and removed by the Board of Public Safety with the approval of the Governor.

(c) The director shall coordinate and supervise the work of the Georgia Child Fatality Review Panel created by Code Section 19-15-4 or shall designate a person from within the bureau to serve as the coordinator and supervisor and shall provide such staffing and administrative support to the Georgia Child Fatality Review Panel as may be necessary to enable it to carry out its statutory duties.

(d) The director shall report the death of any child to the chairperson of the review committee, as such term is defined in Code Section 19-15-1, for the county in which such child resided at the time of death, unless the director or his or her designee has knowledge that such death has been reported by the county medical examiner or coroner, pursuant to Code Section 19-15-3, and shall provide such review committee access to any records of the bureau relating to such child.

~~(e)~~(e) Except as otherwise provided by this chapter, and subject to the general policy established by the board, the director shall supervise, direct, account for, organize, plan, administer, and execute the functions vested in the bureau by this chapter."

SECTION 9.

It is the intent of the General Assembly to provide for transparency relative to investigations involving child abuse and child fatalities in order to best protect the children of this state. The General Assembly finds that more disclosure of information may be necessary when a child is deceased. The General Assembly intends that agencies and departments of this state share data in order to conduct research for the purpose of preventing child fatalities in this state.

SECTION 10.

Code Section 49-5-41 of the Official Code of Georgia Annotated, relating to persons and agencies permitted access to child abuse and dependency records, is amended by revising paragraphs (6), (7.1), and (8) of subsection (a), paragraph (5) of subsection (c), and subsection (e) as follows:

~~"(6) Any adult requesting information regarding investigations by the department or a governmental child protective agency regarding the findings or information about the case of child abuse or neglect that results in a child involving a fatality or near fatality, unless such disclosure of information would jeopardize a criminal investigation or proceeding, but such access shall be limited to a disclosure of the available facts and findings. Any identifying information, including but not limited to the child or caretaker's name, race, ethnicity, address, or telephone numbers and any other information that is privileged or confidential, shall be redacted to preserve the confidentiality of the child, other children in the household, and the child's parents, guardians, custodians, or caretakers; provided, however, that the following may be redacted from such records:~~

(A) Information that would jeopardize a criminal investigation or proceeding;

(B) Medical and mental health records made confidential by other provisions of law;

(C) Privileged communications of an attorney;

- (D) The identifying information of a person who reported suspected child abuse;
(E) Information that may cause mental or physical harm to the sibling or other child living in the household of the child being investigated;
(F) The name of a child who suffered a near fatality;
(G) The name of any parent or other person legally responsible for the child being investigated who is not the subject of the reported child abuse or neglect; and
(H) The name of any member of the household of the child being investigated who is not the subject of the reported child abuse or neglect."

~~"(7.1) A child advocacy center which is certified by the Child Abuse Protocol Committee of~~ protocol committee, as such term is defined in Code Section 19-15-1, for the county where the principal office of the center is located as participating in the Georgia Network of Children's Advocacy Centers or a similar accreditation organization and which is operated for the purpose of investigation of known or suspected child abuse and treatment of a child or a family which is the subject of a report of abuse, and which has been created and supported through one or more intracommunity compacts between such advocacy center and one or more police agencies, the office of the district attorney, a legally mandated public or private child protective agency, a mental health board, and a community health service board; provided, however, that any child advocacy center which is granted access to records concerning reports of child abuse shall be subject to the confidentiality provisions of subsection (b) of Code Section 49-5-40 and shall be subject to the penalties imposed by Code Section 49-5-44 for authorizing or permitting unauthorized access to or use of such records;

(8) Police or any other law enforcement agency of this state or any other state or any medical examiner or coroner investigating a report of known or suspected abuse or any ~~child fatality review panel~~ committee or ~~child abuse protocol committee or subcommittee thereof~~ created pursuant to Chapter 15 of Title 19, it being found by the General Assembly that the disclosure of such information is necessary in order for such entities to carry out their legal responsibilities to protect children from abuse and neglect, which protective actions include bringing criminal actions for such abuse or neglect, and that such disclosure is therefore permissible and encouraged under the 1992 amendments to Section 107(b)(4) of the Child Abuse Prevention and Treatment Act, 42 U.S.C. Section 5106(A)(b)(4); and"

"(5) An agency, facility, or person having responsibility or authorization to assist in making a judicial determination for the child who is the subject of the report or record of child abuse, including but not limited to members of officially recognized citizen review panels, court appointed guardians ad litem, certified Court Appointed Special Advocate (CASA) volunteers who are appointed by a judge of a juvenile court to act as advocates for the best interest of a child in a juvenile proceeding, and members of a ~~county child abuse protocol committee or task force,~~ as such term is defined in Code Section 19-15-1;"

~~"(e)(1) Except as provided in paragraph (2) of this subsection and notwithstanding~~ Notwithstanding any other provisions of law, ~~with the exception of medical and~~

~~mental health records made confidential by other provisions of law, child abuse and dependency records shall not be confidential and shall be subject to Article 4 of Chapter 18 of Title 50 if the records are applicable to a child who at the time of his or her fatality or near fatality was:~~

- ~~(1)(A) In the custody of a state department or agency or foster parent;~~
- ~~(2)(B) A child as defined in paragraph (3) of Code Section 15-11-741; or~~
- ~~(3)(C) The subject of an investigation, report, referral, or complaint under Code Section 15-11-743 or 31-2A-15~~

~~shall not be confidential and shall be subject to Article 4 of Chapter 18 of Title 50, relating to open records; provided, however, that any identifying information, including but not limited to the child or caretaker's name, race, ethnicity, address, or telephone numbers and any other information that is privileged or confidential, shall be redacted to preserve the confidentiality of the child, other children in the household, and the child's parents, guardians, custodians, or caretakers.~~

- (2) The following may be redacted from such records:
 - (A) Medical and mental health records made confidential by other provisions of law;
 - (B) Privileged communications of an attorney;
 - (C) The identifying information of a person who reported suspected child abuse; and
 - (D) The name of a child who suffered a near fatality."
- (3) Upon the release of documents pursuant to this subsection, the department may comment publicly on the case."

SECTION 11.

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

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

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

Y Abrams	Y Coomer	Y Gregory	Y McCall	Y Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y 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
Y Beasley-Teague	Y Dollar	E Hightower	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Hitchens	Y Nix	Y Stephenson
Y Bennett	E 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	Strickland

Y Beverly	Y Dunahoo	Y Houston	Y Parrish	Y Talton
Y Black	Y Duncan	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	E Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	E 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	E Floyd	Y Kaiser	Y Randall	Y Watson, B
Y Caldwell, M	Y Fludd	Y Kelley	Y Rice	Y Watson, S
Y Carson	Y Frazier	Kendrick	Y Riley	Y Welch
Y Carter	Y Frye	Y Kidd	Y Roberts	Y Weldon
Y Casas	Y Fullerton	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	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	E 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 0.

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

Representative Sims of the 169th gave notice that at the proper time he would move that the House reconsider its action in giving the requisite constitutional majority to the following Bill of the House:

HB 459. By Representatives Hitchens of the 161st, Hawkins of the 27th, Lumsden of the 12th, Tanner of the 9th, Burns of the 159th and others:

A BILL to be entitled an Act to amend Article 9 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to speed restrictions, so as to modify provisions relating to impeding traffic flow and minimum speed in left-hand lanes; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

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

HB 918. By Representative Peake of the 141st:

A BILL to be entitled an Act to amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to define the terms "Internal Revenue Code" and "Internal Revenue Code of 1986" and thereby incorporate certain provisions of the federal law into Georgia law; to provide that certain corporate income tax elections made for federal income tax purposes shall also apply for state income tax purposes; to provide an effective date; to provide 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 Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to define the terms "Internal Revenue Code" and "Internal Revenue Code of 1986" and thereby incorporate certain provisions of the federal law into Georgia law; to change the provisions regarding certain state registration applications; to provide an effective date and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is amended by revising paragraph (14) of Code Section 48-1-2, relating to definitions regarding revenue and taxation, as follows:

"(14) 'Internal Revenue Code' or 'Internal Revenue Code of 1986' means for taxable years beginning on or after January 1, ~~2012~~ 2013, the provisions of the United States Internal Revenue Code of 1986, as amended, provided for in federal law enacted on or before ~~January 3, 2013~~ January 1, 2014, except that Section 85(c), Section 108(i), Section 163(e)(5)(F) Section 164(a)(6), Section 164(b)(6), Section 168(b)(3)(I), Section 168(e)(3)(B)(vii), Section 168(e)(3)(E)(ix), Section 168(e)(8), Section 168(k) (but not excepting Section 168(k)(2)(A)(i), Section 168(k)(2)(D)(i), and Section 168(k)(2)(E), Section 168(m), Section 168(n), Section 172(b)(1)(H), Section 172(b)(1)(J), Section 172(j), Section 179(f), Section 199, Section 810(b)(4), Section 1400L, Section 1400N(d)(1), Section 1400N(f), Section 1400N(j), Section 1400N(k), and Section 1400N(o) of the Internal Revenue Code of 1986, as amended, shall be treated as if they were not in effect, and except that Section 168(e)(7), Section 172(b)(1)(F), Section 172(i)(1), and Section 1221 of the Internal Revenue Code of 1986, as amended, shall be treated as they were in effect before the 2008 enactment of federal Public Law 110-343, and except that Section 163(i)(1) of the Internal Revenue

Code of 1986, as amended, shall be treated as it was in effect before the 2009 enactment of federal Public Law 111-5, and except that Section 13(e)(4) of 2009 federal Public Law 111-92 shall be treated as if it was not in effect, and except that the limitations provided in Section 179(b)(1) shall be \$250,000.00 for tax years beginning in 2010, shall be \$250,000.00 for tax years beginning in 2011, shall be \$250,000.00 for tax years beginning in 2012, and shall be \$250,000.00 for tax years beginning in 2013, and except that the limitations provided in Section 179(b)(2) shall be \$800,000.00 for tax years beginning in 2010, shall be \$800,000.00 for tax years beginning in 2011, shall be \$800,000.00 for tax years beginning in 2012, and shall be \$800,000.00 for tax years beginning in 2013, and provided that Section 1106 of federal Public Law 112-95 shall be treated as if it is in effect, except the phrase 'Code Section 48-2-35 (or, if later, November 15, 2013)' shall be substituted for the phrase 'section 6511(a) of such Code (or, if later, April 15, 2013),' and notwithstanding any other provision in this title, no interest shall be refunded with respect to any claim for refund filed pursuant to Section 1106 of federal Public Law 112-95. In the event a reference is made in this title to the Internal Revenue Code or the Internal Revenue Code of 1954 as it existed on a specific date prior to ~~January 3, 2013~~ January 1, 2014, the term means the provisions of the Internal Revenue Code or the Internal Revenue Code of 1954 as it existed on the prior date. Unless otherwise provided in this title, any term used in this title shall have the same meaning as when used in a comparable provision or context in the Internal Revenue Code of 1986, as amended. For taxable years beginning on or after January 1, ~~2012~~ 2013, provisions of the Internal Revenue Code of 1986, as amended, which were as of ~~January 3, 2013~~ January 1, 2014, enacted into law but not yet effective shall become effective for purposes of Georgia taxation on the same dates upon which they become effective for federal tax purposes."

SECTION 2.

Said title is further amended by revising paragraph (4) of subsection (f) of Code Section 48-2-32, relating to forms of payment, as follows:

"(4) In addition to the requirements contained in paragraphs (2), (2.1), and (3) of this subsection, every third-party payroll provider who prepares or remits, or both, Georgia withholding tax for more than 250 employers must pay the taxes by electronic funds transfer. Also, such third-party payroll providers must submit all state withholding tax registration applications electronically in the manner specified by the department. Any state withholding tax registration applications that are not submitted electronically by such third-party payroll provider in the manner specified by the department shall not be considered by the department."

SECTION 3.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval and Section 1 shall be applicable to all taxable years beginning on or after January 1, 2013.

SECTION 4.

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

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

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

Y Abrams	Y Coomer	Y Gregory	Y McCall	Y Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y 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
Y Beasley-Teague	Y Dollar	E Hightower	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Y Nix	Y Stephenson
Y Bennett	E 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 Efrstration	Y Jackson	Y Pezold	Y Tarvin
Y Brockway	Y Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
Y Brooks	Y England	E Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	E 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	E Floyd	Y Kaiser	Y Randall	Y Watson, B
Y Caldwell, M	Y Fludd	Y Kelley	Y Rice	Y Watson, S
Carson	Y Frazier	Y Kendrick	Y Riley	Y Welch
Y Carter	Y Frye	Y Kidd	Y Roberts	Y Weldon
Y Casas	Y Fullerton	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	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	E 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 171, nays 0.

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 1590. By Representatives Smith of the 70th, McCall of the 33rd and Powell of the 32nd:

A RESOLUTION commending the Franklin/Hart/Elbert/Madison Forestry Unit for being named the Georgia Forestry Commission 2013 Northern Unit of the Year and inviting its dedicated professionals to be recognized by the House of Representatives; and for other purposes.

HR 1591. By Representatives Smith of the 70th and Cheokas of the 138th:

A RESOLUTION commending the Chattahoochee/Marion Forestry Unit for being named the Georgia Forestry Commission 2013 Southern Unit of the Year and inviting its dedicated professionals to be recognized by the House of Representatives; and for other purposes.

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

HR 1334 Do Pass
HR 1349 Do Pass

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

HR 1334. By Representatives Hitchens of the 161st, Atwood of the 179th, Lumsden of the 12th, Strickland of the 111th, Knight of the 130th and others:

A RESOLUTION commending Corporal Stan Phillips and inviting him to be recognized by the House of Representatives; and for other purposes.

HR 1349. By Representatives Hitchens of the 161st, Tanner of the 9th, Peake of the 141st, Efstoration of the 104th, Deffenbaugh of the 1st and others:

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

The following Resolutions of the House were read and adopted:

HR 1592. By Representatives Stephens of the 164th, Stephens of the 165th, Gordon of the 163rd, Bryant of the 162nd and Hitchens of the 161st:

A RESOLUTION recognizing February 13, 2014, as Savannah State University Day at the state capitol; and for other purposes.

HR 1593. By Representative Greene of the 151st:

A RESOLUTION recognizing and commending Reverend Freddie Starling; and for other purposes.

HR 1594. By Representative Battles of the 15th:

A RESOLUTION recognizing and commending Gregory Allen Bell; and for other purposes.

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 69	Do Pass, by Substitute	HB 128	Do Pass, by Substitute
HB 348	Do Pass, by Substitute	HB 390	Do Pass, by Substitute
HB 922	Do Pass, by Substitute	HB 933	Do Pass
HB 954	Do Pass, by Substitute	HB 958	Do Pass, by Substitute
HB 969	Do Pass, by Substitute	HB 983	Do Pass, by Substitute

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

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

Mr. Speaker:

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

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.

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

A BILL to be entitled an Act to amend Part 1 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to the county special purpose local option sales tax, so as to allow such taxes to be imposed at a rate of less than 1 percent; to provide for the simultaneous levy of more than one tax under such part if the combined rate of such taxes does not exceed 1 percent; to change the beginning date for imposition of a tax; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Part 1 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to the county special purpose local option sales tax, so as to allow such taxes to be imposed at a rate of less than 1 percent; to provide for the simultaneous levy of more than one tax under such part if the combined rate of such taxes does not exceed 1 percent; to change the beginning date for imposition of a tax; to provide for

related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 1 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to the county special purpose local option sales tax, is amended by revising Code Section 48-8-110.1, relating to the authorization for a county special purpose local option sales tax, as follows:

"48-8-110.1.

(a) Pursuant to the authority granted by Article IX, Section II, Paragraph VI of the Constitution of this state, there are created within this state 159 special districts. The geographical boundary of each county shall correspond with and shall be conterminous with the geographical boundary of the 159 special districts.

(b) When the imposition of a special district sales and use tax is authorized according to the procedures provided in this part within a special district, the governing authority of any county in this state may, subject to the requirement of referendum approval and the other requirements of this part, impose within the special district a special sales and use tax for a limited period of time which tax shall be known as the county special purpose local option sales tax.

(c) Except as provided in subsection (d) of this Code section, any ~~Any~~ tax imposed under this part shall be at the rate of 1 percent. Except as to rate, a tax imposed under this part shall correspond to the tax imposed by Article 1 of this chapter. No item or transaction which is not subject to taxation under Article 1 of this chapter shall be subject to a tax imposed under this part, except that a tax imposed under this part shall apply to sales of motor fuels as prepaid local tax as that term is defined in Code Section 48-8-2 and shall be applicable to the sale of food and food ingredients and alcoholic beverages as provided for in Code Section 48-8-3.

(d) Any tax imposed under this part on or after January 1, 2014, may be at a rate of up to 1 percent, but shall not be more than 1 percent. Any rate less than 1 percent shall only be in an increment of .05 percent. This subsection shall not apply to taxes under this part imposed or to be imposed under resolutions and ordinances adopted prior to January 1, 2014. The authority provided under this Code section shall not apply to any tax levied pursuant to Part 2 of this article.

(e) Prior to any tax being imposed under this part at a rate of less than 1 percent under subsection (d) of this Code section, the county and all qualified municipalities therein shall execute an intergovernmental agreement memorializing their agreement to the levy of a tax at a rate of less than 1 percent."

SECTION 2.

Said part is further amended by revising paragraph (1) of subsection (c) of Code Section 48-8-111, relating to the procedure for the imposition of the county special purpose local option sales tax, as follows:

"(c)(1) The ballot submitting the question of the imposition of the tax authorized by this part to the voters of the county within the special district shall have written or printed thereon the following:

- '() YES Shall a special ~~+~~ ___ percent sales and use tax be imposed in the special district of _____ County for a period of time not to exceed _____
- () NO and for the raising of an estimated amount of \$_____ for the purpose of _____?"

SECTION 3.

Said part is further amended by revising subsection (a) and paragraph (1) of subsection (c) of Code Section 48-8-112, relating to the effective date, termination, limitation, and continuation of the county special purpose local option sales tax, as follows:

"(a) If the imposition of the tax is approved at the special election, the tax shall be imposed on the first day of the next succeeding calendar quarter which begins more than ~~80~~ 45 days after the date of the election at which the tax was approved by the voters. With respect to services which are regularly billed on a monthly basis, however, the resolution shall become effective with respect to and the tax shall apply to services billed on or after the effective date specified in the previous sentence."

"(c)(1) ~~At any time no more than~~ Only a single ~~1~~ percent tax under this part may be imposed within a special district at any one time."

SECTION 4.

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

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:

Abrams	Y Coomer	Y Gregory	N McCall	N Sims, C
N Alexander	Y Cooper	Y Hamilton	N McClain	N Smith, E
N Allison	N Dawkins-Haigler	Y Harbin	N Meadows	N Smith, L
N Anderson	Y Deffenbaugh	Y Harden	N Mitchell	Y Smith, M
Y Atwood	Y Dempsey	N Harrell	Y Moore	Y Smith, R
Y Ballinger	N Dickerson	Y Hatchett	Y Morgan	N Smyre

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

On the passage of the Bill, by substitute, the ayes were 78, nays 92.

The Bill, having failed to receive the requisite constitutional majority, was lost.

Representative Carson of the 46th gave notice that at the proper time he would move that the House reconsider its action in failing to give the requisite constitutional majority to HB 153.

HB 88. By Representatives Shaw of the 176th, Houston of the 170th, Jasperse of the 11th, Black of the 174th, Dutton of the 157th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to issuance, expiration, and renewal of licenses, so as to provide for Class E and Class F drivers' licenses free of charge to qualified volunteer firefighters; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to issuance, expiration, and renewal of licenses, so as to provide for Class E and Class F drivers' licenses free of charge to qualified volunteer firefighters; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to issuance, expiration, and renewal of licenses, is amended by revising Code Section 40-5-28, relating to issuance of licenses, content, signature, prohibiting biological identifiers, and tag agents, as follows:

"40-5-28.

(a) The Except as provided in subsection (c) of this Code section, the department shall, upon payment of the required fee, issue to every applicant qualifying therefor a driver's license indicating the type or general class of vehicles the licensee may drive, which license shall be upon a form prescribed by the department and which shall bear thereon a distinguishing number assigned to the licensee, a color photograph of the licensee, the licensee's full legal name, either a facsimile of the signature of the licensee or a space upon which the licensee shall write his or her usual signature with a pen and ink immediately upon receipt of the license, and such other information or identification as is required by the department. No license shall be valid until it has been so signed by the licensee. The department shall not require applicants to submit or otherwise obtain from applicants any fingerprints or any other biological characteristic or information which uniquely identifies an individual, including without limitation deoxyribonucleic acid (DNA) and retinal scan identification characteristics but not including a photograph, by any means upon application.

(b) The commissioner may determine the location and manner of issuance of drivers' licenses. Without limiting the generality of the foregoing, it is specifically provided that the commissioner may designate county tag agents, if they so agree, as agents of the department for this purpose and may authorize the issuance of drivers' licenses by county tag agents. No county tag agent shall be required to issue or renew drivers' licenses unless such county tag agent agrees in writing to perform such functions. No county tag agent shall be required to issue or renew drivers' licenses for residents of any county other than the residents of the county for which he or she serves as tax commissioner.

(c) The department shall make available to qualified applicants who are also volunteer firefighters Class E and Class F drivers' licenses without charge. In order to receive the Class E or Class F endorsement without payment of a fee, the applicant shall provide:

(1) A copy of his or her firefighter certification indicating that he or she is currently a certified firefighter in good standing; and

(2) A letter signed by the chief executive officer of the public entity he or she serves which letter appears on such political entity's official agency letterhead and provides that he or she is a volunteer firefighter for such public entity.

The provisions of this subsection shall apply to both original and renewal applicants for Class E and Class F licenses, as these classes are identified in Code Section 40-5-23."

SECTION 2.

This Act shall become effective on July 1, 2014.

SECTION 3.

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

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

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

Y Abrams	Y Coomer	N Gregory	Y McCall	Y Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y 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 Hatcher	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	E 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	N Tarvin
Y Brockway	Y Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
Y Brooks	Y England	E Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	E 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
Y Casas	Y Fullerton	Y Kirby	Y Rogers, C	Y Wilkerson
Y Chandler	Y Gardner	Y Knight	Y Rogers, T	E 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	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 171, nays 3.

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

HB 405. By Representatives Mayo of the 84th, Fludd of the 64th, Casas of the 107th, Coleman of the 97th, Kaiser of the 59th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, so as to require members of governing boards of nonprofit organizations which are charter petitioners, charter schools, and state charter schools to participate in governance training; 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 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, so as to require members of governing boards of nonprofit organizations which are charter petitioners, charter schools, and state charter schools to participate in governance training; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, is amended by adding a new Code section to read as follows:

"20-2-2072.

The members of the governing board of the nonprofit organization of each charter school shall participate in initial training for boards of newly approved charter schools and annual training thereafter, conducted or approved by the state board. The state board shall provide for or approve such initial and annual training. The training shall include, but not be limited to, best practices on school governance, the constitutional

and statutory requirements relating to public records and meetings, and the requirements of applicable statutes and rules and regulations."

SECTION 2.

Said chapter is further amended by revising paragraph (12) of subsection (b) of Code Section 20-2-2083, relating to the powers and the duties of the State Charter Schools Commission, as follows:

"(12) Provide for or approve initial training for boards of newly approved state charter schools and annual training thereafter, as determined by the commission, for members of state charter school governing boards. The training shall include, but not be limited to, best practices on school governance, the constitutional and statutory requirements relating to public records and meetings, and the requirements of applicable statutes and rules and regulations."

SECTION 3.

Said chapter is further amended by revising subsection (f) of Code Section 20-2-2084, relating to state charter school requirements, as follows:

"(f) The members of the governing board of each state charter school shall participate in initial training for boards of newly approved state charter schools and annual training thereafter conducted or approved by the commission pursuant to paragraph (12) of subsection (b) of Code Section 20-2-2083."

SECTION 4.

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

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

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

Y Abrams	Y Coomer	N Gregory	Y McCall	Y Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	N Smith, E
Y Allison	Y Dawkins-Haigler	Y Harbin	Y Meadows	Y Smith, L
Y Anderson	N Deffenbaugh	Y Harden	Y Mitchell	Y Smith, M
N 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	N Spencer
Y Battles	Y Dickson	Y Henson	Y Mosby	Y Stephens, M
N Beasley-Teague	Y Dollar	E 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	N Stover
Y Benton	Y Dukes	Y Holt	Y Pak	Y Strickland
Y Beverly	Y Dunahoo	Y Houston	Y Parrish	Y Talton
Black	Y Duncan	Y Howard	Y Parsons	Y Tankersley
Y Braddock	Y Dutton	Y Hugley	Y Peake	Y Tanner

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

On the passage of the Bill, by substitute, the ayes were 155, nays 20.

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

The Speaker Pro Tem assumed the Chair.

HB 777. By Representatives Powell of the 32nd, McCall of the 33rd, Burns of the 159th, Bryant of the 162nd, Harbin of the 122nd and others:

A BILL to be entitled an Act to amend Chapter 7 of Title 52 of the O.C.G.A., relating to the registration, operation, and sale of watercraft, so as to provide for suspension of privileges to operate a vessel upon the waters of this state for violations of vessel laws of this state and other states; to provide for penalties; to provide for the enactment of the Interstate Boating Violator Compact; to provide for reciprocal recognition of suspension of privileges; to provide for procedures for compact administration; to provide for entry into and withdrawal from such compact; to provide for amendments to such compact; to provide for construction and severability of such compact; to provide for a short title of such compact; 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 Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to the registration, operation, and sale of watercraft, so as to provide for suspension of privileges to operate a vessel upon the waters of this state for violations of vessel laws of this state and other states; to change provisions relating to penalties; to enact the Interstate Boating Violator Compact; to provide for definitions; to provide the purpose of such compact; to provide for findings; to provide procedures for issuing citations to violators who are residents of compact states; to provide for procedures for enforcement of citations under the compact; to provide for reciprocal recognition of suspension of privileges; to provide for procedures for compact administration; to provide for entry into and withdrawal from such compact; to provide for amendments to such compact; to provide for construction and severability of such compact; to provide for rules and regulations; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to the registration, operation, and sale of watercraft, is amended by adding a new Code section to read as follows:

"52-7-12.7.

(a) Except as provided for in Code Sections 52-7-12, 52-7-12.5, and 52-7-12.6, and notwithstanding criminal proceedings that may be initiated by law, upon a determination by the department that a person has violated this chapter or any rule or regulation promulgated pursuant thereto, is in noncompliance with a citation issued by another state regarding the operation of a vessel, or is suspended by another state from operating a vessel, the department may suspend such person's privilege to operate a vessel upon the waters of this state for a period of up to two years following the determination of such violation, or if the suspension is due to noncompliance with a citation or a suspension regarding the operation of a vessel in another state, then such person's privilege to operate a vessel upon the waters of this state may remain suspended until satisfactory evidence of compliance or restoration of privileges from the other state has been received by the department as such satisfactory evidence is determined by rules and regulations of the department. Such person shall be notified of the proposed suspension personally or by a letter sent by certified mail or statutory overnight delivery at such person's last known address. The notice shall inform such person of the grounds of suspension, the effective date of the suspension, and the right to review. The notice shall be deemed received three days after mailing. The proposed suspension shall become final 30 days after issuance of notice if the proposed suspension is not appealed as provided in this Code section.

(b) Any person whose privilege is proposed for suspension shall, upon petition within 30 days of issuance of notice given as stated in subsection (a) of this Code section, have a right to a hearing before an administrative law judge appointed by the board. The

hearing before the administrative law judge shall be conducted in accordance with Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' and the rules and regulations adopted by the board pursuant thereto. The decision of the administrative law judge shall constitute the final decision of the board, and any party to the hearing, including the department, shall have the right of judicial review thereof in accordance with Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

(c) Any person who operates a vessel on any of the waters of this state at a time when such person's privilege to do so has been suspended under this Code section shall be subject to the provisions of subsection (c) of Code Section 52-7-12.6."

SECTION 2.

Said chapter is further amended by revising Code Section 52-7-26, relating to penalties, as follows:

"52-7-26.

(a) Except as otherwise provided in this article, any person who violates this article or any rule or regulation promulgated hereunder shall be guilty of a misdemeanor. For purposes of establishing criminal violations of the rules and regulations promulgated by the ~~Board of Natural Resources~~ board as provided in this article, the term 'rules and regulations' means those rules and regulations of the ~~Board of Natural Resources~~ board in force and effect on ~~February 5, 2013~~ January 1, 2014.

(b) Notwithstanding subsection (c) of Code Section 17-6-12, the release of a person on his or her own recognizance for violations under Code Sections 52-7-12, 52-7-12.2, 52-7-12.3, and 52-7-12.4 shall be prohibited."

SECTION 3.

Said chapter is further amended by adding a new article to read as follows:

"ARTICLE 1A

52-7-30.

The Interstate Boating Violator Compact is enacted into law and entered into by the State of Georgia with any and all states legally joining therein in accordance with its terms. The compact is substantially as follows:

INTERSTATE BOATING VIOLATOR COMPACT ARTICLE I. TITLE

This compact shall be known as the "Interstate Boating Violator Compact."

ARTICLE II. DEFINITIONS

Unless the context requires otherwise, the following definitions in this article apply throughout this compact and are intended only for the implementation of this compact:

- (1) "Boating activities" means activities involving the operation of vessels on public waters.
- (2) "Boating authority" means the board, department, or division within a party state which is authorized by law to regulate the operation of vessels.
- (3) "Boating law" means laws, regulations, ordinances, or administrative rules developed and enacted to regulate boating activities.
- (4) "Boating violation" means violation of laws, regulations, ordinances, or administrative rules developed and enacted to regulate the operation of vessels.
- (5) "Citation" means summons, complaint, ticket, penalty assessment, or other official document containing an order which requires the person to respond.
- (6) "Collateral" means cash or other security deposited to secure an appearance for trial, in connection with the issuance of a citation.
- (7) "Compact manual" means the procedures, forms, and information adopted by rule by a boating authority.
- (8) "Conviction" means an adjudication of guilt or a plea of guilty or nolo contendere to the commission of an offense related to the operation of vessels which is prohibited by the law, regulation, ordinance, or administrative rule of any state, territory, or possession of the United States, including the District of Columbia and the Commonwealth of Puerto Rico; a forfeiture of bail, bond, or other security deposited to secure appearance by a person charged with having committed any such offense; or the imposition of a deferred or suspended sentence by a court, magistrate, or tribunal.
- (9) "Home state" means the state, territory, or possession of the United States, including the District of Columbia and the Commonwealth of Puerto Rico, that is the primary residence of a person.
- (10) "Issuing state" means a party state which issues a citation.
- (11) "License" means privilege to operate, permit, registration, certificate of operation, or other public document or privilege that conveys to or allows a person to operate by law, regulation, ordinance, or administrative rule of a party state.
- (12) "Officer" means individuals authorized by a party state to issue a citation for a boating violation.
- (13) "Operate" means navigating or otherwise using a vessel which is not at anchor or moored, including vessels which are being paddled, are drifting, or are being powered by machinery.
- (14) "Party state" means any state, territory, or possession of the United States, including the District of Columbia and the Commonwealth of Puerto Rico, which enacts legislation to become a member of the Interstate Boating Violator Compact.
- (15) "Personal recognizance" means an agreement by a person made at the time of issuance of a citation that the person will comply with the conditions and options expressly stated in such citation.
- (16) "Suspension" means any revocation, denial, or withdrawal of any license.
- (17) "Vessel" means every description of watercraft, other than a seaplane on the water or a sailboard, used or capable of being used as a means of transportation on the

water and specifically includes, but is not limited to, inflatable rafts and homemade watercraft.

ARTICLE III. FINDINGS, DECLARATION OF POLICY, AND PURPOSE

(a) Party states find that:

(1) Boating activities are managed for the benefit of all residents and visitors;

(2) The benefits of boating activities can be materially affected by the degree that a citation is answered, through appearance at a court, magistrate, or tribunal and the payment of fines, costs, and surcharges, if any;

(3) The management of boating activities contributes immeasurably to the aesthetic, recreational, and economic aspects of party states;

(4) Boating activities are valuable without regard to political boundaries. Therefore, all persons should be required to comply with boating laws of party states as a condition precedent to the privilege to operate;

(5) Violation of boating laws interferes with the management of boating activities and may endanger the safety of persons and property;

(6) The mobility of people who violate boating laws necessitates the maintenance of channels of communication among party states;

(7) In most instances, when an issuing state is a location other than a home state, a person:

(A) Must post collateral or bond;

(B) If unable to post collateral or bond, is taken into custody until the collateral or bond is posted; or

(C) Is taken directly to a court, magistrate, or tribunal for an immediate appearance;

(8) The purpose of the enforcement practices described in paragraph (7) of this subsection is to ensure that a citation is answered, through appearance at a court, magistrate, or tribunal and the payment of fines, costs, and surcharges, if any, by the person who, if permitted to continue on his or her way after receiving the citation, could return to his or her home state and disregard his or her duty under the conditions and options expressly stated in the citation;

(9) In most instances, a person receiving a citation in his or her home state is permitted to accept such situation from the officer at the scene and to immediately continue on the person's way after agreeing or being instructed to comply with the conditions and options expressly stated in the citation;

(10) The practice described in paragraph (7) of this subsection causes unnecessary inconvenience and, at times, a hardship for the person who is unable at the time to post collateral or bond, stand trial, or pay the fine and thus is compelled to remain in custody until some alternative arrangement can be made; and

(11) The enforcement practices described in paragraph (7) of this subsection consume an undue amount of law enforcement time.

(b) It is the policy of party states to:

- (1) Promote adherence to boating laws and have a citation answered through a court, magistrate, or tribunal appearance and the payment of fines, costs, and surcharges, if any;
 - (2) Recognize that any revocation, denial, or withdrawal of any license by a party state should be treated the same in all states, territories, and possessions of the United States, including the District of Columbia and the Commonwealth of Puerto Rico;
 - (3) Allow violators to accept a citation, except as provided in subsection (b) of Article IV of this compact, and proceed on the violator's way without delay whether or not the violator is a resident where the citation was issued, provided that the home state of the violator is a party state;
 - (4) Report to the appropriate party state, as provided in the compact manual, any conviction recorded against a person whose home state was not the issuing state;
 - (5) Allow a home state to recognize and treat convictions recorded for its residents which occurred in a party state as if they had occurred in the home state;
 - (6) Extend cooperation to its fullest extent among party states for having citations which are issued in a party state answered through court, magistrate, or tribunal appearances and the payment of fines, costs, and surcharges, if any;
 - (7) Maximize effective use of law enforcement personnel and information; and
 - (8) Assist court systems in the efficient disposition of boating violations.
- (c) The purposes of this compact are to:
- (1) Provide a means through which party states may participate in a reciprocal program to effectuate policies enumerated in subsection (b) of this article in a uniform and orderly manner; and
 - (2) Provide for the fair and impartial treatment of a person issued a citation within a party state in recognition of such person's right of due process and the sovereign status of such party state.

ARTICLE IV. PROCEDURES FOR ISSUING STATE

- (a) A citation shall be issued in the same manner as if the person receiving such citation was a resident of the issuing state and shall not require the person to post collateral, subject to the exceptions contained in subsection (b) of this article, if the officer receives the person's personal recognizance.
- (b) Personal recognizance is acceptable if:
 - (1) It is not prohibited by local law or the compact manual; and
 - (2) The violator provides adequate proof of his or her identification to the officer.
- (c) Upon conviction or failure of a person to comply with the conditions and options expressly stated in a citation, the appropriate official shall report the conviction or failure to comply to the boating authority of the party state in which the citation was issued. The report shall be made in accordance with procedures specified by the issuing state and shall contain the information specified in the compact manual as minimum requirements for effective processing by the home state.

(d) Upon receipt of the report of conviction or failure to comply as required by subsection (c) of this article, the boating authority of the issuing state shall transmit to the boating authority of the home state the information in a form and content as contained in the compact manual.

ARTICLE V. PROCEDURES FOR HOME STATE

(a) Upon receipt of a report of failure to comply with the conditions and options expressly stated in a citation from the boating authority of the issuing state, the boating authority of the home state shall notify the violator, shall initiate a suspension in accordance with the home state's suspension procedures, and shall suspend the violator's license until satisfactory evidence of compliance with the conditions and options expressly stated in such citation has been furnished by the issuing state to the boating authority of the home state. Due process safeguards shall be accorded.

(b) Upon receipt of a report of conviction from the boating authority of the issuing state, the boating authority of the home state shall enter the conviction in its records and shall treat the conviction as if it occurred in the home state for the purposes of a suspension.

(c) The boating authority of a home state shall maintain a record of actions taken and make reports to issuing states as provided in the compact manual.

ARTICLE VI. RECIPROCAL RECOGNITION OF SUSPENSION

(a) A party state shall recognize a suspension of any person by any state, territory, or possession of the United States, including the District of Columbia and the Commonwealth of Puerto Rico, as if the violation on which the suspension is based occurred in such party state and could have been the basis for suspension in such party state.

(b) Each party state shall communicate suspension information to other party states in a form and content as contained in the compact manual.

ARTICLE VII. APPLICABILITY OF OTHER LAWS

Except as expressly required by provisions of this compact, nothing in this compact shall be construed to affect the right of a party state to apply any of its boating laws to a person or circumstance or to invalidate or prevent any agreement or other cooperative arrangements between a party state and any other state, territory, or possession of the United States, including the District of Columbia and the Commonwealth of Puerto Rico, concerning boating law enforcement.

ARTICLE VIII. COMPACT ADMINISTRATOR PROCEDURES

- (a) For the purpose of administering the provisions of this compact and to serve as a governing body for the resolution of all matters relating to the operation of this compact, a board of boating compact administrators is established. The board of boating compact administrators shall be composed of one representative from each party state to be known as the boating compact administrator. The boating compact administrator shall be appointed by the head of the boating authority and shall serve and be subject to removal in accordance with the laws of the state, territory, or possession of the United States, including the District of Columbia and the Commonwealth of Puerto Rico, the boating compact administrator represents. A boating compact administrator may provide for the discharge of his or her duties and the performance of his or her functions as a board member by an alternate. An alternate shall not be entitled to serve unless written notification of the alternate's identity has been given to the board of boating compact administrators.
- (b) Each boating compact administrator is entitled to one vote. No action of the board of boating compact administrators is binding unless taken at a meeting at which a majority of the total number of votes on such board is cast in favor thereof. Action by the board of boating compact administrators shall be only at a meeting at which a majority of party states are represented.
- (c) The board of boating compact administrators shall elect annually, from its membership, a chairperson and vice chairperson.
- (d) The board of boating compact administrators shall adopt bylaws, not inconsistent with the provisions of this compact or the laws of any party state, for the conduct of its business and shall have the power to amend and rescind its bylaws.
- (e) The board of boating compact administrators may accept for any of its purposes and functions under this compact all donations and grants of money, equipment, supplies, materials, and services, conditional or otherwise, from any state, territory, or possession of the United States, including the District of Columbia and the Commonwealth of Puerto Rico, the United States, or any governmental agency and may receive, utilize, and dispose of the same.
- (f) The board of boating compact administrators may contract with or accept services or personnel from any governmental or intergovernmental agency, individual, firm, corporation, or private nonprofit organization or institution.
- (g) The board of boating compact administrators shall formulate all necessary procedures and develop uniform forms and documents for administering the provisions of this compact. All procedures and forms adopted pursuant to the action of the board of boating compact administrators shall be contained in the compact manual.

ARTICLE IX. ENTRY INTO COMPACT AND WITHDRAWAL

(a) This compact shall become effective when it has been adopted by at least two states, territories, or possessions of the United States, including the District of Columbia and the Commonwealth of Puerto Rico.

(b)(1) Entry into the compact shall be made by resolution of ratification executed by the authorized officials of the applying state, territory, or possession of the United States, including the District of Columbia and the Commonwealth of Puerto Rico, and submitted to the chairperson of the board of boating compact administrators.

(2) The resolution shall be in a form and content as provided in the compact manual and shall include statements that in substance are as follows:

(A) The authority by which the state, territory, or possession of the United States, including the District of Columbia and the Commonwealth of Puerto Rico, is empowered to become a member of this compact;

(B) Agreement to comply with the terms and provisions of this compact; and

(C) That compact entry is with party states.

(3) The effective date of becoming a member of this compact shall be specified by the applying state, territory, or possession of the United States, including the District of Columbia and the Commonwealth of Puerto Rico, but shall not be less than 60 days after notice has been given by the chairperson of the board of boating compact administrators or by the secretary of such board to the party states that the resolution from the applying state, territory, or possession of the United States, including the District of Columbia and the Commonwealth of Puerto Rico, has been received.

(c) Party states may withdraw from this compact by official written notice to party states, but a withdrawal shall not take effect until 90 days after notice of withdrawal is given. The notice shall be directed to the boating compact administrator of each party state. No withdrawal shall affect the validity of this compact as to the party states.

ARTICLE X. AMENDMENTS TO THE COMPACT

(a) This compact may be amended from time to time. Amendments shall be presented in resolution form to the chairperson of the board of boating compact administrators and may be initiated by party states.

(b) Adoption of an amendment shall require endorsement by all party states and shall become effective after this compact has been amended by law by a party state.

ARTICLE XI. CONSTRUCTION AND SEVERABILITY

This compact shall be liberally construed so as to effectuate the purposes stated in it. The provisions of this compact are severable, and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of a party state or the United States Constitution or the applicability of this compact to any government, agency, individual, or circumstance is held invalid, the compact shall not be affected by

it. If this compact is held contrary to the constitution of a party state, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the party state affected as to all severable matters.'

52-7-31.

(a) The commissioner of natural resources shall appoint an Interstate Boating Violator Compact administrator for this state. Such administrator shall serve at the pleasure of the commissioner.

(b) The department may suspend the operating privileges of any person to operate a vessel upon the waters of this state as provided for in Code Section 52-7-12.7 to the extent that such person's privileges to operate a vessel upon the waters of a state have been suspended when such state is a party state, as such term is defined in Code Section 52-7-30.

(c) The Board of Natural Resources shall make and publish such rules and regulations, including the creation of the compact manual, not inconsistent with law, as it deems necessary to carry out the purposes of this article."

SECTION 4.

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

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

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

Y Abrams	Y Coomer	Y Gregory	Y McCall	Y Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y 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 Hatcher	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	E Hightower	E 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	E 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	Peake	Y Tanner
Y Broadrick	Y Efrstration	Y Jackson	Y Pezold	Y Tarvin
Y Brockway	Y Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
Y Brooks	Y England	E Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	E Epps, C	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	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
Y Casas	Y Fullerton	Y Kirby	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	Y Scott	Y Williams, C
Clark, J	Y Golick	Y Marin	Y Setzler	Y Williams, E
Y Clark, V	Y Gordon	Y Martin	Y Sharper	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 0.

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

HB 810. By Representatives Chandler of the 105th, Clark of the 101st, Ramsey of the 72nd, Teasley of the 37th, Pezold of the 133rd and others:

A BILL to be entitled an Act to amend Part 7 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to HOPE scholarships and grants, so as to revise requirements for home study students regarding scores on a standardized college admission test; 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 Part 7 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to HOPE scholarships and grants, so as to revise eligibility requirements for HOPE scholarships for entering freshman students who are home study students regarding scores on a standardized college admission test; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 7 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to HOPE scholarships and grants, is amended in Code Section 20-3-519.2,

relating to eligibility requirements for a HOPE scholarship, by revising subparagraph (a)(1)(C) as follows:

"(C) In the case of an otherwise qualified student who:

- (i) Did not graduate from high school or complete a home study program meeting the requirements of subsection (c) of Code Section 20-2-690 but received the general educational development (GED) diploma awarded by the Department of Technical and Adult Education, now known as the Technical College System of Georgia, after June 30, 1993;
- (ii) Completed a home study program meeting the requirements of subsection (c) of Code Section 20-2-690 in lieu of graduating from an eligible high school; or
- (iii) Graduated from a high school which is not an eligible high school, earning a score in the ~~eighty-fifth~~ eightieth percentile or higher nationally on a standardized college admission test, such as the SAT or ACT; and"

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	Y Coomer	Y Gregory	McCall	Y Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y 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
Beasley-Teague	Y Dollar	E Hightower	E 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	E 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	Y Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
Y Brooks	Y England	E Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	E Epps, C	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	Roberts	Y Weldon
Y Casas	Y Fullerton	Y Kirby	Y Rogers, C	Y Wilkerson
Y Chandler	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	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 169, nays 0.

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

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 following Committee substitute was read:

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 private interests in property of the Board of Regents of the University System of Georgia that is operated by a private 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.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of property, is amended by adding a new subparagraph in paragraph (1) of subsection (a) of Code Section 48-5-41, relating to property exempt from ad valorem taxation, as follows:

"(F) All interests in property of the Board of Regents of the University System of Georgia held by a private party that is contractually obligated to operate such property to serve a public college or university shall be considered to be public property within the meaning of this paragraph."

SECTION 2.

Said chapter is further amended by revising Code Section 48-5-421.1, relating to public-private transportation projects not being designated as special franchises, as follows:

"48-5-421.1.

Any property which is exempt from ad valorem taxation pursuant to ~~subparagraph~~ subparagraphs (a)(1)(E) or (a)(1)(F) of Code Section 48-5-41 shall not constitute a special franchise for purposes of this article and shall not be subject to the provisions of this article."

SECTION 3.

The Secretary of State shall call and conduct a referendum for the approval or disapproval of Section 1 of this Act on the date of and in conjunction with the November, 2014, general election. The Secretary of State shall issue the call and conduct that special election as provided by general law. The Secretary of State shall cause the date and purpose of the referendum to be published in the official organ of each county in the state once at least 60 days prior to the date of the referendum and once a week for two weeks immediately preceding the date of the referendum. The ballot shall have written thereon the following:

- "() YES In order to facilitate public private partnerships to improve operational efficiencies within the University System of Georgia, shall the Act be
- () NO approved that extends the exemption from property taxation to all interests in property of the University System of Georgia which are held by a private party and operated to serve a public college or university?"

All persons desiring to vote for approval of this Act shall vote "Yes" and those persons desiring to vote for disapproval of this Act shall vote "No". If more than one-half of the votes cast on such question are for approval of this Act, then Section 1 of this Act shall become effective on January 1, 2015, and shall apply to all tax years beginning on or after that date; otherwise Section 1 of this Act shall not become effective and shall be automatically repealed on January 1, 2015.

SECTION 4.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval; provided, however, that if Section 1 of this Act does not become effective and is automatically repealed pursuant to Section 3 of this Act, Section 2 of this Act shall also not become effective and shall be automatically repealed on January 1, 2015.

SECTION 5.

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

The following amendments were read and adopted:

Representatives Jones of the 47th and Abrams of the 89th offer the following amendment:

Amend the substitute to HB 788 (LC 34 4070S) by deleting lines 34 through 38 and inserting in lieu thereof the following:

- "() YES Shall property owned by the University System of Georgia and utilized by providers of college and university student housing and other
() NO facilities continue to be exempt from taxation to keep costs affordable?"

Representative Ramsey of the 72nd et al. offer the following amendment:

Amend the substitute to HB 788 (LC 34 4070S) by deleting lines 14 through 17 and inserting in lieu thereof the following:

"(F) All interests in property on a campus of the Board of Regents of the University System of Georgia primarily used for student housing or parking held by a private party that is contractually obligated to operate such property primarily for the use or benefit of a public college or university shall be considered to be public property within the meaning of this paragraph, provided that such interest of the private party resulted from a competitive procurement."

The Committee substitute, as amended, was adopted.

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

On the passage of the Bill, by substitute, as amended, 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	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
N Beasley-Teague	Y Dollar	E Hightower	E 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	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	E Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	E Epps, C	Jones, J	Y Prince	Y Teasley
Y Bryant	Y Epps, J	Y Jones, L	Y Pruet	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	N 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
Y Casas	Y Fullerton	Y Kirby	Y Rogers, C	Y Wilkerson
Y Chandler	Gardner	Y Knight	Y Rogers, T	Y Wilkinson
Y Channell	Y Gasaway	Y Lindsey	Y Rutledge	Y Willard
N 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, as amended, the ayes were 166, nays 5.

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

HB 881. By Representatives Epps of the 144th, Powell of the 32nd, Gardner of the 57th, Stephenson of the 90th, Mosby of the 83rd and others:

A BILL to be entitled an Act to amend Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to special license plates promoting and supporting beneficial projects or entities, so as to provide for a new special license plate for the Grady Health Foundation; to require a two-thirds' majority vote for passage in accordance with constitutional requirements; 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	N Gregory	Y McCall	Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y Harbin	Y Meadows	Y Smith, L
Y Anderson	Y Deffenbaugh	Y Harden	Y Mitchell	Y Smith, M
Y Atwood	Y Dempsey	N 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	E Hightower	E Nimmer	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	Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
Y Brooks	Y England	E Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	E Epps, C	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
Y Casas	Y 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	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	Mayo	Y Sims, B	Ralston, Speaker

On the passage of the Bill, the ayes were 167, nays 3.

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

HB 891. By Representatives Fleming of the 121st, Brockway of the 102nd, Welch of the 110th, Williamson of the 115th, Hamilton of the 24th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and primaries generally, so

as to change the period for advance voting prior to a municipal primary or election; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The following amendment was read:

Representatives Abrams of the 89th and Stephens of the 164th offer the following amendment:

Amend HB 891 (LC 28 6998) by inserting "(i)" after "(B)" on line 20 and inserting after line 29 the following:

(ii) The General Assembly may provide by local Act that, in municipal elections not otherwise subject to the provisions of subparagraph (A) of this paragraph, the same period of advance voting as required in subparagraph (A) of this paragraph shall be provided.

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

Y Abrams	N Coomer	Y Gregory	N McCall	Y Sims, C
Y Alexander	N Cooper	Y Hamilton	Y McClain	Y Smith, E
N Allison	Y Dawkins-Haigler	N Harbin	N Meadows	Y Smith, L
Y Anderson	N Deffenbaugh	Y Harden	Y Mitchell	Y Smith, M
Y Atwood	N Dempsey	N Harrell	Y Moore	N Smith, R
N Ballinger	Y Dickerson	N Hatchett	Y Morgan	Y Smyre
N Barr	N Dickey	N Hawkins	N Morris	N Spencer
Y Battles	Y Dickson	Y Hanson	Y Mosby	Y Stephens, M
Y Beasley-Teague	N Dollar	E Hightower	N Nimmer	Y Stephens, R
Y Bell	Y Douglas	N Hitchens	N Nix	Y Stephenson
Y Bennett	Y Drenner	Y Holcomb	Y Oliver	Y Stovall
Y Bentley	N Dudgeon	N Holmes	O'Neal	N Stover
N Benton	Y Dukes	N Holt	N Pak	N Strickland
Y Beverly	N Dunahoo	N Houston	Y Parrish	Y Talton
N Black	N Duncan	Y Howard	N Parsons	N Tankersley
N Braddock	Dutton	Y Hugley	N Peake	N Tanner
N Broadrick	N Efration	Y Jackson	Y Pezold	Y Tarvin
N Brockway	N Ehrhart	Y Jacobs	Y Powell, A	N Taylor, D
Y Brooks	N England	E Jasperse	N Powell, J	N Taylor, T
Y Bruce	Y Epps, C	Jones, J	Y Prince	N Teasley
Y Bryant	N Epps, J	Y Jones, L	Y Pruett	Y Thomas, A.M.
Y Buckner	Y Evans	Y Jones, S	N Quick	Y Turner
N Burns	N Fleming	Y Jordan	N Ramsey	Y Waites
Y Caldwell, J	Y Floyd	Y Kaiser	Y Randall	N Watson, B
Y 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	Weldon
N Casas	Y Fullerton	N Kirby	N Rogers, C	Y Wilkerson
Chandler	Y Gardner	N Knight	N Rogers, T	Y Wilkinson
N Channell	N Gasaway	Y Lindsey	N Rutledge	Willard
N Chapman	Y Geisinger	N Lumsden	N Rynders	Y Williams, A

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

On the adoption of the amendment, the ayes were 87, nays 82.

The amendment was adopted.

Representative Fleming of the 121st moved that the House reconsider its action in adopting the Abrams amendment.

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

N Abrams	Y Coomer	N Gregory	Y McCall	N Sims, C
N Alexander	N Cooper	Y Hamilton	N McClain	N Smith, E
Y Allison	N Dawkins-Haigler	Y Harbin	Y Meadows	Y Smith, L
N Anderson	Y Deffenbaugh	N 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
N Battles	Y Dickson	N Henson	N Mosby	N Stephens, M
N Beasley-Teague	Y Dollar	E Hightower	Y Nimmer	N 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	Y Stover
Y Benton	N Dukes	Y Holt	Y Pak	Y Strickland
N Beverly	Y Dunahoo	Y Houston	N Parrish	N Talton
Black	Y Duncan	Howard	Y Parsons	Y Tankersley
Y Braddock	Y Dutton	N Hugley	Y Peake	Y Tanner
Y Broadrick	Y Efstration	N Jackson	N Pezold	N Tarvin
Y Brockway	Y Ehrhart	Y Jacobs	N Powell, A	Y Taylor, D
N Brooks	Y England	E 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	Y Turner
Y Burns	Y Fleming	N Jordan	Y Ramsey	N Waites
N 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	N Kidd	Y Roberts	Y Weldon
Y Casas	N Fullerton	Y Kirby	Y Rogers, C	N Wilkerson
Y Chandler	N Gardner	Y Knight	Y Rogers, T	N Wilkinson
Y Channell	Y Gasaway	Y Lindsey	Y Rutledge	Willard
Y Chapman	N Geisinger	Y Lumsden	Y Rynders	N Williams, A
Y Cheokas	N Glanton	N Mabra	N Scott	N Williams, C
Y Clark, J	E Golick	N Marin	Y Setzler	N Williams, E
Y Clark, V	N Gordon	Y Martin	N Sharper	Y Williamson
Coleman	Y Gravley	Y Maxwell	Y Shaw	N Yates
Y Cooke	N Greene	N Mayo	Y Sims, B	Ralston, Speaker

On the motion, the ayes were 92, nays 79.

The motion prevailed.

On the re-adoption of the Abrams amendment, the roll call was ordered and the vote was as follows:

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

On the re-adoption of the Abrams amendment, the ayes were 89, nays 81.

The amendment was adopted.

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	Y Sims, C
Y Alexander	Y Cooper	Y Hamilton	N McClain	Smith, E
Y Allison	N Dawkins-Haigler	Y Harbin	Y Meadows	Y Smith, L
N Anderson	Y Deffenbaugh	Y Harden	Y Mitchell	N Smith, M
Y Atwood	Y Dempsey	Y Harrell	Y Moore	Y Smith, R
Y Ballinger	Y Dickerson	Y Hatchett	N Morgan	N Smyre
Y Barr	Y Dickey	Y Hawkins	Y Morris	Y Spencer
Y Battles	Y Dickson	Y Henson	N Mosby	Y Stephens, M
N Beasley-Teague	Dollar	E Hightower	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Y Nix	N Stephenson
Y Bennett	Y Drenner	N Holcomb	Y Oliver	Y Stovall
Y Bentley	Y Dudgeon	Y Holmes	Y O'Neal	N Stover
Y Benton	N 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	N 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
N Brooks	Y England	E Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	Y Epps, C	Jones, J	Y Prince	Y Teasley
Y Bryant	Y Epps, J	Y Jones, L	Y Pruett	N Thomas, A.M.
N Buckner	Y Evans	Y Jones, S	Y Quick	N Turner
Y Burns	Y Fleming	Y Jordan	Y Ramsey	Y Waites
Y Caldwell, J	Y Floyd	N Kaiser	N Randall	Y Watson, B
Y Caldwell, M	N Fludd	Y Kelley	Y Rice	Y Watson, S
Y Carson	Y Frazier	Y Kendrick	Y Riley	Y Welch
Y Carter	N Frye	Y Kidd	Y Roberts	Y Weldon
Y Casas	Y Fullerton	Y Kirby	Y Rogers, C	N Wilkerson
Y Chandler	Y Gardner	Y Knight	Y Rogers, T	Y Wilkinson
Y Channell	Y Gasaway	Y Lindsey	Y Rutledge	Willard
N Chapman	Y Geisinger	Y Lumsden	Y Rynders	N Williams, A
Y Cheokas	Y Glanton	Y Mabra	Y Scott	Y Williams, C
Y Clark, J	E Golick	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	N Mayo	Y Sims, B	Ralston, Speaker

On the passage of the Bill, as amended, the ayes were 146, nays 25.

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

HB 828. By Representatives Mabra of the 63rd, Hightower of the 68th, Willard of the 51st, Kelley of the 16th, Stephenson of the 90th and others:

A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to prohibit the solicitation, release, or sale of automobile accident information; to

provide for definitions; to provide for exceptions; to provide for penalties; to amend Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to when public disclosure of records is not required, so as to change certain provisions relating to written authorization to obtain motor vehicle accident reports; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

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

Y Abrams	Y Coomer	N Gregory	Y McCall	Y Sims, C
Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y 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	E Hightower	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Hitchens	Y Nix	Stephenson
Y Bennett	Y Drenner	Y Holcomb	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 Efrstration	Y Jackson	Y Pezold	Y Tarvin
Y Brockway	Y Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
Y Brooks	Y England	E Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	Y Epps, C	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
Y Casas	Y 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	Y Scott	Y Williams, C
Y Clark, J	E Golick	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, the ayes were 168, nays 2.

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

The Speaker assumed the Chair.

The following Bill of the House was taken up for the purpose of considering the Senate action thereon:

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 Senate 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 odd-numbered districts shall serve for an initial term of two years and until their respective successors are elected and qualified. Those persons serving from even-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, but shall not be changed prior to such date."

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 Jacobs of the 80th moved that the House agree to the Senate substitute to HB 979.

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

N Abrams	Y Coomer	Y Gregory	Y McCall	Y Sims, C
N Alexander	Y Cooper	Y Hamilton	N McClain	N Smith, E
Y Allison	N Dawkins-Haigler	Y 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	Y Hawkins	Y Morris	Y Spencer
Y Battles	Y Dickson	N Henson	N Mosby	Y Stephens, M
Beasley-Teague	Y Dollar	E 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 Efstration	Y Jackson	Y Pezold	Y Tarvin
Y Brockway	Y Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
N Brooks	Y England	E Jasperse	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	N Thomas, A.M.
N Buckner	N Evans	N Jones, S	Y Quick	Y Turner
Y Burns	Y Fleming	N Jordan	Y Ramsey	Y Waites
Y Caldwell, J	N Floyd	Y 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	Y Frye	Y Kidd	Y Roberts	Weldon
Y Casas	Y Fullerton	Y Kirby	Y Rogers, C	N Wilkerson
Y Chandler	Y Gardner	Y Knight	Y Rogers, T	Y Wilkinson
Y Channell	Y Gasaway	Y Lindsey	Y Rutledge	Y Willard
N Chapman	Y Geisinger	Y Lumsden	Y Rynders	N Williams, A
Y Cheokas	N Glanton	N Mabra	Scott	Y Williams, C
Y Clark, J	E Golick	Marin	Y Setzler	N Williams, E
Y Clark, V	Y 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 123, nays 47.

The motion prevailed.

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 897. By Representatives Dudgeon of the 25th, Coleman of the 97th, Nix of the 69th, Clark of the 101st, Kaiser of the 59th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 20 of the O.C.G.A., relating to elementary and secondary education, so as to update and clarify provisions in law and to repeal obsolete provisions; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, so as to update and clarify provisions in law and to repeal obsolete provisions; to repeal a population act provision; to revise provisions relating to state required standards; to remove the middle grades program; to repeal provisions relating to professional and staff development stipends; to revise provisions relating to contracts by the State School Superintendent; to revise a process for student requests for waivers and variances of state requirements; to provide that capital outlay includes computer equipment and software; to revise provisions relating to state required assessments; to revise provisions relating to the honors program; to revise provisions relating to courses taken through the Georgia Virtual School; to revise provisions relating to virtual instruction opportunities provided by local school systems; to repeal an obsolete provision relating to acquiring digital learning; to revise a provision relating to home study reporting; to revise provisions relating to nonrenewal of a teacher's contract; to revise provisions relating to health insurance for public school teachers and employees; to revise provisions relating to appeals to the State Board of Education; to provide for charter authorizer accountability; to provide for an expedited charter petition review process for high-performing charter schools; to provide for timelines for approving or denying charter petitions; to revise provisions relating to funding for a charter school in its first year of operation; to provide for use by charter schools of unused school facilities; to provide for enrollment preferences for charter schools; to revise provisions relating to funding for state charter schools; to authorize the State Charter Schools Commission to establish nonprofit foundations; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, is amended by repealing subsection (d) of Code Section 20-2-51, relating to election of local board of education members, persons ineligible to be members or superintendent, ineligibility for local boards of education, and ineligibility for other elective offices, and designating said subsection as reserved.

SECTION 2.

Said chapter is further amended by revising paragraph (1) of Code Section 20-2-131, relating to objectives and purposes of the Quality Basic Education Program, as follows:

"(1) Implementing a ~~quality basic education~~ curriculum to encompass content standards in public schools state wide which ensures that each student is provided ample opportunity to develop competencies necessary for lifelong learning as well as the competencies needed to maintain good physical and mental health, to participate

actively in the governing process and community activities, to protect the environment and conserve public and private resources, and to be an effective worker and responsible citizen of high character;"

SECTION 3.

Said chapter is further amended by revising Code Section 20-2-140, relating to the State Board of Education establishing competencies and a uniformly sequenced core curriculum and college and career readiness competency standards, as follows:

"20-2-140.

(a) The State Board of Education shall establish ~~competencies~~ uniformly sequenced content standards that each student is expected to master prior to completion of the student's public school education. ~~The state board shall also establish competencies for which each student should be provided opportunities, at the discretion of the student and the student's parents, to master. Based upon these foregoing competencies, the~~ The state board shall adopt a uniformly sequenced core curriculum content standards for grades students in kindergarten through grade 12. Each local unit of administration shall ~~include this uniformly sequenced core curriculum as the basis for its own curriculum, although each local unit may sequence, expand, and enrich this curriculum may expand and enrich the content standards~~ to the extent it deems necessary and appropriate for its students and communities. Each local school system shall adopt its own curriculum which shall include appropriate instruction in the content standards.

(b) The State Board of Education, working with the Board of Regents of the University System of Georgia and the State Board of the Technical College System of Georgia, shall establish college and career readiness ~~competency~~ standards in reading, writing, and mathematics aligned with the ~~core curriculum~~ content standards adopted by the state board pursuant to subsection (a) of this Code section with the level of performance necessary to meet college-readiness standards in the state's technical colleges, community colleges, state colleges, and universities and in other advanced training programs.

(c) The State Board of the Technical College System of Georgia shall require its institutions to accept core curriculum coursework completed by high school students for purposes of admission into its institutions. This Code section shall apply beginning with students entering such postsecondary institutions in the fall of 2013."

SECTION 4.

Said chapter is further amended by revising Code Section 20-2-140.1, relating to online learning, as follows:

"20-2-140.1.

The State Board of Education shall establish rules and regulations to maximize the number of students, beginning with students entering ninth grade in the 2014-2015 school year, who complete prior to graduation at least one course containing online learning. This shall be met through an online course offered by the Georgia Virtual School established pursuant to Code Section 20-2-319.1, through the clearing-house

established pursuant to Code Section 20-2-319.3, through an online dual enrollment course offered by a postsecondary institution, or through a provider approved pursuant to ~~subsection (c)~~ of Code Section 20-2-319.4. This shall also include enrollment in a full-time or part-time virtual instruction program pursuant to Code Section 20-2-319.4."

SECTION 5.

Reserved.

SECTION 6.

Said chapter is further amended by revising subsection (a) of Code Section 20-2-142, relating to prescribed courses, as follows:

"(a)(1) All elementary and secondary schools which receive in any manner funds from the state shall provide the following course offerings in the manner and at the grade level prescribed by the State Board of Education ~~in its quality core curriculum~~:

(A) A course of study in the background, history, and development of the federal and state governments and a study of Georgia county and municipal governments; and

(B) A course of study in the history of the United States and in the history of Georgia and in the essentials of the United States and Georgia Constitutions, including the study of American institutions and ideals which shall include a study of the Pledge of Allegiance to the flag of the United States and the Georgia flag in addition to other institutions and ideals.

(2) No student shall be eligible to receive a diploma from a high school unless such student has successfully completed the courses in history and government provided for by this subsection, except as provided in paragraphs (3) and (4) of this subsection. For students moving to Georgia and unable to take the course or courses available to fulfill these requirements in the grade level in which such course or courses are ordinarily offered, the State Board of Education may develop alternative methods, which may include but shall not be limited to an on-line course of study, for such students to learn about and demonstrate an adequate understanding of federal or Georgia history and government.

(3) Disabled students who are otherwise eligible for a special education diploma pursuant to subsection (c) of Code Section 20-2-281 shall not be denied this diploma if they have not successfully completed either or both of these courses; provided, however, that their Individualized Education Programs have not specified that the disabled students must enroll in and successfully complete both of these courses.

(4) The State Board of Education shall promulgate rules and regulations governing the required course of study in the history of Georgia and in the essentials of the Georgia Constitution for students who transfer from another state after having completed the year in which such course or courses are ordinarily offered. The State Board of Education is authorized to provide for exemptions to the required course of study for such students and for students whose parent or parents serve in the armed forces of the United States."

SECTION 7.

Said chapter is further amended by revising subsection (a) and paragraph (2) of subsection (b) of Code Section 20-2-151, relating to general and career education programs, as follows:

"(a) The primary purpose for the general and career education programs is to provide the children and youth of Georgia with a quality opportunity to master ~~student competencies~~ content standards adopted by the State Board of Education ~~through instruction which is based upon the uniformly sequenced core curriculum.~~"

"(2) It is the policy of this state that the purpose of the primary grades program shall be mastery by enrolled students of the essential basic skills and knowledge which will enable them to achieve more advanced skills and knowledge offered at the higher grade levels. For purposes of funding under this article, the primary grades program shall include grades one, two, and three. To be eligible for enrollment in the first grade of a state supported primary grades program, a child must attain the age of six by September 1, except as otherwise provided by subsection (b) of Code Section 20-2-150. The State Board of Education ~~shall~~ may adopt an instrument or instruments, procedures, and policies necessary to assess the first grade readiness of children enrolled in Georgia's public school kindergarten programs pursuant to Code Section 20-2-281. Readiness information obtained by the instrument or instruments adopted by the state board ~~shall~~ may be used by local school systems in concert with teacher recommendations and other relevant information to make appropriate student grade placement decisions. The Department of Education ~~shall~~ may develop guidelines for utilization of the instrument or instruments in grade placement decisions and ~~shall~~ provide such guidelines to local school systems. The guidelines ~~shall~~ may include information pertinent to consideration of the placement of students who have been identified as being disabled or limited-English-proficient. Whenever the decision is made not to promote a child to the first grade, the local school system ~~shall~~ may document the reasons for the decision not to promote, according to guidelines established by the board. The State School Superintendent ~~shall~~ may annually provide a report summarizing the results of the readiness of first grade Georgia public school kindergarten children. No student shall remain in kindergarten for more than two years;"

SECTION 8.

Said chapter is further amended by revising subsections (a) and (h) of Code Section 20-2-154.1, relating to alternative education programs, as follows:

"(a) It is the policy of this state that the alternative education program shall provide a learning environment that includes the ~~objectives of the quality core curriculum~~ content standards and that the instruction in an alternative education program shall enable students to return to a general or career education program as quickly as possible. Course credit shall be earned in an alternative education program in the same manner as in other education programs. It is the policy of this state that it is preferable to reassign

disruptive students to an alternative education program rather than suspending or expelling such students from school."

"(h) For the 2000-2001 and 2001-2002 school years, state funding of alternative education programs shall be based upon a full-time equivalent program count that equals 2.5 percent of the sum of the full-time equivalent program count of the ~~middle grades program, the middle school program as defined in Code Section 20-2-290,~~ the high school general education program (grades nine through 12), and the career, technical, and agricultural education laboratory program (grades nine through 12). For the 2002-2003 school year and thereafter, the amount of state funds appropriated and allocated for the alternative education program provided for in this Code section shall be based on the actual count of students served during the preceding year, except that the count of students served shall not exceed 2.5 percent of the sum of the full-time equivalent program count of the ~~middle grades program, the middle school program as defined in Code Section 20-2-290,~~ the high school general education program (grades nine through 12), and the career, technical, and agricultural education laboratory program (grades nine through 12). Funds earned may be expended in kindergarten and in grades one through 12."

SECTION 9.

Said chapter is further amended by revising Code Section 20-2-159.1, relating to focused programs of study, as follows:

"20-2-159.1.

No later than July 1, 2013, the Department of Education shall develop, and the State Board of Education shall approve, state models and curriculum framework content standards for the following focused programs of study, as defined in Code Section 20-2-326, including, but not limited to:

- (1) Agriculture, food, and natural resources;
- (2) Architecture and construction;
- (3) Arts, audio-video technology, and communications;
- (4) Business, management, and administration;
- (5) Education and training;
- (6) Finance;
- (7) Health science;
- (8) Hospitality and tourism;
- (9) Human services;
- (10) Information technology;
- (11) Law, public safety, and security;
- (12) Manufacturing;
- (13) Government and public administration;
- (14) Marketing, sales, and service;
- (15) Science, technology, engineering, and mathematics; and
- (16) Transportation, distribution, and logistics.

Such focused programs of study may be combined around these and other related clusters."

SECTION 10.

Said chapter is further amended by revising paragraph (1) of Code Section 20-2-159.2, relating to coordination between high schools and postsecondary institutions to minimize the need for remedial course work for students in postsecondary institutions, as follows:

"(1) Develop policies to ensure that students who ~~complete the core curriculum~~ master the content standards established pursuant to Code Section 20-2-140 will meet the requirements for purposes of admission into a postsecondary institution, such as grade point average and readiness levels in reading, writing, and mathematics, without having to take remedial coursework. Such policies shall:

(A) Establish the benchmarks for college readiness and the method in which students can demonstrate readiness in reading, writing, and mathematics for postsecondary coursework upon completing the ~~core curriculum~~ content standards; and

(B) Set the conditions for ensuring college readiness;"

SECTION 11.

Said chapter is further amended by revising subsection (a) of Code Section 20-2-159.3, relating to coordination between high schools and postsecondary institutions to minimize the need for remedial course work for students in postsecondary academic core standards to be embedded in career, technical, and agricultural education courses, as follows:

"(a) The ~~competencies and curricula~~ content standards established for career, technical, and agricultural education courses pursuant to Code Section 20-2-140 shall include embedded standards in academic core subject areas, as appropriate. In establishing such ~~competencies and curricula~~ content standards, the state board shall work to ensure that the coursework meets postsecondary requirements for acceptance of credit for such coursework at the postsecondary level. Such courses shall be taught by a highly qualified teacher in the academic content and trained or experienced in contextualized learning using project based methods; by a highly qualified career, technical, and agricultural education teacher who has completed a state-approved training program to strengthen academic content and has passed a state-approved exam for demonstrating mastery of academic content; or by a team made up of a highly qualified teacher in the academic content and a highly qualified career, technical, and agricultural education teacher working together to teach the course."

SECTION 12.

Said chapter is further amended by revising subsection (a) of Code Section 20-2-160, relating to determination of enrollment by institutional programs, as follows:

"(a) The State Board of Education shall designate the specific dates upon which two counts of students enrolled in each instructional program authorized under this article shall be made each school year and by which the counts shall be reported to the

Department of Education. The initial enrollment count shall be made after October 1 but prior to November 17 and the final enrollment count after March 1 but prior to May 1. The report shall indicate the student's specific assigned program for each one-sixth segment of the school day on the designated reporting date. No program shall be indicated for a student for any one-sixth segment of the school day that the student is assigned to a study hall; a noncredit course; a course recognized under this article or by state board policy as an enrichment course, except a driver education course; a course which requires participation in an extracurricular activity for which enrollment is on a competitive basis; a course in which the student serves as a student assistant to a teacher, in a school office, or in the media center, except when such placement is an approved work site of a recognized career, technical, and agricultural education laboratory program; an individual study course for which no outline of course objectives is prepared in writing prior to the beginning of the course; or any other course or activity so designated by the state board. For the purpose of this Code section, the term 'enrichment course' means a course which does not dedicate a major portion of the class time toward the development and enhancement of one or more ~~student competencies~~ content standards as adopted by the state board under Code Section 20-2-140. A program shall not be indicated for a student for any one-sixth segment of the school day for which the student is not enrolled in an instructional program or has not attended a class or classes within the preceding ten days; nor shall a program be indicated for a student for any one-sixth segment of the school day for which the student is charged tuition or fees or is required to provide materials or equipment beyond those authorized pursuant to Code Section 20-2-133. A student who is enrolled in a dual credit course pursuant to Code Section 20-2-159.5 shall be counted for the high school program or other appropriate program for each segment in which the student is attending such dual credit course. The state board shall adopt such regulations and criteria as necessary to ensure objective and true counts of students in state approved instructional programs. The state board shall also establish criteria by which students shall be counted as resident or nonresident students, including specific circumstances which may include, but not be limited to, students attending another local school system under court order or under the terms of a contract between two local school systems. If a local school system has a justifiable reason, it may seek authority from the state board to shift full-time equivalent program counts from the designated date to a requested alternate date."

SECTION 13.

Said chapter is further amended by revising subsections (b) and (b.1) of Code Section 20-2-161, relating to the Quality Basic Education Formula, as follows:

"(b) As the cost of instructional programs varies depending upon the teacher-student ratios and specific services typically required to address the special needs of students enrolled, state authorized instructional programs shall have the following program weights and teacher-student ratios:

(1) Kindergarten program	1.6508 weight and 1 to 15 ratio
(2) Kindergarten early intervention program.....	2.0348 weight and 1 to 11 ratio
(3) Primary grades program (1-3)	1.2849 weight and 1 to 17 ratio
(4) Primary grades early intervention program (1-3).....	1.7931 weight and 1 to 11 ratio
(5) Upper elementary grades program (4-5)	1.0355 weight and 1 to 23 ratio
(6) Upper elementary grades early intervention program (4-5).....	1.7867 weight and 1 to 11 ratio
(7) Middle grades program (6-8)	1.0186 weight and 1 to 23 ratio
(8)(7) Middle school program (6-8) as defined in Code Section 20-2-290 ...	1.1310 weight and 1 to 20 ratio

(9) <u>(8)</u> High school general education program (9-12)	1.0000
	weight and 1 to 23 ratio
(40) <u>(9)</u> Career, technical, and agricultural education laboratory program (9-12).....	1.1916
	weight and 1 to 20 ratio
(44) <u>(10)</u> Program for persons with disabilities: Category I.....	2.3798
	weight and 1 to 8 ratio
(12) <u>(11)</u> Program for persons with disabilities: Category II	2.7883
	weight and 1 to 6.5 ratio
(43) <u>(12)</u> Program for persons with disabilities: Category III	3.5493
	weight and 1 to 5 ratio
(44) <u>(13)</u> Program for persons with disabilities: Category IV	5.7509
	weight and 1 to 3 ratio
(45) <u>(14)</u> Program for persons with disabilities: Category V	2.4511
	weight and 1 to 8 ratio

(16) (15) Program for intellectually gifted students: Category VI.....	1.6589 weight and 1 to 12 ratio
(17) (16) Remedial education program	1.3087 weight and 1 to 15 ratio
(18) (17) Alternative education program	1.4711 weight and 1 to 15 ratio
(19) (18) English for speakers of other languages (ESOL) program	2.5049 weight and 1 to 7 ratio

~~(b.1) Notwithstanding the provisions of subsection (b) of this Code section and the requirements of Code Section 20-2-290, beginning July 1, 2014, a nonvirtual middle school shall have the funding weight included in paragraph (8) of subsection (b) of this Code section for the middle school program, regardless of whether such middle school meets the requirements of Code Section 20-2-290."~~

SECTION 14.

Said chapter is further amended by revising Code Section 20-2-181, relating to calculation of program weights to reflect base school size, as follows:

"20-2-181.

The calculation of all program weights shall reflect a base size local school system of 3,300 full-time equivalent students. The calculation of program weights for the kindergarten program, the kindergarten early intervention program, the primary grades (1-3) early intervention program, the primary grades (1-3) program, the upper elementary grades (4-5) early intervention program, and the upper elementary grades (4-5) program shall reflect a base school size of 450 full-time equivalent students. The calculation of program weights for the ~~middle grades (6-8) program,~~ the middle school (6-8) program, the special education programs, the remedial education program, and the English for speakers of other languages program shall reflect a base school size of 624

full-time equivalent students. The calculation of ~~the~~ program weights for the high school general education program and the high school career, technical, and agricultural education laboratory program shall reflect a base school size of 970 full-time equivalent students. The calculation of program weights for the alternative education program shall reflect a base school size of 100 full-time equivalent students, except that the calculations for secretaries and media personnel shall reflect a base school size of 624 full-time equivalent students."

SECTION 15.

Said chapter is further amended by revising subsections (b) and (c) and paragraph (1) of subsection (i) of Code Section 20-2-182, relating to program weights to reflect funds for payment of salaries and benefits, as follows:

"(b) The program weights for the primary, primary grades early intervention, upper elementary, upper elementary grades early intervention, ~~middle grades~~, and middle school programs, when multiplied by the base amount, shall reflect sufficient funds to pay at least the beginning salaries of specialists qualified to teach art, music, foreign language, and physical education, subject to appropriation by the General Assembly.

(c) The program weights for the kindergarten, kindergarten early intervention, primary, primary grades early intervention, upper elementary, upper elementary grades early intervention, ~~middle grades~~, middle school, and alternative education programs and the program weights for the high school programs authorized pursuant to paragraph (4) of subsection (b) of Code Section 20-2-151, when multiplied by the base amount, shall reflect sufficient funds to pay the beginning salaries for at least one school counselor for every 450 full-time equivalent students. Beginning in Fiscal Year 2015 and thereafter, the program weights for the English for speakers of other languages program and the programs for persons with disabilities shall also earn school counselor funding. Further, beginning in Fiscal Year 2016 and thereafter, the program weights for the program for intellectually gifted students and the remedial education program shall also earn school counselor funding. The duties and responsibilities for such school counselors shall be established by the state board to require a minimum of five of the six full-time equivalent program count segments of the counselor's time to be spent counseling or advising students or parents."

"(i)(1) It is the intent of this paragraph to provide a clear expectation to parents and guardians as to the maximum number of students that may be in their child's classroom in kindergarten through eighth grade. Beginning with the 2006-2007 school year, for the following regular education programs, the maximum individual class size for mathematics, science, social studies, and language arts classes shall be:

- (A) Kindergarten program (without full-time aide)..... 18
- (B) Kindergarten program (with full-time aide) 20
- (C) Primary grades program (1-3) 21

(D) Upper elementary grades program (4-5) 28

(E) Middle ~~grades program (6-8) and middle school program (6-8) as defined in Code Section 20-2-290~~ 28

For school years 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 only, the system average maximum class size for each instructional program covered under this paragraph shall be the same as the maximum individual class size for each such program, and local boards of education shall be considered in compliance with this paragraph so long as the system average maximum class size is not exceeded; provided, however, that if the State Board of Education approves a blanket waiver or variance pursuant to subsection (h) of Code Section 20-2-244, such maximum individual class sizes shall be the system average maximum class sizes for purposes of this paragraph."

SECTION 16.

Said chapter is further amended by revising subsection (a) of Code Section 20-2-184.1, relating to funding for additional days of instruction, as follows:

"(a) The program weights for the kindergarten, kindergarten early intervention, primary, primary grades early intervention, upper elementary, upper elementary grades early intervention, ~~middle grades~~, middle school, and remedial programs and the program weights for the high school programs authorized pursuant to paragraph (4) of subsection (b) of Code Section 20-2-151, when multiplied by the base amount, shall reflect sufficient funds to pay the beginning salaries for instructors needed to provide 20 additional days of instruction for 10 percent of the full-time equivalent count of the respective program. Such funds shall be used for addressing the academic needs of low-performing students with programs including, but not limited to, instructional opportunities for students beyond the regular school day, Saturday classes, intersession classes, summer school classes, and additional instructional programs during the regular school day. Following the midterm adjustment, the state board shall issue allotment sheets for each local school system. Each local school system shall spend 100 percent of the funds designated for additional days of instruction for such costs at the system level, which may include transportation costs incurred for transporting students who are attending additional classes funded by these designated funds."

SECTION 17.

Said chapter is further amended by revising subsection (a) of Code Section 20-2-190, relating to professional development centered on state-wide strategic initiatives, as follows:

"(a) Subject to appropriations by the General Assembly, the State Board of Education shall provide professional development centered on state-wide strategic initiatives. Such strategic initiatives may include, but are not limited to, training on ~~the new common core curriculum content standards~~, support for under-performing educators, and mentoring programs in specific subject areas."

SECTION 18.

Reserved.

SECTION 19.

Said chapter is further amended by repealing and reserving Code Section 20-2-217, relating to professional and staff development stipends.

SECTION 20.

Said chapter is further amended by revising subsection (c) of Code Section 20-2-241, relating to the State School Superintendent, as follows:

"(c) The State School Superintendent shall have the authority to enter into contracts for the amount of \$50,000.00 or less on behalf of the Department of Education. The State School Superintendent may delegate to the chief financial officer the authority to execute such contracts on behalf of the State School Superintendent."

SECTION 21.

Said chapter is further amended by revising paragraph (1) of Code Section 20-2-242, relating to local school systems, local units of administration, and local governing bodies, as follows:

"(1) The instructional programs authorized pursuant to Part 3 of this article and the ~~uniformly sequenced core curriculum~~ content standards authorized pursuant to Part 2 of this article are fully and effectively implemented;"

SECTION 22.

Said chapter is further amended by adding a new Code section to read as follows:

"20-2-244.1.

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

(1) 'Student' means a student who is or was enrolled in a public school in this state.

(2) 'Substantial hardship' means a significant, unique, and demonstrable economic, technological, legal, or other type of hardship to the person requesting a variance or waiver which impairs the ability of the person to continue to function in the regulated practice or business.

(3) 'Variance' means a modification granted by the State Board of Education to all or part of the literal requirements of a rule to a person who is subject to the rule.

(4) 'Waiver' means a decision by the State Board of Education not to apply all or part of a rule to a person who is subject to the rule.

(b) Except as provided in subsection (f) of this Code section, the State Board of Education is authorized to grant a variance or waiver to a rule when a student subject to that rule demonstrates that the purpose of the underlying statute upon which the rule is based can be or has been achieved by other specific means which are agreeable to the person seeking the variance or waiver and that strict application of the rule would create a substantial hardship to such person.

(c) Except as provided in subsection (f) of this Code section, a student who is subject to regulation by a State Board of Education rule may file a petition with the state board requesting a variance or waiver from the state board's rule. In addition to any other requirements which may be imposed by the state board, each petition shall specify:

(1) The rule from which a variance or waiver is requested;

(2) The type of action requested;

(3) The specific facts of substantial hardship which would justify a variance or waiver for the petitioner, including the alternative standards which the person seeking the variance or waiver agrees to meet and a showing that such alternative standards will afford adequate protection for the public health, safety, and welfare; and

(4) The reason why the variance or waiver requested would serve the purpose of the underlying statute.

(d) The state board shall grant or deny a petition for variance or waiver in writing no later than 60 days after the receipt of the petition. The state board's decision to grant or deny the petition shall be in writing and shall contain a statement of the relevant facts and the reasons supporting the state board's action.

(e) The state board's decision to deny a petition for variance or waiver shall be subject to judicial review in accordance with Code Section 50-13-19. The validity of any variance or waiver which is granted by the state board may be determined in an action for declaratory judgment in accordance with Code Section 50-13-10.

(f) This Code section shall not apply, and no variance or waiver shall be sought or authorized, when a state board rule or regulation has been adopted or promulgated in order to implement or promote a federally delegated program.

(g) An aggregated report of all waivers granted pursuant to this Code section shall be prepared and shall contain a description of the waiver granted, including a detail of the variance from any rule or regulation, but shall not include any identifying information of the student.

(h) The State Board of Education shall not be subject to Code Section 50-13-9.1 with respect to petitions for variances or waivers of rules by students."

SECTION 23.

Said chapter is further amended in subsection (b) of Code Section 20-2-260, relating to capital outlay funds generally, by revising paragraph (3) and by adding a new paragraph as follows:

"(3) 'Capital outlay' includes, but is not necessarily limited to, expenditures which result in the acquisition of fixed assets, existing buildings, improvements to sites, construction of buildings, construction of additions to buildings, retrofitting of existing buildings for energy conservation, and initial and additional equipment and furnishings for educational facilities. This term also includes expenditures for computer equipment and operating system software for the school that is integral to the implementation of the school's curriculum, instruction, or administration."

"(9.1) 'Local school system' means any entity defined as a local educational agency by the Department of Education."

SECTION 24.

Said chapter is further amended by revising paragraph (3) of subsection (a) of Code Section 20-2-270.1, relating to services to member local school systems by regional educational service agencies, as follows:

"(3) Developing and implementing curricula and instruction of the highest quality possible, including implementing the uniformly sequenced core curriculum content standards adopted by the state board;"

SECTION 25.

Said chapter is further amended by revising Code Section 20-2-281, relating to assessment of effectiveness of educational programs, as follows:

"20-2-281.

(a) The State Board of Education shall adopt a student assessment program consisting of instruments, procedures, and policies necessary to implement the program and shall fund all costs of providing and scoring such instruments, subject to appropriation by the General Assembly. Each local school system may elect to administer, ~~with state funding,~~ nationally norm-referenced instruments in reading, mathematics, science, or social studies in grade three, four, or five and in grade six, seven, or eight, subject to available appropriations, with assistance to such school systems by the State Board of Education with regard to administration guidance, scoring, and reporting of such assessments. The State Board of Education shall review, revise, and upgrade the ~~quality core curriculum content standards.~~ Following the adoption of ~~this revised curriculum~~ such content standards, the State Board of Education shall contract for development of criterion-referenced competency tests to measure the ~~quality core curriculum content standards.~~ Such tests in English ~~and~~ language arts/reading and, mathematics, ~~and reading~~ shall be administered annually to students in grades three through eight. These tests may contain features that allow for comparability to other states with whom establishing such comparison would be statistically sound; provided, however, that no such comparison shall be conducted which would relinquish any measure of control over assessments to any individual or entity outside the state. This action shall be completed according to a schedule established by the State Board of Education. ~~A curriculum based assessment shall be administered in grade 11 for graduation purposes.~~ Writing assessments shall be administered to students ~~in grades three, five, eight, and 11~~ in grades designated by the State Board of Education as part of the English language arts/reading assessments. ~~The writing assessments shall provide students and their parents with performance outcome measures resulting from the administration of such tests.~~

(b) ~~The nationally normed assessments provided for in subsection (a) of this Code section shall provide students and their parents with grade equivalencies and percentile ranks which result from the administration of such tests.~~ Criterion-referenced tests ~~and the high school graduation test~~ provided for in subsection (a) of this Code section shall provide for results that reflect student achievement at the individual student, classroom, school, system, and state levels. The State Board of Education shall participate in the

National Assessment of Educational Progress (NAEP) and may participate in any other tests that will allow benchmarking this state's performance against national or international performance. The results of such testing shall be provided to the Governor, the General Assembly, and the State Board of Education and shall be reported to the citizens of Georgia. Further, the state board shall adopt a school readiness assessment for students entering first grade and shall administer such assessment pursuant to paragraph (2) of subsection (b) of Code Section 20-2-151. One of the components in the awarding of salary supplements as part of a pay for performance or related plan under this article may be assessments of student achievement.

(b.1) The State Board of Education shall notify local school systems and individual schools of the results of the assessment instruments administered under this Code section at the earliest possible date determined by the state board, but not later than the beginning of the subsequent school year. In the event the state board is unable to provide timely results in the first year of implementation of a substantially new assessment instrument, the provisions in paragraph (3) of subsection (b) of Code Section 20-2-283 shall not apply.

(c) The State Board of Education shall have the authority to condition the awarding of a high school diploma to a student upon achievement of satisfactory scores on instruments or tests adopted and administered by the state board pursuant to subsection (a) of this Code section. The state board is authorized and directed to adopt regulations providing that any disabled child, as defined by the provisions of this article, shall be afforded opportunities to take any test adopted by the state board as a condition for the awarding of a high school diploma. Said regulations shall further provide for appropriate accommodations in the administration of such test. Said regulations shall further provide for the awarding of a special education diploma to any disabled student who is lawfully assigned to a special education program and who does not achieve a passing score on said test or who has not completed all of the requirements for a high school diploma but who has nevertheless completed his or her Individualized Education Program.

(d)(1) The State Board of Education shall develop or adopt alternate assessments to be administered to ~~each student receiving special education services pursuant to Code Section 20-2-152 who does not receive instruction in the essential knowledge and skills identified in the quality core curriculum developed pursuant to Code Section 20-2-140~~ those students with significant cognitive disabilities, receiving special education services pursuant to Code Section 20-2-152, who cannot access the state adopted content standards without appropriate accommodations to those standards and for whom the assessment instruments adopted under ~~subsection~~ subsections (a) and (f) of this Code section, even with allowable ~~modifications~~ accommodations, would not provide an appropriate measure of student achievement, as determined by the student's Individualized Education Program team. ~~A student's Individualized Education Program may serve as an alternate assessment for that student.~~

- (2) A student's Individualized Education Program team shall determine appropriate participation in assessment and identify necessary accommodations in accordance with the federal Individuals with Disabilities Education Act and state board regulations.
- (e) The State Board of Education is authorized to adopt rules, regulations, policies, and procedures regarding accommodations and the participation of limited-English-proficient students, as defined in Code Section 20-2-156, in the assessments described in this Code section.
- (f) The State Board of Education shall adopt end-of-course assessments for students in grades nine through 12 for all core subjects to be determined by the state board. For those students with an Individualized Education Program, the student's Individualized Education Program team shall determine appropriate participation in assessments and identify necessary accommodations in accordance with the federal Individuals with Disabilities Education Act and state board regulations.
- (g) Under rules adopted by the State Board of Education, the Department of Education shall, subject to appropriations by the General Assembly, release some or all of the questions and answers to each criterion-referenced competency test administered under subsection (a) of this Code section and each end-of-course assessment administered under subsection (e) of this Code section after the last time the instrument is administered for a school year.
- (h) The State Board of Education, through the Department of Education, shall administer the end-of-course assessments for core subject areas as defined by state board policy. The state board shall promulgate a schedule for the development and administration of all end-of-course tests. By the 2015-2016 school year, the State Board of Education shall make all end-of-course assessments available online and shall establish rules and regulations to maximize the number of students and school systems utilizing such online assessments.
- (i) The Department of Education shall develop study guides for the criterion-referenced tests and end-of-course assessments administered pursuant to subsections (a) and (f) of this Code section. Each school system shall distribute the study guides to students who do not perform satisfactorily on one or more parts of an assessment instrument administered under this Code section and to the parents or guardians of such students.
- (j)(1) The high school graduation test provided for in subsection (a) of this Code section shall continue in effect until all high school core subject end-of-course assessments have been developed and implemented, at which time the state board shall discontinue the test according to a schedule to be determined by the state board.
- (2) The State Board of Education shall adopt rules and regulations requiring the results of core subject end-of-course assessments to be included as a factor in a student's final grade in the core subject course for which the end-of-course assessment is given.
- (k)(4) In addition to the assessment instruments adopted by the State Board of Education and administered by the Department of Education, a local school system may adopt and administer criterion-referenced or norm-referenced assessment

instruments, or both, at any grade level. Such locally adopted assessment instruments may not replace the state's adopted assessment instruments for purposes of state accountability programs, except as otherwise provided in paragraph (2) of this subsection. A local school system shall be responsible for all costs and expenses incurred for locally adopted assessment instruments. Students with Individualized Education Programs must be included in the locally adopted assessments or provided an alternate assessment in accordance with the federal Individuals with Disabilities Education Act.

~~(2) The State Board of Education shall have the authority to grant waivers until Fiscal Year 2003 to local boards of education exempting said boards from the administration of the state criterion referenced competency tests at any or all of the subject areas and grade levels for which the local board of education implements a locally developed criterion referenced competency test or tests based on the Quality Core Curriculum which increases the expectations for student achievement beyond that of the applicable state criterion referenced competency test or tests and meets all other requirements of this Code section, including reliability and validity requirements, with the exception of subsection (g) of this Code section. Local boards of education with such waivers shall submit to the State Board of Education school and local school system score reports of the locally developed criterion referenced competency tests.~~

(l) In adopting academic skills assessment instruments under this Code section, the State Board of Education or local school system shall ensure the security of the instruments in their preparation, administration, and scoring. Notwithstanding any other provision of law, meetings or portions of meetings held by the state board or a local board of education at which individual assessment instruments or assessment instrument items are discussed or adopted shall not be open to the public, and the assessment instruments or assessment instrument items shall be confidential.

(m) The results of individual student performance on academic skills assessment instruments administered under this Code section shall be confidential and may be released only in accordance with the federal Family Educational Rights and Privacy Act of 1974, 20 U.S.C. Section 1232g.

(n) Overall student performance data shall be disaggregated by ethnicity, sex, socioeconomic status, disability, language proficiency, grade level, subject area, school, system, and other categories determined by policies established by the Office of Student Achievement.

(o) Student performance data shall be made available to the public, with appropriate interpretations, by the State Board of Education, the Office of Student Achievement, and local school system. The information made available to the public shall not contain the names of individual students or teachers.

(p) Teachers in grades one through 12 shall be offered the opportunity to participate annually in a staff development program on the use of tests within the instructional program designed to improve students' academic achievement. This program shall instruct teachers on curriculum alignment related to tests, disaggregated student test

data to identify student academic weaknesses by subtests, and other appropriate applications as determined by the State Board of Education.

(q) The State Board of Education shall consider the passage by a student of an industry certification examination or a state licensure examination which is approved by the State Board of Education when considering whether to grant such student a variance for one or more portions of the high school graduation test required by the State Board of Education pursuant to subsection (a) of this Code section in order to obtain a Georgia high school diploma; provided, however, that the state board shall not grant a variance to a student unless the student has attempted and failed to pass the relevant portion of the high school graduation test at least four times."

SECTION 26.

Said chapter is further amended by revising Code Section 20-2-290, relating to organization of schools, middle school programs, and schedule, as follows:

"20-2-290.

(a)~~(4)~~ The board of education of any local school system is authorized to organize or reorganize the schools and fix the grade levels to be taught at each school in its jurisdiction. ~~Schools which house grades six, seven, or eight, or any combination thereof, shall qualify for the middle school program for students; provided, however, that such schools also meet all other provisions of this Code section and criteria and standards prescribed by the State Board of Education. Further, two or more adjacent local school systems shall qualify for the middle school program if through their contractual arrangement they jointly meet the requirements of this Code section and the criteria and standards prescribed by the state board.~~

~~(2)~~(b) The board of education of any local school system shall be authorized to employ school administrative managers in lieu of or in addition to assistant principals. Such school administrative managers shall not be required to be certificated by the Professional Standards Commission but shall have such qualifications as determined by the local board with a minimum requirement of a bachelor's degree. The duties of school administrative managers shall be to oversee and manage the financial and business affairs of the school. The principal shall retain authority over the curriculum and instructional areas. The school administrative manager shall report directly to the principal. In the event that a local board considers hiring or utilizing school administrative managers pursuant to this subsection, it shall receive and give all due consideration to recommendations by the school council as to whether or not to utilize such position and as to selection of the manager. Existing employees of the local board shall be eligible to serve as school administrative managers if they meet other qualifications and requirements established by the local board for such position. For purposes of earning funds for such positions, school administrative managers shall be treated in all respects the same as assistant principals.

~~(b) Local boards of education shall schedule each middle school so as to provide the following:~~

~~(1) A minimum of five hours of instruction in English and language arts, reading, mathematics, science, social studies, and such other academic subjects as the State Board of Education shall prescribe;~~

~~(2) Beyond the minimum of five hours of academic instruction, the local board shall have the authority to schedule for the remainder of the day such academic or exploratory classes as the State Board of Education shall prescribe; provided, however, that a student shall be allowed to take additional academic classes instead of exploratory classes if the parent or guardian of such a student requests such assignment, subject to availability; and~~

~~(3) An interdisciplinary team of academic teachers with common planning time of a minimum of 55 minutes.~~

~~(e) Local school systems shall comply with subsection (b) of this Code section in order to qualify for the middle school program.~~

~~(d) If a local school system has a combination of qualified and nonqualified schools, it shall qualify for the middle school program only for those students counted in the full-time equivalent count for the middle school program in qualified middle schools."~~

SECTION 27.

Said chapter is further amended by revising subsection (a) of Code Section 20-2-306, relating to honors program and residential high school program, as follows:

"(a) ~~The State Board of Education~~ Office of Student Achievement is authorized to ~~inaugurate~~ continue and administer an honors program for students in the public and private high schools of this state and for resident students who attend a home ~~school~~ study program who have manifested exceptional abilities or unique potentials or who have made exceptional academic achievements. This program shall be conducted during summer months between normal school year terms at institutions of higher learning or other appropriate centers within this state with facilities adequate to provide challenging opportunities for advanced study and accomplishments by such students. The student honors program shall be implemented and operated in accordance with criteria established by the ~~state board~~ Office of Student Achievement, and operating costs shall be paid by the ~~state board~~ Office of Student Achievement from funds made available for this purpose by the General Assembly. The ~~state board~~ Office of Student Achievement is authorized to enter into cooperative agreements with the Board of Regents of the University System of Georgia for operating and sharing the costs of such programs."

SECTION 28.

Said chapter is further amended by revising Code Section 20-2-314, relating to development of rape prevention, personal safety education, and teen dating violence prevention program, as follows:

"20-2-314.

The State Board of Education shall develop, with input from appropriate experts, such as rape crisis centers and family violence shelters, a rape prevention and personal safety

education program and a program for preventing teen dating violence for grade eight through grade 12 which are consistent with the ~~core-curriculum~~ content standards provided for in Code Section 20-2-140. Local boards may implement such programs at any time and for any grade level local boards find appropriate, and the state board shall encourage the implementation of such programs. In addition, the state board shall make information regarding such programs available to the Board of Regents of the University System of Georgia."

SECTION 29.

Said chapter is further amended by revising subsection (j) of Code Section 20-2-315, relating to the prohibition of gender discrimination, as follows:

"(j) The Department of Education shall may publish an annual report of local school systems to include information regarding expenditures and participation rates for each gender and such other information as the state board and department deem relevant."

SECTION 30.

Said chapter is further amended by revising Code Section 20-2-319.1, relating to the Georgia Virtual School, as follows:

"20-2-319.1.

(a) The State Board of Education is authorized to establish the Georgia Virtual School whereby students may enroll in ~~state-funded~~ courses via the Internet or in any other manner not involving on-site interaction with a teacher. Any Georgia student who is age 21 or younger shall be eligible to enroll in the Georgia Virtual School, ~~at no cost to the student~~. The State Board of Education is authorized to promulgate rules and regulations pertaining to the Georgia Virtual School. Such rules and regulations, if established, shall include, at a minimum, a process for students to enroll in Georgia Virtual School courses and a process whereby a student's grade in the course is reported on the student's transcript. All teachers who provide instruction through the Georgia Virtual School shall be certified by the Professional Standards Commission. A local school system shall not prohibit any student from taking a course through the Georgia Virtual School, regardless of whether the school in which the student is enrolled offers the same course.

(b)(1) The department is authorized to establish a Georgia Virtual School grant account with funds appropriated by the General Assembly. The department shall use funds from ~~this~~ such grant account to pay for costs associated with the Georgia Virtual School incurred by the department, including, but not limited to, actual costs associated with the maintenance of the Georgia Virtual School, such as new course development, credit recovery, blended learning training, and operating a ~~clearinghouse~~ clearing-house, and costs for tuition, materials, and fees for courses taken through the Georgia Virtual School by students in home study programs or private schools in this state.

(2) The local school system shall pay to the department costs for tuition, materials, and fees directly related to the approved course taken by a student in its school system

through the Georgia Virtual School; provided, however, that in no event shall the amount of tuition charged to and paid by the local school system on behalf of such student exceed \$250.00 per student per semester course; and provided, further, that if a student participates in courses through the Georgia Virtual School that are in excess of the maximum number of courses a student may be enrolled in during a school day, such student shall be subject to the cost of tuition not to exceed \$250.00 per student per semester course.

(3) Students in home study programs and private schools in this state may enroll in courses through the Georgia Virtual School at no cost, if appropriations are provided for such purpose in accordance with paragraph (1) of this subsection. If appropriations are not provided or if appropriations are provided but have been expended for such purpose, students in home study programs and private schools in this state may enroll in courses through the Georgia Virtual School based on availability of slots; provided, however, that such students shall be subject to the cost of tuition not to exceed \$250.00 per student per semester course.

(c) The Georgia Virtual School shall not be considered a school for purposes of Article 2 of Chapter 14 of this title."

SECTION 31.

Said chapter is further amended by revising paragraph (2) of subsection (b) of Code Section 20-2-319.3, relating to the online clearing-house of interactive distance learning courses, as follows:

"(2) 'Clearing-house' means the clearing-house established pursuant to subsection ~~(b)~~(c) of this Code section."

SECTION 32.

Said chapter is further amended by revising Code Section 20-2-319.4, relating to virtual instruction programs, notice of opportunities, mechanisms for compliance, approved providers, approval status, and curriculum plan, as follows:

"20-2-319.4.

(a) Beginning with the 2013-2014 school year, each local school system shall provide opportunities to all students in grades three through 12 enrolled in public schools within its boundaries for participation in part-time and full-time virtual instruction program options. Written notice of such opportunities, including an open enrollment period for full-time students of at least 90 days and not ending earlier than 30 days prior to the first day of the school year, shall be provided directly to parents of all students. The purpose of the program shall be to make quality virtual instruction available to students using online and distance learning technology in the nontraditional classroom. The program shall provide at least three options for:

- (1) Full-time virtual instruction for students enrolled in grades three through 12; and
- (2) Part-time virtual instruction for students enrolled in grades three through 12.

A virtual instruction program conducted by a local school system shall include specific ~~provision~~ provisions for at least two full-time options and one part-time option for

students enrolled in dropout prevention and academic intervention programs or Department of Juvenile Justice education programs under Code Section 20-2-133.

(b) To provide students with the option of participating in virtual instruction programs as required by subsection (a) of this Code section, a local school system may apply one or all of the following mechanisms:

(1) Facilitate enrollment in the Georgia Virtual School established pursuant to Code Section 20-2-319.1;

(2) Facilitate enrollment in one or more courses pursuant to the clearing-house established pursuant to Code Section 20-2-319.3;

~~(2)(3) Enter into a contract with an approved a provider under subsection (c) of this Code section for the provision of a full-time program under paragraph (1) of subsection (a) of this Code section or a part-time program under paragraph (2) of subsection (a) of this Code section; or~~

~~(3)(4) Enter into an agreement with another local school system or systems to allow the participation of its students in an approved virtual instruction program provided by such other local school system or systems. The agreement shall indicate a process for the transfer of funds.~~

Contracts and agreements entered into pursuant to paragraph ~~(2)(3)~~ or ~~(3)(4)~~ of this subsection may include multidistrict contractual arrangements that may be executed by a regional educational service agency for its member school systems.

~~(c) The department shall annually provide local school systems with a list of providers approved to offer virtual instruction programs. To be approved by the department, a provider shall document that it:~~

~~(1) Possesses prior, successful experience offering online courses to elementary, middle, or high school students, as demonstrated through quantified student performance improvements for each subject area and grade level provided for consideration as instructional program options;~~

~~(2) Assures instructional and curricular quality through a detailed curriculum and student performance accountability plan that addresses every subject and grade level intended for provision within local school system contracts, including:~~

~~(A) Courses and programs that meet the nationally recognized standards for K-12 online learning;~~

~~(B) Instructional content and services that align with and measure student attainment of proficiency in the state approved curriculum; and~~

~~(C) Mechanisms that determine and ensure that a student has satisfied requirements for grade level promotion and high school graduation with a standard diploma, as appropriate; and~~

~~(3) Publishes, in accordance with disclosure requirements adopted by the State Board of Education, for the general public, as part of its application as a provider, and in all contracts negotiated pursuant to this Code section:~~

~~(A) Information and data about each full time and part time program regarding its curriculum;~~

~~(B) School policies and procedures;~~

- ~~(C) Certification status of all administrative and instructional personnel;~~
 - ~~(D) Teacher student ratios;~~
 - ~~(E) Student completion and promotion rates; and~~
 - ~~(F) Student, educator, and school performance accountability outcomes.~~
- ~~(d) An approved provider shall retain its approved status for a period of five years after the date of the department's approval pursuant to subsection (c) of this Code section as long as the provider continues to comply with all requirements of this Code section; provided, however, that each provider approved by the department for the 2013 2014 school year shall reapply for approval to provide a part time program for students in grades three through 12.~~
- ~~(e)(c) Each contract entered into pursuant to paragraph (3) of subsection (b) of this Code section with an approved a provider shall at a minimum set forth a detailed curriculum plan that illustrates how students will be provided services for, and be measured for attainment of, proficiency in state curriculum requirements for content standards for each grade level and subject."~~

SECTION 33.

Said chapter is further amended by repealing Code Section 20-2-319.5, relating to report on assisting local boards of education in acquiring digital learning, and designating said Code section as reserved.

SECTION 34.

Said chapter is further amended by revising paragraph (5) of Code Section 20-2-326, relating to definitions relative to the "Building Resourceful Individuals to Develop Georgia's Economy Act," as follows:

"(5) 'Focused program of study' means a rigorous academic core combined with a focus in mathematics and science; a focus in humanities, fine arts, and foreign language; or a coherent sequence of career pathway courses that is aligned with graduation requirements established by the State Board of Education and ~~curriculum requirements~~ content standards established pursuant to Part 2 of this article that prepares a student for postsecondary education or immediate employment after high school graduation."

SECTION 35.

Said chapter is further amended by revising paragraph (1) of Code Section 20-2-329, relating to requirements for high schools that receive a reform grant, as follows:

"(1) Provide focused programs of study which are designed to provide a well-rounded education for students by fostering artistic creativity, critical thinking, and self-discipline through the teaching of academic content, knowledge, and skills that students will use in the workplace, further education, and life. The focused programs of study, whether provided at a choice technical high school, a college and career academy, a traditional high school, or on site at a technical school or college or a public college or university, shall be aligned with graduation requirements established

by the State Board of Education and ~~curriculum requirements~~ content standards established pursuant to Part 2 of this article, including, at a minimum, four years of mathematics, Algebra I and higher, and four years of English, with an emphasis on developing reading and writing skills to meet college and career readiness standards;"

SECTION 36.

Said chapter is further amended by revising subsection (c) of Code Section 20-2-690, relating to educational entities and requirements for private schools and home study programs, as follows:

"(c) Parents or guardians may teach their children at home in a home study program which meets the following requirements:

(1) The parent, parents, or guardian must submit within 30 days after the establishment of a home study program and by September 1 annually thereafter a declaration of intent to utilize a home study program to the Department of Education, which shall provide for written or electronic submittal of such declaration of intent;

(2) The declaration shall include a list of the names and ages of the students who are enrolled in the home study program, the address where the home study program is located, the local school system in which the home study program is located, and a statement of the 12 month period that is to be considered the school year for that home study program. Enrollment records and reports shall not be used for any purpose except providing necessary enrollment information, except with the permission of the parent or guardian of a child, or pursuant to the subpoena of a court of competent jurisdiction;

(3) Parents or guardians may teach only their own children in the home study program, provided the teaching parent or guardian possesses at least a high school diploma or a general educational development diploma, but the parents or guardians may employ a tutor who holds a high school diploma or a general educational development diploma to teach such children;

(4) The home study program shall provide a basic academic educational program which includes, but is not limited to, reading, language arts, mathematics, social studies, and science;

(5) The home study program must provide instruction each 12 months to home study students equivalent to 180 school days of education with each school day consisting of at least four and one-half school hours unless the child is physically unable to comply with the rule provided for in this paragraph;

(6) The parent or guardian shall have the authority to execute any document required by law, rule, regulation, or policy to evidence the enrollment of a child in a home study program, the student's full-time or part-time status, the student's grades, or any other required educational information. This shall include, but not be limited to, documents for purposes of verification of attendance by the Department of Driver Services, for the purposes set forth in subsection (a.1) of Code Section 40-5-22, documents required pursuant to Chapter 2 of Title 39 relating to employment of

minors, and any documents required to apply for the receipt of state or federal public assistance;

(7) Students in home study programs shall be subject to an appropriate nationally standardized testing program administered in consultation with a person trained in the administration and interpretation of norm reference tests to evaluate their educational progress at least every three years beginning at the end of the third grade and records of such tests and scores shall be retained but shall not be required to be submitted to public educational authorities; and

(8) The home study program instructor shall write an annual progress assessment report which shall include the instructor's individualized assessment of the student's academic progress in each of the subject areas specified in paragraph (4) of this subsection, and such progress reports shall be retained by the parent, parents, or guardian of children in the home study program for a period of at least three years."

SECTION 37.

Said chapter is further amended by revising subsection (b) of Code Section 20-2-892, relating to contributions by employees, state, and local employers and withholding or deducting employees' contributions for health insurance for public school teachers, as follows:

"(b) As the local employer's share, the local employer shall contribute to the health insurance fund such portion of the cost of such benefits as may be established by the Governor and the board and, in addition thereto, an amount to be established by the board to defray the cost of administration. The board shall determine whether such portion shall be determined based upon a percentage of the total outlay for the salaries of teachers employed by the local employer or determined on an amount per employee electing coverage under the plan based on the coverage elected, in accordance with the appropriation of funds. If a local employer fails to remit the employer's share as calculated by the commissioner, as provided in this Code section, it shall be the duty of the commissioner to notify the State Board of Education of such failure and it shall be the duty of the State Board of Education to, with reasonable promptness, withhold from the employer which has failed to comply all appropriations allotted to such employer until such employer has fully complied with the provisions of this Code section by making remittance of the sums required sufficient state funds as calculated by the commissioner to fully satisfy the outstanding obligation of the local employer to the health insurance fund. Such withheld funds shall be promptly transmitted by the state board to the Department of Community Health."

SECTION 38.

Said chapter is further amended by revising subsection (b) of Code Section 20-2-920, relating to withholding or deducting employees' contributions for health insurance for public school employees, as follows:

"(b) The Department of Education and local school systems shall contribute to the health insurance fund such portion of the costs of such benefits as may be established

by the board to maintain the employee contributions consistent with other health insurance plans administered by the board. In the event that the commissioner shall determine that a local employer has failed to contribute the full amount of such portion, as calculated by the commissioner, it shall be the duty of the commissioner to notify the State Board of Education of such failure and it shall be the duty of the State Board of Education to, with reasonable promptness, withhold from the employer which has failed to comply ~~all appropriations allotted to such employer until such employer has fully complied with the provisions of this Code section by making remittance of the sums required~~ sufficient state funds as calculated by the commissioner to fully satisfy the outstanding obligation of the local employer to the health insurance fund. Such withheld funds shall be promptly transmitted by the state board to the Department of Community Health."

SECTION 39.

Said chapter is further amended by revising subsection (b) of Code Section 20-2-942, relating to procedure for nonrenewal after acceptance by teacher of school year contract for fourth consecutive school year, as follows:

"(b)(1) A teacher who accepts a school year contract for the fourth consecutive school year from the same local board of education may be demoted or the teacher's contract may not be renewed only for those reasons set forth in subsection (a) of Code Section 20-2-940.

(2) In order to demote or fail to renew the contract of a teacher who accepts a school year contract for the fourth or subsequent consecutive school year from the same local board of education, the teacher must be given written notice of the intention to demote or not renew the contract of the teacher. Such notice shall be given by certified mail or statutory overnight delivery as provided in subsection (c) of Code Section 20-2-940. Such notice shall contain a conspicuous statement in substantially the following form:

You have the right to certain procedural safeguards before you can be demoted or dismissed. These safeguards include the right to notice of the reasons for the action against you and the right to a hearing. If you desire these rights you must send to the school superintendent by certified mail or statutory overnight delivery a statement that you wish to have a hearing; and such statement must be mailed to the school superintendent within 20 days after this notice was mailed to you. Your rights are governed by subsection (b) of Code Section 20-2-211, Code Section 20-2-940, and Code Sections 20-2-942 through 20-2-947, and a copy of this law is enclosed.

A copy of subsection (b) of Code Section 20-2-211, Code Section 20-2-940, this Code section, and Code Sections 20-2-943 through 20-2-947 shall be enclosed with the notice. A teacher who is so notified that he or she is to be demoted or that his or her contract will not be renewed has the right to the procedures set forth in subsections (b) through (f) of Code Section 20-2-940 before the intended action is taken. A teacher who has the right to these procedures must serve written notice on the superintendent

of the local board employing the teacher within 20 days of the day the notice of the intended action is served that he or she requests a hearing. In order to be effective, such written notice that the teacher requests implementation of such procedures must be served by certified mail or statutory overnight delivery as provided in subsection (c) of Code Section 20-2-940. Within 14 days of service of the request to implement the procedures, the local board must furnish the teacher a notice that complies with the requirements of subsection (b) of Code Section 20-2-940.

(3) A teacher is deemed to have accepted a fourth consecutive school year contract if, while the teacher is serving under the third consecutive school year contract, the local board does not serve notice on the teacher by ~~April 15~~ May 15 that it intends not to renew the teacher's contract for the ensuing school year, and the teacher does not serve notice in writing on the local board of education by ~~May 1~~ June 1 of the third consecutive school year that he or she does not accept the fourth consecutive school year contract.

(4) A teacher who has satisfied the conditions set forth in paragraph (1) of this subsection who is subsequently employed by another local board of education and who accepts a second consecutive school year contract from the local board at which the teacher is subsequently employed may be demoted or the teacher's contract may not be renewed only for those reasons set forth in subsection (a) of Code Section 20-2-940. The provisions set forth in paragraph (2) of this subsection shall likewise apply to such a teacher.

(5) A teacher is deemed to have accepted a second consecutive school year contract if, while the teacher is serving under the first school year contract, the local board does not serve notice on the teacher by ~~April 15~~ May 15 that it intends not to renew the teacher's contract for the ensuing school year, and the teacher does not serve notice in writing on the local board of education by ~~May 1~~ June 1 of the first school year that he or she does not accept the second consecutive school year contract.

(6) Local boards shall make contract offers available to teachers for a minimum ten-day review period. A teacher accepts the contract by signing and returning it any time during the ten-day period.

(7)(A) Professional certificated personnel employed by a county or independent local school system that becomes consolidated with or merged into another county or independent local school system as provided in Article 8 of this chapter or otherwise shall retain their employment, except as provided in subparagraph (B) of this paragraph, in the newly created, or surviving, school system. Said professional certificated personnel shall retain and carry over all the rights already accrued and earned in the professional certificated personnel's prior school system and as set forth in this paragraph.

(B) Any reductions in staff due to loss of students or cancellation of programs in the newly created, or surviving, school system necessitated by the consolidation or merger shall be made first in preference of retaining professional certificated personnel on the basis of uniformly applied criteria set forth in local school board policies of the newly created, or surviving, school system."

SECTION 40.

Said chapter is further amended by revising subsection (b) of Code Section 20-2-1160, relating to local board tribunals to determine school law controversies, appeals, and special provisions for disabled children, as follows:

"(b) Any party aggrieved by a decision of the local board rendered on a contested issue after a hearing shall have the right to appeal therefrom to the State Board of Education. The appeal shall be in writing and shall distinctly set forth the question in dispute, the decision of the local board, and a concise statement of the reasons why the decision is complained of; and the party taking the appeal shall also file with the appeal a transcript of testimony certified as true and correct by the local school superintendent. The appeal shall be filed with the superintendent within 30 days of the decision of the local board, and within ten days thereafter it shall be the duty of the superintendent to transmit a copy of the appeal together with the transcript of evidence and proceedings, the decision of the local board, and other matters in the file relating to the appeal to the state board. The state board shall adopt regulations governing the procedure for hearings before the local board and proceedings before it. The state board may affirm, reverse, or remand the local board decision or may refer the matter to mediation."

SECTION 41.

Said chapter is further amended by adding a new paragraph to Code Section 20-2-2062, relating to definitions, to read as follows:

"(1.2) 'Charter authorizer' or 'authorizer' means the State Board of Education, the State Charter Schools Commission, or a local board of education in this state authorized to approve or deny charter petitions pursuant to this article or Article 31A."

SECTION 42.

Said chapter is further amended by adding new subsections to Code Section 20-2-2063, relating to charter petitions, to read as follows:

"(e) The State Board of Education shall establish rules, regulations, policies, and procedures to provide a separate and expedited petition process for high-performing charter schools to replicate, renew, or expand their school design. Such rules, regulations, policies, and procedures shall require the charter school replication, renewal, or expansion petition to contain evidence of academic success for the school design that the charter school petitioner intends to replicate, renew, or expand, along with proof that the petitioner has the financial and human resources necessary to replicate, renew or expand the design successfully.

(f) The state board shall establish annual application deadlines of May 1 and November 1 for charter petitioners to submit charter petitions to a local board of education and concurrently to the state board."

SECTION 42A.

Said chapter is further amended by revising Code Section 20-2-2064, relating to approval or denial of petitions, as follows:

"20-2-2064.

(a) A charter petitioner seeking to create a conversion charter school must submit a petition to the local board of the local school system in which the proposed charter school will be located and concurrently to the state board. The local board must by a majority vote approve or deny a petition no later than 90 days after its submission unless the petitioner requests an extension; provided, however, that a denial of a petition by a local board shall not preclude the submission to the local board of a revised petition that addresses deficiencies cited in the denial; and provided, further, that the local board shall not act upon a petition for a conversion charter school, including, but not limited to, a conversion charter for a high school cluster, until such petition:

(1)(A) Has been freely agreed to, by secret ballot, by a majority of the faculty and instructional staff members of the petitioning local school at a public meeting called with two weeks' advance notice for the purpose of deciding whether to submit the petition to the local board for its approval; and

(B) Has been freely agreed to, by secret ballot, by a majority of the parents or guardians of students enrolled in the petitioning local school present at a public meeting called with two weeks' advance notice for the purpose of deciding whether to submit the petition to the local board for its approval; or

(2) If for a high school cluster, has been approved by a majority of the school councils in the high school cluster and has been freely agreed to, by secret ballot, by at least 60 percent of the combined vote of the faculty and instructional staff members of the high school cluster and the parents or guardians of students who reside in the attendance zone of such high school cluster present at a public meeting called with two weeks' advance notice for the purpose of deciding whether to submit the petition to the local board for its approval. Each school council within the high school cluster shall appoint two representatives to a committee that shall conduct the vote.

This subsection shall not apply to a system charter school petitioning to be a conversion charter school.

(b) A charter petitioner seeking to create a start-up charter school must submit a petition to the local board of the local school system in which the proposed charter school will be located and concurrently to the state board. The local board must by a majority vote approve or deny a petition no later than 90 days after its submission unless the petitioner requests an extension. A denial of a petition by a local board shall not preclude the submission to the local board of a revised petition that addresses deficiencies cited in the denial.

(c) A system charter school's school council or governing council, as applicable, may petition to become a conversion charter school. The petition shall be submitted to the local board of the charter system in which the school is located and concurrently to the state board. The local board must by a majority vote approve or deny a petition no later

than 90 days after its submission unless the petitioner requests an extension; provided, however, that a denial of a petition by a local board shall not preclude the submission to the local board and concurrently to the state board of a revised petition that addresses deficiencies cited in the denial.

(d) A local board shall approve a petition that complies with the rules, regulations, policies, and procedures promulgated in accordance with Code Section 20-2-2063 and the provisions of this title and is in the public interest. If a local board denies a petition, it must within 60 days of such denial specifically state the reasons for the denial, list all deficiencies with respect to Code Section 20-2-2063, and provide a written statement of the denial to the charter petitioner and the state board.

(e) The state board or the Charter Advisory Committee, if directed by the state board to do so, may mediate between the local board and a charter petitioner whose petition was denied to assist in resolving issues which led to denial of the petition by the local board."

SECTION 42B.

Said chapter is further amended by revising Code Section 20-2-2064.1, relating to review of charter by state board and charters for state chartered special schools, as follows:

"20-2-2064.1.

(a) Prior to approval or denial of a charter petition under this Code section, the state board shall receive and give all due consideration to the recommendation and input from the Charter Advisory Committee established in Code Section 20-2-2063.1.

(b) The state board shall approve the charter of a charter petitioner if the petition has been approved by the local board of the local school system in which the proposed charter school will be located and the state board finds, after receiving input from the Charter Advisory Committee, that the petition complies with the rules, regulations, policies, and procedures promulgated in accordance with Code Section 20-2-2063 and the provisions of this title and is in the public interest. The state board shall approve or deny a petition that has been approved by such local board no later than 210 days after such petition was originally submitted to the local board and concurrently to the state board pursuant to Code Section 20-2-2064. If the state board denies a petition, it must within 60 days of such denial specifically state the reasons for the denial, list all deficiencies with regard to Code Section 20-2-2063, and provide a written statement of the denial to the charter petitioner and to the local board. If the state board approves a petition, the charter shall be executed by the state board, local board, and charter petitioner no later than 240 days after such petition was originally submitted to the local board and concurrently to the state board pursuant to Code Section 20-2-2064.

(c) No application for a state chartered special school may be made to the state board by a petitioner for a conversion charter school that has been denied by a local board. Upon denial of a petition for a start-up charter school by a local board and upon application to the state board by the petitioner, the state board shall approve the charter of a start-up charter petitioner for a state chartered special school if the state board finds, after receiving input from the Charter Advisory Committee, that such petition

meets the requirements set forth in Code Section 20-2-2063 and the provisions of this title, and is in the public interest. The state board shall approve or deny a petition for a state chartered special school no later than 210 days after such petition was originally submitted to the local board and concurrently to the state board pursuant to Code Section 20-2-2064. If the state board approves a petition, the charter for a state chartered special school shall be executed by the state board and the charter petitioner no later than 240 days after such petition was originally submitted to the local board and concurrently to the state board pursuant to Code Section 20-2-2064."

SECTION 43.

Said chapter is further amended by adding a new Code section to read as follows:

"20-2-2064.2.

(a) The General Assembly finds that:

(1) A quality charter authorizer engages in responsible oversight of charter schools by ensuring that schools have both the autonomy to which they are entitled and the public accountability for which they are responsible; and

(2) Charter authorizers should be guided by the following three core principles of charter authorizing:

(A) Maintain high standards for charter schools;

(B) Uphold charter school autonomy; and

(C) Protect student and public interests.

(b) To solicit, encourage, and guide the development of quality charter school petitions, the State Board of Education shall establish rules, regulations, policies, and procedures requiring every charter authorizer that oversees a charter school or that has received a charter petition to develop and annually publish a policy statement based on national best practices.

(c) A charter authorizer's petition review process shall include thorough evaluation of each written charter petition, an in-person interview with the petitioner, and an opportunity in a public meeting for local residents or other interested persons to provide comment; provided, however, that if a charter petition has serious defects as determined by the charter authorizer, the charter authorizer shall not be required to conduct the interview or hold the public meeting until such time as the defects are resolved.

(d) An authorizer shall monitor the performance and legal compliance of the charter schools it oversees, including collecting and analyzing data to support ongoing evaluation according to the charter. Every authorizer shall have the authority to conduct or require oversight activities that enable the authorizer to fulfill its responsibilities, including conducting appropriate inquiries and investigations, so long as those activities adhere to the terms of the charter and do not unduly inhibit the autonomy granted to charter schools.

(e) In the event that a charter school's performance or legal compliance appears unsatisfactory, the authorizer shall promptly notify the charter school in writing of the perceived problem and provide reasonable opportunity for the charter school to remedy

the problem, unless the problem warrants termination in which case provisions of Code Section 20-2-2068 or 20-2-2083 and the terms of the charter apply.

(f) The state board shall identify the charter authorizers that fail to satisfy the requirements of subsections (b) through (e) of this Code section, along with relevant information on the charter authorizer's charter school portfolio, in its annual report to the General Assembly pursuant to Code Section 20-2-2070."

SECTION 44.

Said chapter is further amended by revising Code Section 20-2-2066, relating to admission, enrollment, and withdrawal of students, as follows:

"20-2-2066.

(a) A local charter school shall enroll students in the following manner:

(1)(A) A start-up charter school shall enroll any student who resides in the charter attendance zone as specified in the charter and who submits a timely application as specified in the charter unless the number of applications exceeds the capacity of a program, class, grade level, or building. In such case, all such applicants shall have an equal chance of being admitted through a random selection process unless otherwise prohibited by law; provided, however, that a start-up charter school may give enrollment preference to applicants in any one or more of the following categories in the order of priority specified in the charter:

(i) Students who reside in a specified political subdivision within the charter attendance zone. For purposes of this division, the term 'political subdivision' means a local school system, county, municipal corporation, consolidated city-county government, or other political subdivision of the state created by or pursuant to the Constitution of Georgia or any general, local, or special Act of the General Assembly or any community improvement district of the state;

~~(i)~~(ii) A sibling of a student enrolled in the start-up charter school;

~~(ii)~~(iii) A sibling of a student enrolled in another local school designated in the charter;

~~(iii)~~(iv) A student whose parent or guardian is a member of the governing board of the charter school or is a full-time teacher, professional, or other employee at the charter school;

~~(iv)~~(v) Students matriculating from a local school designated in the charter; and

~~(v)~~(vi) Children who matriculate from a pre-kindergarten program which is associated with the school, including, but not limited to, programs which share common facilities or campuses with the school or programs which have established a partnership or cooperative efforts with the school; and

(B) A conversion charter school shall enroll any student who resides in the attendance zone specified in the charter and who submits a timely application as specified in the charter. If the number of applying students who reside in the attendance zone does not exceed the capacity as specified in the charter, additional students shall be enrolled based on a random selection process; provided, however,

that enrollment preferences may be given to applicants in any one or more of the following categories in the order of priority specified in the charter:

(i) Students who reside in a specified political subdivision within the charter attendance zone. For purposes of this division, the term 'political subdivision' means a local school system, county, municipal corporation, consolidated city-county government, or other political subdivision of the state created by or pursuant to the Constitution of Georgia or any general, local, or special Act of the General Assembly or any community improvement district of the state;

~~(i)~~(ii) A sibling of a student enrolled in the charter school or in any school in the high school cluster;

~~(ii)~~(iii) Students whose parent or guardian is a member of the governing board of the charter school or is a full-time teacher, professional, or other employee at the charter school;

~~(iii)~~(iv) Students who were enrolled in the local school prior to its becoming a charter school;

~~(iv)~~(v) Students who reside in the charter attendance zone specified in the charter; and

~~(v)~~(vi) Children who matriculate from a pre-kindergarten program which is associated with the school, including, but not limited to, programs which share common facilities or campuses with the school or programs which have established a partnership or cooperative efforts with the school; and

(2) A student who resides outside the school system in which the local charter school is located may not enroll in that local charter school except pursuant to a contractual agreement between the local boards of the school system in which the student resides and the school system in which the local charter school is located. Unless otherwise provided in such contractual agreement, a local charter school may give enrollment preference to a sibling of a nonresident student currently enrolled in the local charter school.

(b) A state chartered special school shall enroll any student who resides in the attendance zone specified in the charter and who submits a timely application as specified in the charter unless the number of applications exceeds the capacity of a program, class, grade level, or building. The period of time during which an application for enrollment may be submitted shall be specified in the charter. In such case, all such applicants shall have an equal chance of being admitted through a random selection process unless otherwise prohibited by law; provided, however, that a state chartered special school may give enrollment preference to ~~a child of a full-time teacher, professional, or other employee of the state chartered special school as provided for in subsection (b) of Code Section 20-2-293~~ or to a sibling of a student ~~currently enrolled in the state chartered special school~~ applicants in any one or more of the following categories in the order of priority specified in the charter:

(1) Students who reside in a specified political subdivision within the charter attendance zone. For purposes of this paragraph, the term 'political subdivision' means a local school system, county, municipal corporation, consolidated city-county

government, or other political subdivision of the state created by or pursuant to the Constitution of Georgia or any general, local, or special Act of the General Assembly or any community improvement district of the state;

(2) A sibling of a student enrolled in the state charter school;

(3) A sibling of a student enrolled in another local school designated in the charter;

(4) A student whose parent or guardian is a member of the governing board of the state charter school or is a full-time teacher, professional, or other employee at the state charter school;

(5) Students matriculating from a local school designated in the charter; and

(6) Children who matriculate from a pre-kindergarten program which is associated with the state charter school, including, but not limited to, programs which share common facilities or campuses with the school or programs which have established a partnership or cooperative efforts with the school.

(b.1) A charter system shall enroll students in its system charter schools per the terms of the charter and in accordance with state board rules.

(c) A charter school shall not discriminate on any basis that would be illegal if used by a school system.

(d) A student may withdraw without penalty from a charter school at any time and enroll in a local school in the school system in which such student resides as may be provided for by the policies of the local board. A student who is suspended or expelled from a charter school as a result of a disciplinary action taken by a charter school shall be entitled to enroll in a local school within the local school system in which the student resides, if, under the disciplinary policy of the local school system, such student would not have been subject to suspension or expulsion for the conduct which gave rise to the suspension or expulsion. In such instances, the local board shall not be required to independently verify the nature or occurrence of the applicable conduct or any evidence relating thereto."

SECTION 45.

Said chapter is further amended by adding new subsections to Code Section 20-2-2068.1, relating to charter school funding, to read as follows:

"(i) The per student funding formula based on the school's projected enrollment, school profile, and student characteristics that is included in a charter petition which is approved by a local board shall be binding on such local board and the local board shall ensure that the charter school receives, at a minimum, the proportional level of state, local, and federal funding provided in such charter petition and approved charter.

(j) No later than April 1 of each year, a local charter school shall notify the local board and the department and a state chartered special school shall notify the department of the funding estimates calculated pursuant to this subsection for any new local charter school or state chartered special school and for any new grade levels or for a level of enrollment growth in an existing grade level specified in the charter offered by existing local charter schools or state chartered special schools. For purposes of funding students enrolled in a local charter school or a state chartered special school and prior to

the initial student count, the local board or department, respectively, shall calculate and distribute, no later than July 1, the funding for the local charter school or state chartered special school on the basis of the funding estimate provided in this subsection. Nothing in this subsection shall be construed to require the department to conduct more than two student counts per year."

SECTION 46.

Said chapter is further amended by revising subsection (h) of Code Section 20-2-2068.2, relating to facilities fund for charter schools, purposes which funds may be used, upkeep of charter school property, and availability of unused facilities, as follows:

"(h)(1) As used in this subsection, the term 'unused facility' means a school building or other local board of education owned building that is or could be appropriate for school use in which less than 40 percent of the direct student instruction and critical administration space is being used.

(2) Each local board of education shall make its unused facilities available to local charter schools. The terms of the use of such a facility by the charter school shall be subject to negotiation between the board and the local charter school and shall be memorialized as a separate agreement. A local charter school that is allowed to use such a facility under such an agreement shall not sell or dispose of any interest in such property without the written permission of the local board. A local charter school may not be charged a rental or leasing fee for the existing facility or for property normally used by the public school which became the local charter school. A local charter school that receives property from a local board may not sell or dispose of such property without the written permission of the local board.

(3)(A) A local charter school shall have a right of first refusal to purchase at or below fair market value an unused facility. If, at the time a facility first becomes unused, the local board that owns the facility has a plan to reuse the facility within an 18 month period, the local board shall not be required to include the facility in its submission to the department. However, a local board may exclude an unused facility from the annual data base only once. Each local board of education shall annually, by a deadline and in accordance with guidelines established by the department, submit to the department a list of its unused facilities. The department shall, based on the submissions of the local board, publish to its website a searchable data base of unused facilities.

(B) The department shall monitor the searchable data base and notify all local charter schools of unused facilities that are available and may be appropriate for school use.

(C) The department shall establish minimum standards for an application process for local charter schools to facilitate the purchase of unused facilities from local boards. The local board that owns the unused facility shall conduct the sale and receive any funds realized from the sale of such facility under its control.

(D) In the event more than one local charter school applies to purchase an unused facility, the local board shall establish a competitive bidding process. In scoring

bids, the local board shall give weight to academic quality and performance, financial health, community impact, and the program design of the charter school. If the local board receives two or more bids of equal score, the local board shall accept a bid based on a random draw conducted at a public hearing. The department may establish guidelines on how the competitive bidding process must be conducted.

(E) This paragraph shall not be interpreted to limit the ability of a local school to convert to a charter school pursuant to Code section 20-2-2064 or to limit the ability of a local board to provide a facility to a local charter school pursuant to paragraph (2) of this subsection."

SECTION 47.

Said chapter is further amended by revising subsection (a) and paragraph (1) of subsection (c) of Code Section 20-2-2083, relating to powers and duties of the State Charter Schools Commission, as follows:

"(a) The commission shall have the power to:

(1) Approve or deny petitions for state charter schools and renew, nonrenew, or terminate state charter school petitions in accordance with rules and regulations established pursuant to this article. At its discretion, the commission may preliminarily approve a petition for a state charter school before the petitioner has secured space, equipment, or personnel, if the petitioner indicates such preliminary approval is necessary for it to raise working capital. The State Board of Education shall review and may overrule the approval or renewal of a state charter school by the commission, ~~within 60 days of such decision by the commission~~ no later than 210 days after its submission to the commission pursuant to Code Section 20-2-2084, upon a majority vote of the members of the state board; and

(2) Conduct facility and curriculum reviews of state charter schools."

"(c)(1) The commission shall establish rules and regulations requiring each state charter school to provide adequate notice of its enrollment procedures, ~~including any provision for the use of a random selection process where all applicants have an equal chance of being admitted in the event that the number of applications to enroll in the school exceeds the capacity of the program, grade, or school.~~ A state charter school shall enroll any student who resides in the charter attendance zone as specified in the charter and who submits a timely application as specified in the charter unless the number of applications exceeds the capacity of a program, class, grade level, or building. In such case, all such applicants shall have an equal chance of being admitted through a random selection process unless otherwise prohibited by law; provided, however, that a state charter school may give enrollment preference to applicants in any one or more of the following categories in the order of priority specified in the charter:

(A) Students who reside in a specified political subdivision within the charter attendance zone. For purposes of this subparagraph, the term 'political subdivision' means a local school system, county, municipal corporation, consolidated city-

county government, or other political subdivision of the state created by or pursuant to the Constitution of Georgia or any general, local, or special Act of the General Assembly or any community improvement district of the state;

(B) A sibling of a student enrolled in the state charter school;

(C) A sibling of a student enrolled in another local school designated in the charter;

(D) A student whose parent or guardian is a member of the governing board of the state charter school or is a full-time teacher, professional, or other employee at the state charter school;

(E) Students matriculating from a local school designated in the charter; and

(F) Children who matriculate from a pre-kindergarten program which is associated with the state charter school, including, but not limited to, programs which share common facilities or campuses with the school or programs which have established a partnership or cooperative efforts with the school."

SECTION 48.

Said chapter is further amended by revising subsections (a) through (c) of and by adding a new subsection to Code Section 20-2-2084, relating to petition for charter schools, requirements of school, governing board membership, and annual training, as follows:

"(a) Petitions submitted to the commission shall be subject to rules and regulations established pursuant to this article. The commission shall establish annual application deadlines of May 1 and November 1 for charter petitioners to submit charter petitions to the commission pursuant to subsection (c) of this Code section.

(b) The commission shall be authorized to approve a petition for a state charter school that meets the following requirements:

(1) Has a state-wide attendance zone, which may include a school which provides instruction in a physical location or which solely provides virtual instruction; or

(2)(A) Has a defined attendance zone; and

(B) Demonstrates that it has special characteristics, such as a special population, a special curriculum, or some other feature or features which enhance educational opportunities, which may include the demonstration of a need to enroll students across multiple communities or an alternative delivery system; provided, however, that the petitioner shall demonstrate a reasonable justification for any proposed special curriculum that has a narrow or limited focus.

(c)(1) For petitions for state charter schools with a state-wide attendance zone, the petitioner shall submit such petition to the commission and concurrently to the local board of education in which the school is proposed to be located for information purposes; provided, however, that this shall not apply to a proposed state charter school which will solely provide virtual instruction.

(2) For petitions for state charter schools with a defined attendance zone, the petitioner shall concurrently submit such petition to the commission, to the local board of education in which the school is proposed to be located, and to each local school system from which the proposed school plans to enroll students. The commission shall not act on a petition unless the local board of education in which the

school is proposed to be located denies the petition; provided, however, that such local board shall approve or deny the petition no later than ~~60~~ 90 days after its submission, as required pursuant to subsection (b) of Code Section 20-2-2064, ~~unless the petitioner requested an extension.~~ Failure to approve or deny such petition by such local board, in violation of Code Section 20-2-2064, shall be deemed a denial for purposes of this paragraph. A local board that has denied a petition for a state charter school shall be permitted to present to the commission in writing or in person the reasons for denial and the deficiencies in such petition resulting in such denial.

(3) The commission may take into consideration any support or opposition by the local board of education or local boards of education on the start-up charter school petition when it votes to approve or deny a corresponding state charter school petition.

(4) The commission shall approve or deny a petition no later than 150 days after its submission to the commission pursuant to this Code section. If the commission approves a petition, the charter shall be executed by the commission and the charter petitioner no later than 240 days after such petition was originally submitted to the commission pursuant to this Code section."

"(d.1) The commission shall establish rules, regulations, policies, and procedures to provide a separate and expedited petition process for high-performing state charter schools to replicate, renew, or expand their school design. Such rules, regulations, policies, and procedures shall require the charter school replication, renewal, or expansion petition to contain evidence of academic success for the school design that the state charter school petitioner intends to replicate, renew, or expand, along with proof that the petitioner has the financial and human resources necessary to replicate, renew, or expand the design successfully."

SECTION 49.

Said chapter is further amended by revising subsections (a) and (d) of Code Section 20-2-2089, relating to funding for state charter schools, as follows:

"(a)(1) The earnings for a student in a state charter school shall be equal to the earnings for any other student with similar student characteristics in a state charter school, regardless of the local school system in which the student resides or the school system in which the state charter school is located, and, except as otherwise provided in paragraph (2) of this subsection, the department shall pay to each state charter school through appropriation of state funds an amount equal to the sum of:

(A)(is) QBE formula earnings and QBE grants earned by the state charter school based on the school's enrollment, school profile, and student characteristics. For purposes of this subparagraph, the term 'QBE formula earnings' means funds earned for the Quality Basic Education Formula pursuant to Code Section 20-2-161, including the portion of such funds that are calculated in accordance with Code Section 20-2-164. QBE formula earnings shall include the salary portion of direct instructional costs, the adjustment for training and experience, the nonsalary portion of direct instructional costs, and earnings for psychologists and school social workers, school administration, facility maintenance and operation, media

centers, additional days of instruction in accordance with Code Section 20-2-184.1, and staff development, as determined by the department.

(ii) A proportional share of earned state categorical grants, non-QBE state grants, transportation grants, school nutrition grants, and all other state grants, except state equalization grants, as determined by the department;

(B) The average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for the lowest five school systems ranked by assessed valuation per weighted full-time equivalent count, as determined by the department; and

(C) The state-wide average total capital revenue per full-time equivalent, as determined by the department.

(2) In the event that a state charter school offers virtual instruction:

(A) The amount of funds received pursuant to subparagraph (B) of paragraph (1) of this subsection shall be equal to two-thirds of such calculated amount; provided, however, that this two-thirds amount may be increased by any amount up to the originally calculated amount in the discretion of the commission if relevant factors warrant such increase; and

(B) The commission may reduce the amount of funds received pursuant to subparagraph (C) of paragraph (1) of this subsection ~~in proportion to the amount of virtual instruction provided and based on factors that affect the cost of providing instruction~~ on a proportional basis if the school fails to provide documentation confirming its capital expenditures per full-time equivalent are greater than or equal to the state-wide average.

(3) Any funds deducted from a state charter school pursuant to Code Section 20-2-164, representing the equivalent of a local school system's five mill share, shall be calculated based only on funds received pursuant to subparagraph (B) of paragraph (1) of this subsection. For a state charter school that offers virtual instruction, the amount of the deduction shall be reduced by one-third, unless the commission has increased the school's calculated amount pursuant to subparagraph (A) of paragraph (2) of this subsection, in which case the deduction shall be proportionate to the amount of funding received.

~~(3)~~(4) For purposes of this subsection, the terms:

(A) 'Assessed valuation' is defined as 40 percent of the equalized adjusted property tax digest reduced by the amount calculated pursuant to subsection (g) of Code Section 20-2-164.

(B) 'Assessed valuation per weighted full-time equivalent count' is defined as the assessed valuation for the most recent year available divided by the weighted full-time equivalent count for the year of the digest."

"(d) No later than April 1 of each year, the state charter school shall notify the commission and the department of the funding estimates calculated pursuant to this subsection for any new state charter schools and for any new grade levels or for a level of enrollment growth in an existing grade level specified in the charter. For purposes of funding students enrolled in a state charter school in the first year of such school's

~~operation or for the first year that an existing state charter school offers a new grade level and prior to the initial student count, the commission shall calculate and the department shall distribute, no later than July 1, the initial funding payment for the state charter school on the basis of its projected enrollment according to an enrollment counting procedure or projection method stipulated in the terms of the charter the funding estimates provided in this subsection. No later than July 1 of each year, the commission shall notify the department and the Office of Planning and Budget of the funding estimates calculated pursuant to this subsection for any new state charter schools and for any new grade levels offered by existing state charter schools. After the initial student count during the first year of such state charter school's operation or newly offered grade level and in all years of operation thereafter, each state charter school's student enrollment shall be based on the actual enrollment in the current school year according to the most recent student count. Nothing in this Code section subsection shall be construed to require the department to conduct more than two student counts per year."~~

SECTION 50.

Said chapter is further amended by adding a new Code section to read as follows:

"20-2-2092.

(a) The commission shall have the power and authority to incorporate a nonprofit corporation that could qualify as a public foundation under Section 501(c)(3) of the Internal Revenue Code to aid the commission in carrying out any of its powers and in accomplishing any of its purposes. Any nonprofit corporation created pursuant to this power shall be created pursuant to Chapter 3 of Title 14, the 'Georgia Nonprofit Corporation Code,' and the Secretary of State shall be authorized to accept such filing.

(b) Any nonprofit corporation created pursuant to this Code section shall be subject to the following provisions:

(1) In accordance with the Constitution of Georgia, no governmental functions or regulatory powers shall be conducted by any such nonprofit corporation;

(2) Upon dissolution of any such nonprofit corporation incorporated by the commission, any assets shall revert to the commission or to any successor to the commission or, failing such succession, to the State of Georgia;

(3) As used in this paragraph, the term 'direct employee costs' means salary, benefits, and travel expenses. To avoid the appearance of undue influence on regulatory functions by donors, no donations to any such nonprofit corporation from private sources shall be used for direct employee costs of the commission;

(4) Any such nonprofit corporation shall be subject to all laws relating to open meetings and the inspection of public records;

(5) The commission shall not be liable for the action or omission to act of any such nonprofit corporation;

(6) No debts, bonds, notes, or other obligations incurred by any such nonprofit corporation shall constitute an indebtedness or obligation of the State of Georgia nor shall any act of any such nonprofit corporation constitute or result in the creation of

an indebtedness of the state. No holder or holders of any such bonds, notes, or other obligations shall ever have the right to compel any exercise of the taxing power of the state nor to enforce the payment thereof against the state; and

(7) Any nonprofit corporation created pursuant to this Code section shall not acquire or hold a fee simple interest in real property by any method, including but not limited to gift, purchase, condemnation, devise, court order, and exchange.

(c) Pursuant to this Code section, the commission may establish a nonprofit corporation to be designated as the State Charter Schools Foundation to actively seek supplemental revenue and in-kind goods and services to promote state charter schools and any other purpose of the commission. Funds received by the foundation may be awarded through a competitive grant process administered by the commission. The General Assembly may appropriate funds for purposes of this foundation beginning in Fiscal Year 2015.

(d) Any nonprofit corporation created pursuant to this Code section shall make public and provide an annual report showing the identity of all donors and the amount each person or entity donated as well as all expenditures or other disposal of money or property donated. Such report shall be provided to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, and the chairpersons of the House Committee on Education and the Senate Education and Youth Committee. Any such nonprofit corporation shall also provide such persons with a copy of all corporate filings with the federal Internal Revenue Service."

SECTION 51.

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

The following amendment was read and adopted:

Representative Dudgeon of the 25th offers the following amendment:

Amend the House Committee on Education substitute to HB 897 (LC 33 5567S) on line 1374 by striking "the funding" and inserting in lieu thereof "the initial funding"

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

On the passage of the Bill, by substitute, as amended, 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	Y Harbin	Y Meadows	Y Smith, L
N Anderson	Y Deffenbaugh	Y Harden	N Mitchell	Y Smith, M
Y Atwood	Y Dempsey	Y Harrell	Y Moore	Y Smith, R
Y Ballinger	N Dickerson	Y Hatcher	Y 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	E Hightower	Y Nimmer	Y Stephens, R
N Bell	N Douglas	Y Hitchens	Y Nix	N Stephenson
N Bennett	N Drenner	N Holcomb	N Oliver	Y 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 Efstration	N Jackson	Pezold	Y Tarvin
Y Brockway	Y Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
N Brooks	Y England	E Jasperse	Powell, J	Y Taylor, T
N Bruce	N Epps, C	Y Jones, J	N Prince	Y Teasley
Y Bryant	Y Epps, J	N Jones, L	Y Pruett	N Thomas, A.M.
N Buckner	Y Evans	N Jones, S	Y Quick	Y Turner
Y Burns	Y Fleming	N Jordan	Y Ramsey	Waites
Y Caldwell, J	N Floyd	Y 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	Weldon
Y Casas	Y 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	Y Glanton	N Mabra	N Scott	Y Williams, C
Y Clark, J	E 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	Y Mayo	Y Sims, B	Ralston, Speaker

On the passage of the Bill, by substitute, as amended, the ayes were 120, nays 51.

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

HB 899. By Representatives Cooper of the 43rd, Houston of the 170th, Lindsey of the 54th, Kelley of the 16th, Rynders of the 152nd and others:

A BILL to be entitled an Act to amend Code Section 31-7-12.1 of the Official Code of Georgia Annotated, relating to unlicensed personal care homes, so as to provide for criminal penalties for owning or operating an unlicensed personal care home; to provide for related matters; 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 31-7-12.1 of the Official Code of Georgia Annotated, relating to unlicensed personal care homes, so as to revise provisions relating to penalties for owning or operating an unlicensed personal care home; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 31-7-12.1 of the Official Code of Georgia Annotated, relating to unlicensed personal care homes, is amended by revising subsection (f) and adding a new subsection to read as follows:

"(f) It is declared that the owning or operating of an unlicensed personal care home in this state constitutes a nuisance dangerous to the public health, safety, and welfare. The commissioner or the district attorney of the judicial circuit in which such unlicensed personal care home is located may file a petition to abate such nuisance as provided in Chapter 2 of Title 41.

(g) Any person who owns or operates a personal care home in violation of subsection (b) of Code Section 31-7-12 shall be guilty of a ~~misdemeanor~~ felony and, upon conviction, shall be punished by imprisonment for not less than one nor more than five years, or the judge may, in his or her discretion, impose punishment as for a misdemeanor as provided in Code Section 17-10-5. Upon conviction for a second or subsequent such violation, such person shall be guilty of a felony and, upon conviction, shall be punished by imprisonment for not less than one nor more than ten years."

SECTION 2.

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

The following amendment was read and adopted:

Representative Cooper of the 43rd offers the following amendment:

Amend the House Committee on Health and Human Services substitute to HB 899 (LC 33 5486S) by striking lines 15 through 21 and inserting in lieu thereof the following:

(g) Any person who owns or operates a personal care home in violation of subsection (b) of Code Section 31-7-12 shall be guilty of a misdemeanor for a first violation, unless such violation is in conjunction with abuse, neglect, or exploitation as defined in Code Section 30-5-3, in which case such person shall be guilty of a felony and, upon conviction, shall be punished by imprisonment for not less than one nor more than five years. Upon conviction for a second or subsequent such violation, such person shall be guilty of a felony and, upon conviction, shall be punished by imprisonment for not less than one nor more than ten years."

The Committee substitute, as amended, was adopted.

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

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

Y Abrams	Y Coomer	N Gregory	Y McCall	Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y 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	Stephens, M
Y Beasley-Teague	Y Dollar	E Hightower	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Y Nix	Y Stephenson
Y Bennett	Y Drenner	Y Holcomb	Oliver	Y Stovall
Y Bentley	Y Dudgeon	Y Holmes	Y O'Neal	Y Stover
Y Benton	Y Dukes	Y Holt	Y Pak	Y Strickland
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	Y Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
Y Brooks	Y England	E 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 Pruet	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
Y Casas	Y 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	Y Scott	Y Williams, C
Y Clark, J	E 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, as amended, the ayes were 168, nays 2.

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

The Speaker announced the House in recess until 4:10 o'clock, this afternoon.

The Speaker called the House to order.

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

HR 1595. By Representatives Smith of the 70th, Nimmer of the 178th, Black of the 174th, Roberts of the 155th, Houston of the 170th and others:

A RESOLUTION Commending the Satilla District for being named the Georgia Forestry Commission 2013 District of the Year and inviting its dedicated professionals to be recognized by the House of Representatives; and for other purposes.

HR 1596. By Representatives Williams of the 168th, Stephens of the 164th, Douglas of the 78th and McClain of the 100th:

A RESOLUTION commending Raekwon McMillan and inviting him to be recognized by the House of the 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 1596 Do Pass

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

HR 1596. By Representatives Williams of the 168th, Stephens of the 164th, Douglas of the 78th and McClain of the 100th:

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

The following Resolutions of the House were read and adopted:

HR 1597. By Representatives Thomas of the 56th and Beasley-Teague of the 65th:

A RESOLUTION honoring the life and memory of George Robert Prince Edward Ferrell, Jr., "JuJu"; and for other purposes.

HR 1598. By Representative Battles of the 15th:

A RESOLUTION recognizing and commending Mitchell Earl Pechuman; and for other purposes.

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

HB 886. By Representatives Caldwell of the 20th, Turner of the 21st, Ramsey of the 72nd, Dudgeon of the 25th, Morgan of the 39th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, so as to provide that each local board of education and each charter school shall hold at least two public hearings on the proposed budget; to provide that each proposed budget and each adopted budget shall be posted on the Internet; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 1 of Title 20 of the Official Code of Georgia Annotated, relating to general provisions relative to education, so as to provide that each local board of education and each charter school shall hold at least two public hearings on the proposed budget; to provide that a summary of each proposed budget and each adopted budget shall be posted on the Internet; to provide that the full line item detailed budget shall be made available upon request; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 1 of Title 20 of the Official Code of Georgia Annotated, relating to general provisions relative to education, is amended by adding a new Code section to read as follows:

"20-1-28.

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

(1) 'Governing body' means the board, governing council, governing board, or other entity by whatever name responsible for creating and implementing the budget of a local education agency.

(2) 'Local education agency' means any local school system and any charter school subject to the provisions of Chapter 2 of this title.

(b) Each governing body shall hold at least two public hearings on the proposed annual budget before adopting the budget; provided, however, that any other public budget hearing held as required by law shall satisfy all or a portion of such requirement. The governing body of a charter school with a state-wide attendance zone shall conduct one such public hearing in the county in which its primary business office is located and

one such public hearing in the metropolitan Atlanta area. Such hearings shall be held as provided in Chapter 14 of Title 50, relating to open and public meetings.

(c) A summary of each proposed budget and each adopted annual budget shall be posted on a publicly available area of such governing body's website. A summary of the final adopted annual budget shall be posted on a publicly available area of such governing body's website and maintained until the next annual budget is adopted.

(d) Each governing body shall provide to any person an electronic copy of the full line item detailed budget in a format suitable for analysis at no cost within three days upon request, and the summary of the budget required by subsection (c) of this Code section shall give notice of that right.

(e) The provisions of this Code section shall not apply to any general charter corporation."

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	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	Y 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	Henson	Y Mosby	Stephens, M
Y Beasley-Teague	Y Dollar	E Hightower	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Y Nix	Y Stephenson
Y Bennett	Y Drenner	Y Holcomb	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	E Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	Y Epps, C	Y Jones, J	Y Prince	E Teasley
Y Bryant	Y Epps, J	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	N 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

Y Casas	Y Fullerton	Y Kirby	Y Rogers, C	Wilkerson
Y Chandler	Y Gardner	Y Knight	Y Rogers, T	Y Wilkinson
Y Channell	Y Gasaway	Y Lindsey	Y Rutledge	Y Willard
Chapman	Y Geisinger	Y Lumsden	Y Rynders	Y Williams, A
Y Cheokas	Y Glanton	Y Mabra	Y Scott	Y Williams, C
Y Clark, J	E 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 164, nays 3.

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

HB 908. By Representatives Riley of the 50th, Coomer of the 14th, Nimmer of the 178th, Smith of the 70th, Nix of the 69th and others:

A BILL to be entitled an Act to amend Code Section 12-8-40.1 of the Official Code of Georgia Annotated, relating to tire disposal restrictions, so as to extend the sunset date for tire fees; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

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

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

Y Abrams	Y Coomer	N Gregory	Y McCall	Y Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
N Allison	Y Dawkins-Haigler	Y Harbin	Y Meadows	Y Smith, L
Y Anderson	Y Deffenbaugh	Y Harden	Y Mitchell	Y Smith, M
N Atwood	Y Dempsey	Harrell	N Moore	Y Smith, R
N Ballinger	Y Dickerson	Y Hatcher	Y Morgan	Y Smyre
N Barr	Y Dickey	Y Hawkins	Y Morris	N Spencer
Y Battles	Y Dickson	Henson	Y Mosby	Stephens, M
Y Beasley-Teague	Y Dollar	E Hightower	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Y Nix	Y Stephenson
Y Bennett	Y Drenner	Y Holcomb	Oliver	Y Stovall
Y Bentley	Y Dudgeon	Y Holmes	Y O'Neal	N Stover
Y Benton	Y Dukes	N 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	N Dutton	Y Hugley	Y Peake	Y Tanner
Y Broadrick	Efstration	Y Jackson	N Pezold	N Tarvin
Y Brockway	Y Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
Y Brooks	Y England	E Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	Y Epps, C	Y Jones, J	Y Prince	E Teasley
Y Bryant	Y Epps, J	Jones, L	Pruett	Y Thomas, A.M.
Y Buckner	Y Evans	Y Jones, S	N Quick	N Turner

Y Burns	Y Fleming	Y Jordan	Y Ramsey	Waites
Y Caldwell, J	Y Floyd	Y Kaiser	Y Randall	Y Watson, B
N 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
Y Casas	Y 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
N Chapman	Y Geisinger	Y Lumsden	Y Rynders	Y Williams, A
Y Cheokas	Y Glanton	Y Mabra	Y Scott	Y Williams, C
N Clark, J	E Golick	Y Marin	Y Setzler	Y Williams, E
Y Clark, V	Y Gordon	Y Martin	Y Sharper	Y Williamson
Y Coleman	N Gravley	Y Maxwell	Y Shaw	Y Yates
N Cooke	Y Greene	Y Mayo	Y Sims, B	Ralston, Speaker

On the passage of the Bill, the ayes were 146, nays 20.

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

HB 878. By Representative Powell of the 32nd:

A BILL to be entitled an Act to amend Article 1 of Chapter 11 of Title 40 of the Official Code of Georgia Annotated, relating to general provisions for abandoned motor vehicles, so as to provide that certain fees may be included in liens upon abandoned motor vehicles; to provide for the disposition of proceeds from the public sale of an abandoned motor vehicle; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

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

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

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

On the passage of the Bill, the ayes were 129, nays 37.

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

By unanimous consent, the following Bill of the House, having been previously postponed, was again postponed until the next legislative day:

HB 504. By Representatives Pak of the 108th, Williamson of the 115th, Harrell of the 106th, Taylor of the 79th, Willard of the 51st and others:

A BILL to be entitled an Act to amend Part 4 of Article 1 of Chapter 8 of Title 40 of the Official Code of Georgia Annotated, relating to horns, exhaust systems, mirrors, windshields, tires, safety belts, and energy absorption systems, so as to provide that the failure to use seat safety belts may be admitted into evidence under certain circumstances; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

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

HOUSE SUPPLEMENTAL RULES CALENDAR
WEDNESDAY, FEBRUARY 26, 2014

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 29th Legislative Day as enumerated below:

DEBATE CALENDAR

Open Rule

None

Modified Open Rule

- HB 1030 Dodge County; chief magistrate; provide nonpartisan elections (IGC-Pruett-149th)
- HB 1031 Dodge County; office of coroner; provide nonpartisan elections (IGC-Pruett-149th)
- HB 1032 Dodge County; judge of probate court; provide nonpartisan elections (IGC-Pruett-149th)
- HB 1067 Wheeler County; office of probate judge; provide nonpartisan elections (IGC-Pruett-149th)
- HB 1068 Wheeler County; office of coroner; provide nonpartisan elections (IGC-Pruett-149th)

Modified Structured Rule

- HB 915 Identity theft; security freezes for minors; provisions (Substitute)(B&B-Clark-98th)
- HB 1000 Revenue and taxation; setoff debt collection against state income tax refunds for debts owed to political subdivisions and courts; provisions (GAff-Fleming-121st)
- HB 1009 State sales and use tax; applicability of exemption to local sales and use tax cap for a county that levied a tax for purposes of a metropolitan area system of public transportation; extend date (Substitute)(Trans-Glanton-75th)
- HB 1051 Lawful presence verification; professional licensing board; change certain provisions (Substitute)(RegI-Dickson-6th)
- HB 1053 Social services; registered organization are not exempt from regulation of early care and education programs; clarify (JuvJ-Chandler-105th)

Structured Rule

None

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

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

By unanimous consent, the following Bill of the House was postponed until the next legislative day:

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.

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 1051. By Representatives Dickson of the 6th, Powell of the 32nd, Golick of the 40th and England of the 116th:

A BILL to be entitled an Act to amend Code Section 50-36-1 of the Official Code of Georgia Annotated, relating to requirements, procedures, and conditions for verification of lawful presence within the United States, exceptions, regulations, and criminal and other penalties for violations, so as to change certain provisions relating to such verification of lawful presence in conjunction with the electronic filing of an application for a license, certificate, permit, or registration, or renewal thereof, issued by a professional licensing board; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 50-36-1 of the Official Code of Georgia Annotated, relating to requirements, procedures, and conditions for verification of lawful presence within the United States, exceptions, regulations, and criminal and other penalties for violations, so as to change certain provisions relating to such verification of lawful presence in conjunction with the electronic filing of an application for a license, certificate, permit, or registration, or renewal thereof, issued by a professional licensing board; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 50-36-1 of the Official Code of Georgia Annotated, relating to requirements, procedures, and conditions for verification of lawful presence within the United States, exceptions, regulations, and criminal and other penalties for violations, is amended by adding a new paragraph to subsection (f) to read as follows:

"(5) A professional licensing board through the office of the director of the professional licensing boards division within the office of the Secretary of State may provide an alternative method for any applicant filing electronically for a license, certificate, permit, or registration, or renewal thereof, to satisfy the requirements of paragraphs (1) and (3) of this subsection. Such method shall require the applicant to provide a verifiable driver's license number or identification card number issued by this state on or after July 1, 2012, which complies with requirements of paragraph (1) of subsection (g) of this Code section. If a professional licensing board makes such a method available, the applicant's name and the number of such driver's license or identification card provided shall be verified with the Department of Driver Services, unless the applicant is exempted under paragraph (4) of this subsection."

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	Y Coomer	N Gregory	Y McCall	Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y 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	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	Stephens, M
Y Beasley-Teague	Y Dollar	E 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	N 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 Efstrotation	Y Jackson	Y Pezold	Y Tarvin
Y Brockway	Y Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
Y Brooks	Y England	E Jasperse	Y Powell, J	Y Taylor, T

Y Bruce	Y Epps, C	Y Jones, J	Y Prince	E Teasley
Y Bryant	Y Epps, J	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
Y Casas	Y 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	Y Scott	Y Williams, C
Y Clark, J	E 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 167, nays 3.

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

HB 1009. By Representatives Glanton of the 75th, Jacobs of the 80th, Abrams of the 89th, Jordan of the 77th, Stovall of the 74th and others:

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 state sales and use taxes in general, so as to extend the date for the applicability of an exemption to the local sales and use tax cap for a county that levied a tax for the purposes of a metropolitan area system of public transportation; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Part 1 of Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to state sales and use taxes in general, so as to extend the date for the applicability of an exemption to the local sales and use tax cap for a county that levied a tax for the purposes of a metropolitan area system of public transportation; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 1 of Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to state sales and use taxes in general, is amended by revising subsection (a) of Code Section 48-8-6, relating to limitations upon the authority of local governments to levy sales and use taxes and other similar taxes, as follows:

"(a) There shall not be imposed in any jurisdiction in this state or on any transaction in this state local sales taxes, local use taxes, or local sales and use taxes in excess of 2 percent. For purposes of this prohibition, the taxes affected are any sales tax, use tax, or sales and use tax which is levied in an area consisting of less than the entire state, however authorized, including such taxes authorized by or pursuant to constitutional amendment, except that the following taxes shall not count toward or be subject to such 2 percent limitation:

(1) A sales and use tax for educational purposes exempted from such limitation under Article VIII, Section VI, Paragraph IV of the Constitution;

(2) Any tax levied for purposes of a metropolitan area system of public transportation, as authorized by the amendment to the Constitution set out at Georgia Laws, 1964, page 1008; the continuation of such amendment under Article XI, Section I, Paragraph IV(d) of the Constitution; and the laws enacted pursuant to such constitutional amendment; provided, however, that the exception provided for under this paragraph shall only apply:

(A) In a county in which a tax is being imposed under subparagraph (a)(1)(D) of Code Section 48-8-111 in whole or in part for the purpose or purposes of a water capital outlay project or projects, a sewer capital outlay project or projects, a water and sewer capital outlay project or projects, water and sewer projects and costs as defined under paragraph (4) of Code Section 48-8-200, or any combination thereof and with respect to which the county has entered into an intergovernmental contract with a municipality, in which the average waste-water system flow of such municipality is not less than 85 million gallons per day, allocating proceeds to such municipality to be used solely for water and sewer projects and costs as defined under paragraph (4) of Code Section 48-8-200. The exception provided for under this subparagraph shall apply only during the period the tax under said subparagraph (a)(1)(D) is in effect. The exception provided for under this subparagraph shall not apply in any county in which a tax is being imposed under Article 2A of this chapter; or

(B) In a county in which the tax levied for purposes of a metropolitan area system of public transportation is first levied after January 1, 2010, and before November 1, ~~2012~~ 2016. Such tax shall not apply to the following:

(i) The sale or use of jet fuel to or by a qualifying airline at a qualifying airport. For purposes of this division, a 'qualifying airline' means any person which is authorized by the Federal Aviation Administration or another appropriate agency of the United States to operate as an air carrier under an air carrier operating certificate and which provides regularly scheduled flights for the transportation of passengers or cargo for hire. For purposes of this division, a 'qualifying airport'

means any airport in the state that has had more than 750,000 takeoffs and landings during a calendar year; and

(ii) The sale of motor vehicles;

(3) In the event of a rate increase imposed pursuant to Code Section 48-8-96, only the amount in excess of the initial 1 percent sales and use tax and in the event of a newly imposed tax pursuant to Code Section 48-8-96, only the amount in excess of a 1 percent sales and use tax;

(4) A sales and use tax levied under Article 4 of this chapter; and

(5) A sales and use tax levied under Article 5 of this chapter.

If the imposition of any otherwise authorized local sales tax, local use tax, or local sales and use tax would result in a tax rate in excess of that authorized by this subsection, then such otherwise authorized tax may not be imposed."

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	Y Coomer	N Gregory	Y McCall	Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
E Allison	Y Dawkins-Haigler	Y 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 Hatcher	Y Morgan	Y Smyre
Y Barr	Y Dickey	Y Hawkins	Y Morris	Y Spencer
Y Battles	Y Dickson	Y Henson	Y Mosby	Stephens, M
Y Beasley-Teague	Y Dollar	E Hightower	Y Nimmer	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
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	E Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	Y Epps, C	Y Jones, J	Y Prince	E Teasley
Y Bryant	Y Epps, J	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	E Ramsey	Y Waites
Y Caldwell, J	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

Y Casas	Y 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	Y Scott	Y Williams, C
Y Clark, J	E Golick	Y Marin	Y Setzler	Y Williams, E
Y Clark, V	Y Gordon	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 163, nays 2.

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

HB 915. By Representatives Clark of the 98th, Barr of the 103rd, Peake of the 141st, Ramsey of the 72nd, Williamson of the 115th and others:

A BILL to be entitled an Act to amend Article 34 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to identity theft, so as to provide for security freezes for minors; to provide for definitions; to provide for requirements for requesting and executing such security freezes; to provide for removal of such security freezes; to provide for fees; to provide for exceptions; to provide for penalties; 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 34 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to identity theft, so as to provide for security freezes for minors; to provide for definitions; to provide for requirements for requesting and executing such security freezes; to provide for removal of such security freezes; to provide for fees; to provide for exceptions; to provide for penalties; 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 34 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to identity theft, is amended by revising Code Section 10-1-913, relating to definitions relative to said Code section and to Code Section 10-1-914, as follows:

"10-1-913.

As used in this Code section, ~~and in~~ Code Section 10-1-914, and Code Section 10-1-914.1, the term:

- (1) 'Consumer' means a natural person residing in this state.
- (2) 'Consumer credit report' means a 'consumer report' as defined in 15 U.S.C. Section 1681a(d) that a consumer reporting agency furnishes to a person which it has reason to believe intends to use the information as a factor in establishing the consumer's eligibility for credit to be used primarily for personal, family, or household purposes.
- (3) 'Consumer credit reporting agency' means any person who, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer credit reports to third parties.
- (4) 'Normal business hours' means any day, between the hours of 8:00 A.M. and 9:30 P.M., ~~Eastern Standard Time~~ eastern standard time.
- (5) 'Person' means any individual, partnership, corporation, trust, estate, cooperative, association, government, or governmental subdivision or agency, or other entity.
- (6) 'Proper identification' means information generally deemed sufficient to identify a person for consumer reporting agency purposes under 15 U.S.C. Section 1681 et seq.
- (7) 'Protected consumer' means an individual who is:
 - (A) Under the age of 16 years at the time a request for the placement of a security freeze is made under subsection (a) of Code Section 10-1-914.1; or
 - (B) An individual for whom a guardian or conservator has been appointed.
- (8) 'Record' means a compilation of information about a protected consumer that satisfies all of the following:
 - (A) The compilation identifies the protected consumer; and
 - (B) The compilation is created by a consumer credit reporting agency solely for the purpose of complying with Code Section 10-1-914.1.
- (9) 'Representative' means a person who provides to a consumer credit reporting agency sufficient proof of authority to act on behalf of a protected consumer.
- ~~(7)~~(10) 'Security freeze' means a restriction placed on a consumer credit report at the request of the consumer that prohibits a consumer credit reporting agency from releasing all or any part of the consumer's consumer credit report or any information derived from the consumer's consumer credit report for a purpose relating to the extension of credit without the express authorization of the consumer.
- (11) 'Security freeze for a protected consumer' means one of the following:
 - (A) If a consumer credit reporting agency does not have a file pertaining to a protected consumer, a restriction placed on the protected consumer's record that prohibits the consumer credit reporting agency from releasing the protected consumer's record; or
 - (B) If a consumer credit reporting agency has a file pertaining to the protected consumer, a restriction placed on the protected consumer's credit report that prohibits the consumer credit reporting agency from releasing the protected

consumer's credit report or any information derived from the protected consumer's credit report.

(12) 'Sufficient proof of authority' means documentation that shows a representative has authority to act on behalf of a protected consumer, including any of the following:

(A) An order issued by a court;

(B) A lawfully executed and valid power of attorney; or

(C) A written, notarized statement signed by a representative that expressly describes the authority of the representative to act on behalf of a protected consumer.

(13) 'Sufficient proof of identification' means information or documentation that identifies a protected consumer or a representative of a protected consumer, including any of the following:

(A) A social security number or a copy of a social security card issued by the Social Security Administration; or

(B) A certified or official copy of a birth certificate issued by the entity authorized to issue the birth certificate."

SECTION 2.

Said article is further amended by adding a new Code section to read as follows:

"10-1-914.1.

(a) A consumer credit reporting agency shall place a security freeze for a protected consumer if the consumer credit reporting agency receives a request from the protected consumer's representative for the placement of the security freeze and the protected consumer's representative:

(1) Submits the request to the consumer credit reporting agency at the address or other point of contact and in the manner specified by the consumer credit reporting agency;

(2) Provides to the consumer credit reporting agency sufficient proof of identification of the protected consumer and the representative;

(3) Provides to the consumer credit reporting agency sufficient proof of authority to act on behalf of the protected consumer; and

(4) Pays to the consumer credit reporting agency a fee as provided in subsection (g) of this Code section.

(b) If a consumer credit reporting agency does not have a file pertaining to a protected consumer when the consumer reporting agency receives a request under subsection (a) of this Code section, the consumer credit reporting agency shall create a record for the protected consumer. Upon receiving the request, the consumer credit reporting agency shall verify that no file exists pertaining to the protected consumer or to the protected consumer's social security number. A record created under this subsection shall not be used to consider the protected consumer's creditworthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living.

(c) Within 30 days after receiving a request that meets the requirements of subsection (a) of this Code section, a consumer credit reporting agency shall place a security freeze for the protected consumer.

(d) Unless a security freeze for a protected consumer is removed in accordance with subsection (f) or (i) of this Code section, a consumer credit reporting agency shall not release the protected consumer's credit report, any information derived from the protected consumer's credit report, or any record created for the protected consumer.

(e) A security freeze for a protected consumer placed under subsection (c) of this Code section shall remain in effect until:

(1) The protected consumer or the protected consumer's representative requests the consumer credit reporting agency to remove the security freeze in accordance with subsection (f) of this Code section; or

(2) The security freeze is removed in accordance with subsection (i) of this Code section.

(f)(1) If a protected consumer or a protected consumer's representative wishes to remove a security freeze for the protected consumer, the protected consumer or the protected consumer's representative shall:

(A) Submit a request for the removal of the security freeze to the consumer credit reporting agency at the address or other point of contact and in the manner specified by the consumer credit reporting agency;

(B) Provide to the consumer credit reporting agency sufficient proof of identification of the protected consumer and:

(i) For a request by the protected consumer, proof that the sufficient proof of authority for the protected consumer's representative to act on behalf of the protected consumer is no longer valid; or

(ii) For a request by the representative of the protected consumer, sufficient proof of identification of the representative and sufficient proof of authority to act on behalf of the protected consumer; and

(C) Pay to the consumer credit reporting agency a fee as provided in subsection (g) of this Code section.

(2) Within 30 days after receiving a request that meets the requirements of paragraph (1) of this subsection, the consumer credit reporting agency shall remove the security freeze for the protected consumer.

(g)(1) Except as otherwise provided in paragraph (2) of this subsection, a consumer credit reporting agency shall not charge a fee for any service performed under this Code section.

(2) A consumer credit reporting agency may charge a reasonable fee, not exceeding \$10.00, for each placement or removal of a security freeze for a protected consumer; provided, however, that a consumer credit reporting agency shall not charge any fee under this Code section if:

(A) The protected consumer's representative has obtained a police report or affidavit of alleged identity fraud against the protected consumer and provides a copy of the report or affidavit to the consumer credit reporting agency; or

(B) A request for the placement or removal of a security freeze is for a protected consumer who is under the age of 16 years at the time of the request and the consumer credit reporting agency has a consumer credit report pertaining to the protected consumer.

(h) This Code section shall not apply to the use of a protected consumer's credit report or record by:

(1) A person administering a credit file monitoring subscription service to which the protected consumer has subscribed or the representative of the protected consumer has subscribed on behalf of the protected consumer;

(2) A person providing the protected consumer or the protected consumer's representative with a copy of the protected consumer's credit report on request of the protected consumer or the protected consumer's representative; or

(3) A person or entity listed in subsection (m) or (o) of Code Section 10-1-914.

(i) A consumer credit reporting agency may remove a security freeze for a protected consumer or delete a record of a protected consumer if such security freeze was placed or the record was created based on a material misrepresentation of fact by the protected consumer or the protected consumer's representative.

(j)(1) A person who violates this Code section may be investigated and prosecuted under the provisions of Part 2 of Article 15 of Chapter 1 of Title 10, the 'Fair Business Practices Act of 1975,' and may be fined not more than \$100.00 for a violation concerning a specific protected consumer.

(2) The Attorney General may bring an action for temporary or permanent injunctive or other relief for any violation of this Code section or an action for the penalty authorized in paragraph (1) of this subsection."

SECTION 3.

This Act shall become effective on January 1, 2015.

SECTION 4.

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

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

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

Y Abrams	Y Coomer	Y Gregory	Y McCall	Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
E Allison	Y Dawkins-Haigler	Y 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	Y Smyre
Y Barr	Y Dickey	Y Hawkins	Y Morris	Y Spencer
Y Battles	Y Dickson	Y Henson	Y Mosby	Stephens, M

Y Beasley-Teague	Y Dollar	E 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	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	E Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	Y Epps, C	Y Jones, J	Y Prince	E Teasley
Y Bryant	Y Epps, J	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
Y Casas	Y 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	Y Scott	Y Williams, C
Y Clark, J	E Golick	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 167, nays 0.

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

HB 1000. By Representatives Fleming of the 121st, Carter of the 175th, Oliver of the 82nd, Frye of the 118th and Tankersley of the 160th:

A BILL to be entitled an Act to amend Title 48 of the O.C.G.A., relating to revenue and taxation, so as to provide for setoff debt collection against state income tax refunds for debts owed to political subdivisions and courts; to provide for a revision of setoff debt collection policies and systems relating to state income tax refunds; to amend Title 50 of the O.C.G.A., relating to state government, so as to provide for setoff debt collection against lottery prizes for debts owed to political subdivisions and courts; to provide for a revision of setoff debt collection policies and systems relating to lottery prizes; to provide for definitions, procedures, conditions, and limitations; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

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

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

Y Abrams	Y Coomer	N Gregory	Y McCall	Y Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y 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	Stephens, M
Y Beasley-Teague	Y Dollar	E 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	E 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	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
Y Casas	Y 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	Y Scott	Y Williams, C
Y Clark, J	E 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 168, nays 1.

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

HB 1030. By Representative Pruett of the 149th:

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

On the passage of the Bill, the ayes were 107, nays 58.

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

HB 1031. By Representative Pruett of the 149th:

A BILL to be entitled an Act to provide that future elections for the office of coroner of Dodge County shall be nonpartisan elections; 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	Coomer	Y Gregory	Y McCall	Y Sims, C
N Alexander	Y Cooper	Y Hamilton	N McClain	N Smith, E
Y Allison	N Dawkins-Haigler	Y Harbin	Y Meadows	Y Smith, L
N Anderson	Y Deffenbaugh	Y Harden	N Mitchell	N Smith, M
Y Atwood	Dempsey	N Harrell	Y Moore	Y Smith, R
Y Ballinger	N Dickerson	Y Hatcher	Y Morgan	N Smyre
Y Barr	Y Dickey	N Hawkins	Y Morris	Y Spencer
Y Battles	Y Dickson	N Henson	N Mosby	Stephens, M
N Beasley-Teague	Y Dollar	E 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
Bentley	Y Dudgeon	Y Holmes	Y O'Neal	Y Stover
Y Benton	N Dukes	Y Holt	N Pak	Y Strickland
N Beverly	N Dunahoo	Y Houston	Y Parrish	Y Talton
Y Black	Y Duncan	N Howard	Parsons	Y Tankersley
N Braddock	Y Dutton	N Hugley	Y Peake	Y Tanner
Y Broadrick	Y Efrstration	Y Jackson	Y Pezold	Y Tarvin
Y Brockway	Y Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
N Brooks	Y England	E Jasperse	Y Powell, J	Y Taylor, T
N Bruce	N Epps, C	Y Jones, J	N Prince	E Teasley
Y Bryant	Y Epps, J	Jones, L	Y Pruett	N Thomas, A.M.
N Buckner	Y Evans	N Jones, S	Y Quick	Y Turner
Y Burns	Fleming	N Jordan	Y Ramsey	Waites
Y Caldwell, J	Y Floyd	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	Weldon
Y Casas	Y Fullerton	Kirby	Y Rogers, C	N Wilkerson
Y Chandler	Y Gardner	Y Knight	N Rogers, T	Y Wilkinson
Channell	N Gasaway	Y Lindsey	Y Rutledge	Y Willard
N Chapman	Y Geisinger	Y Lumsden	Y Rynders	N Williams, A
Y Cheokas	N Glanton	N Mabra	N Scott	Y Williams, C
Y Clark, J	E Golick	N Marin	Y Setzler	N Williams, E
Y Clark, V	Y Gordon	Y Martin	N Sharper	Williamson
Y Coleman	N Gravley	N Maxwell	Y Shaw	Y Yates
Y Cooke	Y Greene	N Mayo	Y Sims, B	Ralston, Speaker

On the passage of the Bill, the ayes were 107, nays 55.

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

HB 1032. By Representative Pruett of the 149th:

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

On the passage of the Bill, the ayes were 102, nays 60.

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

HB 1067. By Representative Pruett of the 149th:

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

On the passage of the Bill, the ayes were 100, nays 60.

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

HB 1068. By Representative Pruett of the 149th:

A BILL to be entitled an Act to provide that future elections for the office of coroner of Wheeler County shall be nonpartisan elections; 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	Coomer	Gregory	Y McCall	Y Sims, C
N Alexander	Y Cooper	Y Hamilton	N McClain	N Smith, E
Y Allison	N Dawkins-Haigler	Y Harbin	Y Meadows	Y Smith, L
N Anderson	Y Deffenbaugh	Y Harden	N Mitchell	N Smith, M
Y Atwood	Dempsey	N Harrell	Y Moore	Y Smith, R
Y Ballinger	Dickerson	Y Hatchett	Y Morgan	N Smyre
Y Barr	N Dickey	N Hawkins	Y Morris	Y Spencer
Y Battles	Y Dickson	N Henson	N Mosby	Stephens, M
N Beasley-Teague	N Dollar	E 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
Bentley	Y Dudgeon	Y Holmes	Y O'Neal	Y Stover
Y Benton	N Dukes	Y Holt	N Pak	Y Strickland
N Beverly	N Dunahoo	Y Houston	Y Parrish	Y Talton
Y Black	Y Duncan	N Howard	Y Parsons	Y Tankersley
N Braddock	Y Dutton	N 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
N Brooks	Y England	E Jasperse	Y Powell, J	Y Taylor, T
N Bruce	N Epps, C	Y Jones, J	N Prince	E Teasley
Y Bryant	Y Epps, J	Jones, L	Y Pruett	N Thomas, A.M.
N Buckner	Y Evans	N Jones, S	Y Quick	Y Turner
Y Burns	Fleming	N Jordan	Y Ramsey	N Waites
Y Caldwell, J	Y Floyd	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	Weldon
Y Casas	Y Fullerton	Kirby	Y Rogers, C	N Wilkerson
Y Chandler	N Gardner	Y Knight	N Rogers, T	Y Wilkinson
Channell	N Gasaway	Y Lindsey	Y Rutledge	Y Willard
N Chapman	Y Geisinger	Lumsden	Y Rynders	N Williams, A
Y Cheokas	N Glanton	N Mabra	N Scott	Y Williams, C
Y Clark, J	E Golick	N Marin	Y Setzler	N Williams, E
Y Clark, V	N Gordon	Y Martin	N Sharper	Williamson
Y Coleman	N Gravley	N Maxwell	Y Shaw	Y Yates
Y Cooke	Y Greene	N Mayo	Y Sims, B	Ralston, Speaker

On the passage of the Bill, the ayes were 102, nays 59.

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

Representative O`Neal of the 146th moved that the following Bill of the House be withdrawn from the Rules Calendar and recommitted to the Committee on Rules:

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.

The motion prevailed.

Representative Channell of the 120th gave notice that at the proper time he would move that the House reconsider its action in giving the requisite constitutional majority to the following Bill of the House:

HB 1000. By Representatives Fleming of the 121st, Carter of the 175th, Oliver of the 82nd, Frye of the 118th and Tankersley of the 160th:

A BILL to be entitled an Act to amend Title 48 of the O.C.G.A., relating to revenue and taxation, so as to provide for setoff debt collection against state income tax refunds for debts owed to political subdivisions and courts; to provide for a revision of setoff debt collection policies and systems relating to state income tax refunds; to amend Title 50 of the O.C.G.A., relating to state government, so as to provide for setoff debt collection against lottery prizes for debts owed to political subdivisions and courts; to provide for a revision of setoff debt collection policies and systems relating to lottery prizes; to provide for definitions, procedures, conditions, and limitations; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Representative Barr of the 103rd moved that the following Bills of the House be withdrawn from the Committee on Judiciary and recommitted to the Committee on Interstate Cooperation:

HB 929. By Representatives Barr of the 103rd, Brockway of the 102nd, Clark of the 98th, Cooke of the 18th, Ramsey of the 72nd and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions regarding state government, so as to provide definitions; to provide for the method of selecting delegates and alternate delegates to an Article V convention; to provide for the qualifications of delegates and alternate delegates; to provide for the recall of delegates and alternate delegates; to provide for oaths; to provide for expenses; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 930. By Representatives Barr of the 103rd, Brockway of the 102nd, Clark of the 98th, Cooke of the 18th, Ramsey of the 72nd and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 50 of the O.C.G.A., relating to general provisions regarding state government; to provide that the General Assembly shall adopt standards and instructions for Article V convention delegates; to provide for the revocation of a resolution calling for an Article V convention under certain circumstances; to prohibit certain votes by delegates and alternate delegates; to provide for penalties; to provide for an advisory group and its composition, powers, duties, and procedures; to provide for related matters; to repeal conflicting laws; and for other purposes.

The motion prevailed.

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

HB 1006 Do Pass, by Substitute

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

Representative Sims of the 123rd District, Chairman of the Committee on State Properties, submitted the following report:

Mr. Speaker:

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

HB 1080 Do Pass
HR 870 Do Pass, by Substitute
HR 1574 Do Pass

Respectfully submitted,
/s/ Sims of the 123rd
Chairman

The following communications were received:

Legislative Services Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

21 February 2014

Honorable Brian P. Kemp
Secretary of State
214 State Capitol
Atlanta, GA 30334

Dear Secretary of State Kemp:

Enclosed is a certificate from the Lieutenant Governor and the Speaker of the House of Representatives certifying that Honorable Dan Moody was elected as the member of the State Transportation Board from the 6th Congressional District. He will serve for a term expiring April 15, 2019. This certificate is furnished to you pursuant to the provisions of O.C.G.A. Section 32-2-20.

With all good wishes, I am,

Respectfully,

/s/ Wayne R. Allen
Legislative Counsel

WRA:dd
Enclosures

cc: Honorable Nathan Deal
Honorable Casey Cagle
Honorable David Ralston
Honorable David Shafer
Honorable Dan Moody
Honorable Jan Jones
Honorable Keith Golden
Mr. David Cook
Mr. Bill Reilly

Legislative Services Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

TO: HONORABLE BRIAN KEMP
SECRETARY OF STATE

This is to certify that Honorable Dan Moody has been elected, pursuant to the provisions of O.C.G.A. Section 32-2-20, as the member of the State Transportation Board from the 6th Congressional District for a term expiring April 15, 2019.

/s/ Casey Cagle
HONORABLE CASEY CAGLE
LIEUTENANT GOVERNOR

/s/ David Ralston
HONORABLE DAVID RALSTON
SPEAKER, HOUSE OF REPRESENTATIVES

Legislative Services Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

CERTIFICATION OF CAUCUS ELECTION

Pursuant to the call for a caucus under the provisions of O.C.G.A. Section 32-2-20, a caucus was held on February 19, 2014 in the Senate Chamber of the State Capitol Building. At that caucus, Honorable Dan Moody was elected as the member of the State Transportation Board from the 6th Congressional District to serve a term expiring April 15, 2019.

Respectfully submitted,

/s/ David Shafer
Honorable David Shafer
Senator, District 48
CHAIRMAN

/s/ Jan Jones
Honorable Jan Jones
Representative, District 47
SECRETARY

Legislative Services Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

21 February 2014

Honorable Brian P. Kemp
Secretary of State
214 State Capitol
Atlanta, GA 30334

Dear Secretary of State Kemp:

Enclosed is a certificate from the Lieutenant Governor and the Speaker of the House of Representatives certifying that Honorable Don Grantham was elected as the member of the State Transportation Board from the 12th Congressional District. He will serve for a term expiring April 15, 2019. This certificate is furnished to you pursuant to the provisions of O.C.G.A. Section 32-2-20.

With all good wishes, I am,

Respectfully,

/s/ Wayne R. Allen
Legislative Counsel

WRA:dd
Enclosures

cc: Honorable Nathan Deal
Honorable Casey Cagle
Honorable David Ralston
Honorable Jay Roberts
Honorable Ben Harbin
Honorable Don Grantham
Honorable Keith Golden
Mr. David Cook
Mr. Bill Reilly

Legislative Services Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

TO: HONORABLE BRIAN KEMP
SECRETARY OF STATE

This is to certify that Honorable Don Grantham has been elected, pursuant to the provisions of O.C.G.A. Section 32-2-20, as the member of the State Transportation Board from the 12th Congressional District for a term expiring April 15, 2019.

/s/ Casey Cagle
HONORABLE CASEY CAGLE
LIEUTENANT GOVERNOR

/s/ David Ralston
HONORABLE DAVID RALSTON
SPEAKER, HOUSE OF REPRESENTATIVES

Legislative Services Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

CERTIFICATION OF CAUCUS ELECTION

Pursuant to the call for a caucus under the provisions of O.C.G.A. Section 32-2-20, a caucus was held on February 19, 2014 in the Senate Chamber of the State Capitol Building. At that caucus, Honorable Don Grantham was elected as the member of the State Transportation Board from the 12th Congressional District to serve a term expiring April 15, 2019.

Respectfully submitted,

/s/ Jay Roberts
Honorable Jay Roberts
Representative, District 155
CHAIRMAN

/s/ Ben Harbin
Honorable Ben Harbin
Representative, District 122
SECRETARY

Representative O'Neal of the 146th moved that the House stand in recess until 7:00 o'clock, P.M., at which time the House will stand adjourned until 10:00 o'clock, A.M. Monday, March 3, 2014.

The Speaker announced the House in recess until 7:00 o'clock, P.M., at which time the House will stand adjourned, pursuant to the adjournment Resolution previously adopted by the House and Senate, until 10:00 o'clock, A.M. Monday, March 3, 2014.