

Representative Hall, Atlanta, Georgia**Tuesday, March 3, 2015****Twenty-Fifth Legislative Day**

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

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

E Abrams	Coomer	Hamilton	Meadows	Smith, L
E Alexander	Cooper	Harbin	Mitchell	Smith, R
Allison	Corbett	Harden	Morris	E Smyre
E Anderson	Dawkins-Haigler	Harrell	Nimmer	Spencer
Atwood	Deffenbaugh	Hatchett	Nix	Stephens, M
Ballinger	Dempsey	Hawkins	O'Neal	Stephens, R
Barr	Dickerson	Hightower	Pak	E Stephenson
E Battles	Dickey	Hitchens	Parrish	Stover
E Beasley-Teague	Dickson	Holcomb	Parsons	Strickland
Belton	Dollar	Holmes	Peake	Tankersley
E Bennett	Douglas	Houston	Petrea	Tanner
Benton	Drenner	Howard	Pezold	Tarvin
Beskin	Dudgeon	Jackson	Powell, A	Taylor, D
Beverly	Dukes	Jasperse	Powell, J	Taylor, T
Broadrick	Dunahoo	Jones, J	Prince	Teasley
Brockway	Duncan	Jones, J.B.	Pruett	Thomas, A.M.
Brooks	Ealum	Jones, L	Quick	Thomas, E
E Bruce	Efstration	Jones, S	Raffensperger	Trammell
Bryant	E Ehrhart	E Jordan	Rakestraw	Turner
Buckner	England	Kaiser	Ramsey	Waites
Burns	Epps	Kelley	E Randall	Watson
Caldwell, J	E Evans	Kidd	Reeves	E Welch
Caldwell, M	Fleming	Kirby	Rhodes	Weldon
Cantrell	Fludd	Knight	Rice	Werkheiser
Carson	Frye	LaRiccica	Roberts	Wilkerson
Carter	Gardner	Lumsden	Rogers, C	Wilkinson
E Casas	Gasaway	Mabra	Rogers, T	Willard
Chandler	Geisinger	E Marin	Rutledge	E Williams, A
E Cheokas	Glanton	Martin	Rynders	Williams, C
Clark, D	Golick	Maxwell	Sharper	Williams, E
Clark, H	Gordon	E Mayo	Shaw	Williamson
Clark, V	Gravley	McCall	Sims	Yates
Coleman	Greene	McClain	Smith, E	Ralston, Speaker
E Cooke				

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

Representatives Bentley of the 139th, Frazier of the 126th, Hugley of the 136th, Jacobs of the 80th, Kendrick of the 93rd, Mosby of the 83rd, Oliver of the 82nd, Scott of the 76th, and Stovall of the 74th.

They wished to be recorded as present.

Prayer was offered by Reverend Brian Patrick, Pastor, Calvary's Grace Baptist Church, Ailey, Georgia.

The members pledged allegiance to the flag.

Representative Williams of the 119th, Vice-Chairman of the Committee on Information and Audits, reported that the Journal of the previous legislative day had been read and found to be correct.

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

The Journal was confirmed.

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

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

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

HB 514. By Representatives Bruce of the 61st, Fludd of the 64th, Kaiser of the 59th, Mabra of the 63rd, Jones of the 53rd and others:

A BILL to be entitled an Act to incorporate the City of South Fulton in Fulton County; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

HB 516. By Representatives Hitchens of the 161st and Burns of the 159th:

A BILL to be entitled an Act to amend an Act to reconstitute the board of education for the Effingham County School District, approved March 26, 1987 (Ga. L. 1987, p. 4596), as amended, so as to change the compensation for members of the board; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 517. By Representative Corbett of the 174th:

A BILL to be entitled an Act to amend an Act to provide for the election of the members of the board of education of Echols County, approved April 10, 1968 (Ga. L. 1968, p. 3514), so as to provide that the members of the board of education shall be elected in nonpartisan elections; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination.

HB 518. By Representatives Corbett of the 174th, Spencer of the 180th and Shaw of the 176th:

A BILL to be entitled an Act to amend an Act creating the Satilla Regional Water and Sewer Authority, previously known as the Ware County Water and Sewer Authority, approved October 1, 2001 (Ga. L. 2001, Ex. Sess., p. 705), as amended, so as to revise the manner of selection of the members of the authority; to repeal provisions regarding receipts for payments, late fees, service disconnection, and service reconnection; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 521. By Representatives Raffensperger of the 50th, Jones of the 47th, Willard of the 51st, Geisinger of the 48th, Martin of the 49th and others:

A BILL to be entitled an Act to amend an Act providing a homestead exemption from Fulton County ad valorem taxes for county purposes in the amount of \$15,000.00 of the assessed value of the homestead for residents of that county, approved April 20, 1992 (Ga. L. 1992, p. 6583), as amended, particularly by an Act approved May 13, 2008 (Ga. L. 2008, p. 4010), so as to increase the exemption amount to \$60,000.00 after a two-year phase-in period; to provide for applicability; to provide for a referendum, effective

dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 522. By Representatives Raffensperger of the 50th, Jones of the 47th, Willard of the 51st, Geisinger of the 48th, Beskin of the 54th and others:

A BILL to be entitled an Act to provide a homestead exemption from Fulton County ad valorem taxes for county purposes in the amount of \$30,000.00 of the assessed value of the homestead after a two-year phase in for certain residents of that county who are 70 years of age or older; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 523. By Representative Nimmer of the 178th:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Waycross, approved August 17, 1909 (Ga. L. 1909, p. 1456), as amended, so as to change the corporate limits of such city; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 524. By Representative Fleming of the 121st:

A BILL to be entitled an Act to amend Code Section 10-1-490 of the Official Code of Georgia Annotated, relating to registration of businesses using trade names, so as to require registration of trade names with the clerk of superior court; to amend Article 2 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to clerks of superior courts, so as to establish a trade name registry; to provide for duties of clerks of superior courts; to provide for fees; to correct cross-references; to provide for an automatic repeal; to provide for revised fees on and after January 1, 2021; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 525. By Representatives Mitchell of the 88th and Stephens of the 165th:

A BILL to be entitled an Act to amend Article 31 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to charter schools, so as to provide for certain accountability requirements for charter schools; to provide for legislative findings; to provide for disfavored practices with respect to assessments; to provide for transparency regarding assessments; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

HB 526. By Representative Buckner of the 137th:

A BILL to be entitled an Act to reincorporate the City of Talbotton in Talbot County; to provide for a new charter for the City of Talbotton; to provide for severability; to repeal a specific law; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 527. By Representatives Willard of the 51st, Jones of the 47th, Bruce of the 61st, Wilkinson of the 52nd, Beskin of the 54th and others:

A BILL to be entitled an Act to repeal an Act entitled "An Act to repeal an Act entitled 'An Act to provide for a budget in all counties in this state having a population of two hundred thousand or more by the United States census of 1930, or by any future census; to define the word 'authorities' as used herein; for the publication of the proposed budget, the adoption of the budget and publication of the final budget as adopted... and for other purposes,' approved March 16, 1939, appearing in Georgia Laws 1939 pp. 272-276, and all Acts amendatory thereto; and for other purposes" approved March 2, 1953 (Ga. L. 1953, p. 2815), and all Acts amendatory thereto; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination.

HB 528. By Representative Tarvin of the 2nd:

A BILL to be entitled an Act to amend an Act to provide a new charter for the City of Chickamauga in Walker County, Georgia, approved April 10, 2014 (Ga. L. 2014, p. 4218), so as to revise the duties and responsibilities of the city manager and the chief of police; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 529. By Representatives Waites of the 60th, Fludd of the 64th, Thomas of the 56th and Gordon of the 163rd:

A BILL to be entitled an Act to amend Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to the Department of Administrative Services, so as to require the commissioning of a disparity study to determine the level of participation of women and minority businesses in state contracting; to require establishment of programs and goals based on the results of such study; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

HR 528. By Representative Prince of the 127th:

A RESOLUTION honoring the life and memory of Mr. Ozzie M. Hannah and dedicating a road in his honor; and for other purposes.

Referred to the Committee on Transportation.

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

HB 538. By Representatives Turner of the 21st, Caldwell of the 20th, Drenner of the 85th, Floyd of the 99th, Raffensperger of the 50th and others:

A BILL to be entitled an Act to amend Article 4 of Chapter 12 of Title 24 of the Official Code of Georgia Annotated, relating to medical and other confidential information, so as to provide an exception for confidentiality of veterinarian records necessary for medical treatment of an individual; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Agriculture & Consumer Affairs.

HB 539. By Representatives Dawkins-Haigler of the 91st, Kendrick of the 93rd, Anderson of the 92nd and Bennett of the 94th:

A BILL to be entitled an Act to incorporate the City of Stonecrest in DeKalb County; to provide for a charter for the City of Stonecrest; to provide for other matters relative to the foregoing; to provide for a referendum; to provide effective dates and transitional provisions governing the transfer of

various functions and responsibilities from DeKalb County to the City of Stonecrest; to provide for severability; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

HB 540. By Representatives Dollar of the 45th, Ramsey of the 72nd, Kelley of the 16th and Petrea of the 166th:

A BILL to be entitled an Act to amend Chapter 6 of Title 28 of the Official Code of Georgia Annotated, relating to interstate cooperation, so as to clarify the number of members of the Senate Interstate Cooperation Committee and the House Committee on Interstate Cooperation; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Interstate Cooperation.

HB 541. By Representatives Barr of the 103rd, Casas of the 107th, Kelley of the 16th, Caldwell of the 20th and Mabra of the 63rd:

A BILL to be entitled an Act to amend Code Section 46-5-1 of the Official Code of Georgia Annotated, relating to exercise of power of eminent domain by telephone companies, placement of posts and other fixtures, regulation of construction of fixtures, posts, and wires near railroad tracks, liability of telephone companies for damages, required information, and due compensation, so as to specify the accounts or portions thereof considered to be included as part of the term "actual recurring local service revenues"; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Code Revision.

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

HB 3	HB 40
HB 503	HB 507
HB 508	HB 509
HB 510	HB 511
HB 512	HB 513
HB 515	HB 519
HB 520	HR 519
SB 88	SB 94
SB 139	

Representative McCall of the 33rd District, Chairman of the Committee on Agriculture and Consumer Affairs, submitted the following report:

Mr. Speaker:

Your Committee on Agriculture and Consumer Affairs has had under consideration the following Bills of the House and Senate and has instructed me to report the same back to the House with the following recommendations:

HB 397	Do Pass, by Substitute
HB 450	Do Pass
SB 139	Do Pass, by Substitute

Respectfully submitted,
/s/ McCall of the 33rd
Chairman

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

Mr. Speaker:

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

HB 16	Do Pass, by Substitute	HB 131	Do Pass, by Substitute
HB 271	Do Pass, by Substitute	HB 296	Do Pass, by Substitute
HB 372	Do Pass	HR 303	Do Pass
SB 2	Do Pass		

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

Representative Cooper of the 43rd District, Chairman of the Committee on Health and Human Services, submitted the following report:

Mr. Speaker:

Your Committee on Health and Human Services 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 34	Do Pass, by Substitute	HB 240	Do Pass, by Substitute
HB 288	Do Pass, by Substitute	HB 416	Do Pass, by Substitute
HB 436	Do Pass, by Substitute	HB 504	Do Pass, by Substitute
HB 511	Do Pass		

Respectfully submitted,
/s/ Cooper of the 43rd
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 of the House and has instructed me to report the same back to the House with the following recommendations:

HB 478	Do Pass	HB 479	Do Pass
HB 489	Do Pass	HB 490	Do Pass
HB 493	Do Pass	HB 495	Do Pass

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

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

HOUSE RULES CALENDAR
TUESDAY, MARCH 3, 2015

Mr. Speaker and Members of the House:

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

DEBATE CALENDAR

Open Rule

HB 82 Oconee River Greenway Authority; certain members to appoint a designee; allow (Substitute)(NR&E-Kidd-145th)

Modified Open Rule

- HB 147 Motor vehicles; initial two-year registration period for certain vehicles; provide (Substitute)(MotV-Powell-32nd)
- HB 252 J. Calvin Hill, Jr., Act; enact (Substitute)(CR-Caldwell-20th)
- HB 315 Technical and adult education; change name of Technical College System of Georgia to Georgia Career College System; provisions (HEd-Nimmer-178th)

Modified Structured Rule

- HB 183 Home Care Patient Protection Act; enact (Substitute)(H&HS-Knight-130th)
- HB 190 Insurance; provide requirements for transportation network companies and their drivers; provisions (Substitute)(Ins-Golick-40th)
- HB 195 Pharmacists and pharmacies; substitutions of interchangeable biological products; provide (Substitute)(H&HS-Cooper-43rd)

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 Bills of the House were taken up for consideration and read the third time:

HB 478. By Representative Parrish of the 158th:

A BILL to be entitled an Act to amend an Act creating a Board of Commissioners of Candler County, approved March 23, 1933 (Ga. L. 1933, p. 430), as amended, particularly by an Act approved March 28, 1985 (Ga. L. 1985, p. 4975), so as to provide for staggered terms for the commissioners; to provide for currently serving commissioners; 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.

HB 479. By Representatives Dickey of the 140th and Peake of the 141st:

A BILL to be entitled an Act to create the City of Forsyth Convention and Visitors Bureau Authority as a public body corporate and politic, a political subdivision of the state, and a public corporation, to have the responsibility and authority to promote tourism, trade, and conventions in the City of Forsyth, Georgia; to provide for creation and organization of the authority; to provide for a purpose; to provide for powers, duties, and authority; to provide for a board of directors, membership, terms of office, and removal from office; to provide for an executive director and his or her duties and powers; to provide for meetings; to limit liability; to provide for a budget and finances; to provide for oversight; to provide that the city not be bound; to provide definitions; to provide a short title; 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.

HB 489. By Representatives Ballinger of the 23rd, Carson of the 46th, Caldwell of the 20th, Cantrell of the 22nd and Turner of the 21st:

A BILL to be entitled an Act to amend an Act entitled "An Act to create the State Court of Cherokee County," approved April 15, 1996 (Ga. L. 1996, p. 4427), as amended, so as to provide for the appointment of solicitor-general investigators; to provide for qualifications; to provide for powers; to provide for a chief investigator; 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 490. By Representatives Ballinger of the 23rd, Carson of the 46th, Caldwell of the 20th, Cantrell of the 22nd and Turner of the 21st:

A BILL to be entitled an Act to provide for the appointment of district attorney investigators in the Blue Ridge Judicial Circuit; to provide for qualifications; to provide for powers; to provide for a chief investigator; 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 493. By Representatives Jones of the 167th and Atwood of the 179th:

A BILL to be entitled an Act to authorize the City of Brunswick 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 495. By Representatives Ramsey of the 72nd, Mabra of the 63rd, Yates of the 73rd, Stover of the 71st and Fludd of the 64th:

A BILL to be entitled an Act to authorize the City of Peachtree City 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.

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

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

E Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
E Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	Y Harrell	Y Morris	Smith, M
Y Anderson	Y Dawkins-Haigler	Y Hatchett	Y Mosby	Y Smith, R
Y Atwood	Deffenbaugh	Y Hawkins	Y Nimmer	Y Smyre
Y Ballinger	Dempsey	Y Henson	Y Nix	Y Spencer
Y Barr	Y Dickerson	Y Hightower	Oliver	Y Stephens, M
E Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	Y Pak	E Stephenson
Y Bell	Y Dollar	Y Holmes	Y Parrish	Y Stovall
Y Belton	Y Douglas	Y Houston	Y Parsons	Y Stover
Bennett	Y Drenner	Y Howard	Y Peake	Y Strickland
Y Bentley	Y Dudgeon	Hugley	Y Petrea	Y Tankersley
Y Benton	Y Dukes	Y Jackson	Y Pezold	Y Tanner
Y Beskin	Y Dunahoo	Y Jacobs	Y Powell, A	Y Tarvin
Y Beverly	Y Duncan	Y Jasperse	Y Powell, J	Y Taylor, D
Y Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T

Y Brockway	Y Efrstration	Y Jones, J.B.	Y Pruett	Y Teasley
Y Brooks	E Ehrhart	Y Jones, L	Y Quick	Y Thomas, A.M.
E Bruce	Y England	Y Jones, S	Y Raffensperger	Y Thomas, E
Y Bryant	Y Epps	Y Jordan	Y Rakestraw	Y Trammell
Y Buckner	E Evans	Kaiser	Y Ramsey	Y Turner
Y Burns	Y Fleming	Y Kelley	Y Randall	Y Waites
Y Caldwell, J	Y Floyd	Y Kendrick	Y Reeves	Y Watson
Y Caldwell, M	Y Fludd	Y Kidd	Y Rhodes	E Welch
Y Cantrell	Y Frazier	Y Kirby	Rice	Weldon
Y Carson	Y Frye	Y Knight	Y Roberts	Y Werkheiser
Y Carter	Gardner	Y LaRiccica	Y Rogers, C	Y Wilkerson
Y Casas	Y Gasaway	Y Lumsden	Y Rogers, T	Y Wilkinson
Y Chandler	Y Geisinger	Y Mabra	Y Rutledge	Y Willard
E Cheokas	Y Glanton	E Marin	Y Rynders	E Williams, A
Y Clark, D	Y Golick	Y Martin	Y Scott	Y Williams, C
Y Clark, H	Y Gordon	Y Maxwell	Setzler	Y Williams, E
Y Clark, V	Y Gravley	E Mayo	Y Sharper	Y Williamson
E Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
E Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bills, the ayes were 154, nays 0.

The Bills, having received the requisite constitutional majority, were passed.

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 101. By Senators Watson of the 1st, Jackson of the 2nd, Ligon, Jr. of the 3rd, Williams of the 19th, Tolleson of the 20th and others:

A BILL to be entitled an Act to amend Chapter 7 of Title 12 of the Official Code of Georgia Annotated, relating to the control of soil erosion and sedimentation, so as to provide for a buffer against coastal marshlands within which certain land-disturbing activities are prohibited; to provide for exceptions and variances; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

SB 108. By Senators Martin of the 9th, McKoon of the 29th, Harbison of the 15th, Jones of the 25th, Ramsey, Sr. of the 43rd and others:

A BILL to be entitled an Act to amend Title 33 of the O.C.G.A., relating to insurance, so as to provide the requirements for maintaining a risk

management framework and provide guidance and instructions for filing for an Own Risk and Solvency Assessment and report with the Commissioner; to provide for legislative intent; to provide for a purpose; to provide for definitions; to provide for standards and timing of reports; to provide for exemptions; to provide for confidentiality of reports; to provide for the Commissioner's duties and powers; to provide for penalties; to provide for the redesignation of certain code provisions and conforming changes; to provide for related matters; to repeal conflicting laws; and for other purposes.

- SB 125. By Senators Beach of the 21st, Williams of the 19th, Gooch of the 51st and Mullis of the 53rd:

A BILL to be entitled an Act to amend Article 2 of Chapter 10 of Title 32 of the Official Code of Georgia Annotated, relating to the State Road and Tollway Authority, so as to authorize the collection of tolls for the management of traffic flow; to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so as to provide for definitions; to provide for the installation of managed lane signs, barriers, or gates; to prohibit entry or exit of a managed lane under certain conditions; to authorize the development of a system of managed lanes; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

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

- HB 305. By Representative Jackson of the 128th:

A BILL to be entitled an Act to create the Sandersville School Building Authority; to provide for a short title; to confer powers and impose duties on the authority; to provide for the membership and the appointment of members of the authority and their terms of office, qualifications, duties, and powers; to provide for vacancies, organization, meetings, and expenses; to provide for definitions; to provide for the transfer of property; to repeal conflicting laws; and for other purposes.

- HB 329. By Representatives Reeves of the 34th, Carson of the 46th, Evans of the 42nd, Setzler of the 35th, Thomas of the 39th and others:

A BILL to be entitled an Act to amend an Act creating a new charter for the City of Kennesaw, approved May 6, 2013 (Ga. L. 2013, p. 4234), as amended, particularly by an Act approved April 10, 2014 (Ga. L. 2014, p. 4106), so as to

change the provisions relating to the corporate limits of the city; to repeal conflicting laws; and for other purposes.

- HB 371. By Representatives Corbett of the 174th, Shaw of the 176th, Sharper of the 177th and Carter of the 175th:

A BILL to be entitled an Act to amend an Act creating a new charter for the City of Lake Park, approved April 17, 1973 (Ga. L. 1973, p. 3074), as amended, particularly by an Act approved March 22, 1989 (Ga. L. 1989, p. 4123), so as to provide for the election and terms of office of the mayor and councilmen; to provide for related matters; to repeal conflicting laws; and for other purposes.

- HB 379. By Representatives Dickerson of the 113th, Welch of the 110th, Rutledge of the 109th and Belton of the 112th:

A BILL to be entitled an Act to authorize the City of Porterdale 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.

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

- SB 101. By Senators Watson of the 1st, Jackson of the 2nd, Ligon, Jr. of the 3rd, Williams of the 19th, Tolleson of the 20th and others:

A BILL to be entitled an Act to amend Chapter 7 of Title 12 of the Official Code of Georgia Annotated, relating to the control of soil erosion and sedimentation, so as to provide for a buffer against coastal marshlands within which certain land-disturbing activities are prohibited; to provide for exceptions and variances; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources & Environment.

- SB 108. By Senators Martin of the 9th, McKoon of the 29th, Harbison of the 15th, Jones of the 25th, Ramsey, Sr. of the 43rd and others:

A BILL to be entitled an Act to amend Title 33 of the O.C.G.A., relating to insurance, so as to provide the requirements for maintaining a risk

management framework and provide guidance and instructions for filing for an Own Risk and Solvency Assessment and report with the Commissioner; to provide for legislative intent; to provide for a purpose; to provide for definitions; to provide for standards and timing of reports; to provide for exemptions; to provide for confidentiality of reports; to provide for the Commissioner's duties and powers; to provide for penalties; to provide for the redesignation of certain code provisions and conforming changes; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance.

SB 125. By Senators Beach of the 21st, Williams of the 19th, Gooch of the 51st and Mullis of the 53rd:

A BILL to be entitled an Act to amend Article 2 of Chapter 10 of Title 32 of the Official Code of Georgia Annotated, relating to the State Road and Tollway Authority, so as to authorize the collection of tolls for the management of traffic flow; to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so as to provide for definitions; to provide for the installation of managed lane signs, barriers, or gates; to prohibit entry or exit of a managed lane under certain conditions; to authorize the development of a system of managed lanes; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Transportation.

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

Representatives Teasley of the 37th, Taylor of the 79th et al., Roberts of the 155th, Anderson of the 92nd, Smyre of the 135th et al., Maxwell of the 17th, Jackson of the 128th, Dollar of the 45th, Prince of the 127th, Smith of the 70th, Golick of the 40th, Allison of the 8th, Harden of the 148th, Beskin of the 54th, Ralston of the 7th, and Coleman of the 97th.

Pursuant to HR 527, the House recognized and commended Ms. Patricia S. King, of the Department of Human Services, Division of Aging Services, Forensic Special Investigations Unit, based upon her contributions to the law enforcement profession in Georgia, and invited her to be recognized by the House of Representatives.

Pursuant to HR 404, the House commended the Miss Georgia Peach Scholarship Pageant and the 2014 Georgia Peach Queens and invited them to be recognized by the House of Representatives.

Pursuant to HR 288, the House commended the College of Coastal Georgia, recognized March 3, 2015, as College of Coastal Georgia Day at the Capitol, and invited its faculty, staff, and students 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 195. By Representatives Cooper of the 43rd, Randall of the 142nd, Kelley of the 16th, Dempsey of the 13th, Rynders of the 152nd and others:

A BILL to be entitled an Act to amend Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to pharmacists and pharmacies, so as to provide for substitutions of interchangeable biological products; to define certain terms; to provide for requirements and limitations; 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 4 of Title 26 of the Official Code of Georgia Annotated, relating to pharmacists and pharmacies, so as to provide for substitutions of interchangeable biological products; to define certain terms; to provide for requirements and limitations; 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 4 of Title 26 of the Official Code of Georgia Annotated, relating to pharmacists and pharmacies, is amended in Code Section 26-4-5, relating to definitions, by adding new paragraphs to read as follows:

"(1.1) 'Biological product' means a biological product as defined in subsection (i) of section 351 of the Public Health Service Act, 42 U.S.C. Section 262."

"(18.2) 'Interchangeable biological product' means a biological product that the federal Food and Drug Administration has determined meets the standards set forth in subsection (k)(4) of 42 U.S.C. Section 262 or has been deemed therapeutically equivalent by the federal Food and Drug Administration."

SECTION 2.

Said chapter is further amended by revising Code Section 26-4-81, relating to substitution of generic drugs for brand name drugs, as follows:

"26-4-81.

(a) In accordance with this Code section, a pharmacist may substitute:

(1) A a drug with the same generic name in the same strength, quantity, dose, and dosage form as the prescribed brand name drug product which is, in the pharmacist's reasonable professional opinion, pharmaceutically equivalent; or

(2) A biological product with an interchangeable biological product.

(b) If a practitioner of the healing arts prescribes:

(1) A a drug by its generic name, the pharmacist shall dispense the lowest retail priced drug product which is in stock and which is, in the pharmacist's reasonable professional opinion, pharmaceutically equivalent; or

(2) A biological product by its nonproprietary name, the pharmacist shall dispense the lowest retail priced interchangeable biological product which is in stock.

(c) Substitutions as provided for in subsections (a) and (b) of this Code section are authorized for the express purpose of making available to the consumer the lowest retail priced:

(1) Drug ~~drug~~ product which is in stock and which is, in the pharmacist's reasonable professional opinion, both therapeutically equivalent and pharmaceutically equivalent; or

(2) Interchangeable biological product which is in stock.

(d)(1) Whenever a substitution is made, the pharmacist shall record on the original prescription the fact that there has been a substitution and the identity of the dispensed drug product or interchangeable biological product and its manufacturer. Such prescription shall be made available for inspection by the board or its representative in accordance with the rules of the board.

(2) If a pharmacist substitutes a generic drug product for a brand name prescribed drug product when dispensing a prescribed medication, the brand name and the generic name of the drug product, with an explanation of 'generic for (insert name of brand name prescribed drug product)' or similar language to indicate substitution has occurred, must appear on the prescription label and be affixed to the container or an auxiliary label, unless the prescribing practitioner indicated that the name of the drug may not appear upon the prescription label; provided, however, that this paragraph shall not apply to medication dispensed for in-patient hospital services or to medications in specialty packaging for dosing purposes as defined by the board.

(3) If a pharmacist substitutes an interchangeable biological product for a prescribed biological product when dispensing a prescribed medication, the name of the interchangeable biological product, with an explanation of 'interchangeable biological product for (insert name of prescribed biological product)' or similar language to indicate substitution has occurred, must appear on the prescription label and be affixed to the container or an auxiliary label, unless the prescribing practitioner indicated that the name of the biological product may not appear upon the prescription

label; provided, however, that this paragraph shall not apply to biological products dispensed for in-patient hospital services, to hospital administered biological products for outpatients, or to biological products in specialty packaging for dosing purposes as defined by the board. This paragraph shall apply to hospital retail pharmacies and to any biological products dispensed by a hospital for a patient's use or administration at home.

(e) The substitution of any drug or biological product by a registered pharmacist pursuant to this Code section does not constitute the practice of medicine.

(f) A patient for whom a prescription drug or biological product order is intended may instruct a pharmacist not to substitute a generic name drug in lieu of a brand name drug or an interchangeable biological product in lieu of a prescribed biological product.

(g) A practitioner of the healing arts may instruct the pharmacist not to substitute a generic name drug in lieu of a brand name drug or an interchangeable biological product in lieu of a prescribed biological product by including the words 'brand necessary' in the body of the prescription. When a prescription is a hard copy prescription drug or biological product order, such indication of brand necessary must be in the practitioner's own handwriting and shall not be printed, applied by rubber stamp, or any such similar means. When the prescription is an electronic prescription drug or biological product order, the words 'brand necessary' are not required to be in the practitioner's own handwriting and may be included on the prescription in any manner or by any method. When a practitioner has designated 'brand necessary' on an electronic prescription drug or biological product order, a generic drug or interchangeable biological product shall not be substituted without the practitioner's express consent, which shall be documented by the pharmacist on the prescription and by the practitioner in the patient's medical record.

(h) Within 48 hours, excluding weekends and holidays, following the dispensing of a biological product, the dispensing pharmacist or the pharmacist's designee shall communicate to the prescriber the specific product provided to the patient, including the name of the biological product and the manufacturer. The communication shall be conveyed by making an entry into an interoperable electronic medical records system or through electronic prescribing technology or a pharmacy record that is electronically accessible by the prescriber. Otherwise, the pharmacist shall communicate the biological product dispensed to the prescriber by using facsimile, telephone, electronic transmission, or other prevailing means, provided that communication shall not be required where:

(1) There is no interchangeable biological product approved by the federal Food and Drug Administration for the prescribed product; or

(2) A refill prescription is not changed from the product dispensed on the prior filling of the prescription.

(i) The board shall maintain a link on its website to the current list of all biological products determined by the federal Food and Drug Administration to be interchangeable with a specific biological product.

(j) Code Section 26-4-118, 'The Pharmacy Audit Bill of Rights,' shall apply to biological products and interchangeable biological products dispensed pursuant to this Code section.'"

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:

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

On the passage of the Bill, by substitute, the ayes were 165, nays 0.

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

HB 183. By Representatives Knight of the 130th, Petrea of the 166th, Peake of the 141st, Dempsey of the 13th, Randall of the 142nd and others:

A BILL to be entitled an Act to amend Article 13 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to private home care providers, so as to revise the definition of private home care provider to include contractual arrangements with licensed independent contractors; to revise exempt services; to provide for a short title; 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 13 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to private home care providers, so as to revise the definition of private home care provider; to provide for a short title; 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 "Home Care Patient Protection Act."

SECTION 2.

Article 13 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to private home care providers, is amended by revising paragraph (4) of Code Section 31-7-300, relating to definitions, as follows:

"(4) 'Private home care provider' means any person, business entity, corporation, or association, whether operated for profit or not for profit, that directly provides or makes provision for private home care services through:

(A) Its own employees ~~or agents~~ who provide nursing services, personal care tasks, or companion or sitter tasks;

(B) Contractual arrangements with independent contractors who are health care professionals licensed pursuant to Title 43; or

(C) Referral of other persons to render home care services, when the individual making the referral has ownership or financial interest in the delivery of those services by those other persons who would deliver those services."

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:

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

On the passage of the Bill, by substitute, the ayes were 162, nays 2.

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

HB 190. By Representatives Golick of the 40th, Smith of the 134th, Maxwell of the 17th and Powell of the 32nd:

A BILL to be entitled an Act to amend Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to provide insurance requirements for transportation network companies and their drivers; to provide for definitions; to provide for minimum liability limits; to provide for certain disclosures; to provide for certain notifications; 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 1 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to provide insurance requirements for transportation network companies and their drivers; to provide for definitions; to provide for minimum liability limits; to provide for certain disclosures; to provide for certain notifications; 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 1 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, is amended by adding a new Code section to read as follows:

"33-1-24.

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

(1) 'Personal vehicle' means a registered motor vehicle that is used by a transportation network company driver in connection with providing services for a transportation network company.

(2) 'Transportation network company' means a corporation, partnership, sole proprietorship, or other entity that uses a digital network or other means to connect customers to transportation network company drivers for the purposes of providing transportation for compensation including, but not limited to, payment, donation, or other item of value. The term shall not include emergency or nonemergency medical transports.

(3) 'Transportation network company customer' or 'customer' means an individual who uses a transportation network company to connect with a driver to obtain services in such driver's personal vehicle, from an agreed upon point of departure to an agreed upon destination.

(4) 'Transportation network company driver' or 'driver' means an individual who uses or permits to be used his or her personal vehicle to provide transportation network

company services. Such driver need not be an employee of a transportation network company.

(5) 'Transportation network company services' or 'services' means:

(A) The period of time a driver is logged on to the transportation network company's digital network until the driver is logged off, except for that time period described in subparagraph (B) of this paragraph; and

(B) The period of time a driver accepts a ride request on the transportation network company's digital network until the driver completes the transaction or the ride is complete, whichever is later.

Transportation network company services shall not include transportation provided using a taxi, a limousine carrier as defined in Code Section 40-1-151, or any other commercially registered motor vehicle and commercially licensed driver.

(b) A transportation network company shall maintain or cause to be maintained a primary motor vehicle insurance policy that:

(1) Recognizes the driver as a transportation network company driver and explicitly covers the driver's provision of transportation network company services as defined in paragraph (5) of subsection (a) of this Code section;

(2) During the time period defined in subparagraph (a)(5)(A) of this Code section, provides a minimum of \$300,000.00 for bodily injuries to or death of all persons in any one accident with a maximum of \$100,000.00 for bodily injuries to or death of one person and \$50,000.00 for loss of or damage to property of others, excluding cargo, in any one accident;

(3) During the time period defined in subparagraph (a)(5)(B) of this Code section, provides a minimum of \$1 million for death, personal injury, and property damage per occurrence and provides uninsured and underinsured motorist coverage of at least \$1 million per incident; and

(4) During the time period defined in subparagraphs (a)(5)(A) and (a)(5)(B) of this Code section, provides first-party coverage to a registered owner of the personal vehicle at not less than the same limits, deductibles, and coverage options purchased by the registered owner on his or her personal vehicle insurance policy.

(c) The requirements of subsection (b) of this Code section may be satisfied by either:

(1) A commercial motor vehicle insurance policy purchased by the transportation network company or the driver that provides coverage that meets the requirements set forth in subsection (b) of this Code section; or

(2) An insurance rider to, an endorsement of, or an express provision of coverage for transportation network company services within the driver's personal private passenger motor vehicle insurance policy required by Code Section 40-9-34 which may be combined with an excess policy provided by the transportation network company to meet the requirements set forth in subsection (b) of this Code section.

(d) A transportation network company that purchases an insurance policy to satisfy any of the requirements under subsection (b) of this Code section shall provide the insurance policy to the Commissioner.

(e) An insurance policy required by subsection (b) of this Code section shall be placed with an insurer licensed under this title or with a surplus lines insurer eligible under Chapter 23 of this title.

(f) To the extent the coverage requirements in subsection (b) of this Code section are met by a driver, then such driver shall submit verification of such coverage to the transportation network company. In the event that the insurance maintained by a driver to fulfill the requirements of subsection (b) of this Code section has lapsed or ceases to exist, then the transportation network company shall provide coverage which shall become primary beginning with the first dollar of a claim.

(g)(1) Nothing in this Code section shall be construed to require a personal vehicle insurance policy to provide primary or excess coverage for transportation network company services.

(2) During the period of time transportation network company services are being provided, all of the following shall apply:

(A) The driver's personal vehicle insurance policy shall not provide any coverage to the driver or any third party, unless the policy expressly provides for such coverage during the time period specified in this paragraph, with or without a separate charge, or the policy contains an amendment or endorsement to provide such coverage, for which a separately stated premium is charged;

(B) The driver's personal vehicle insurance policy shall not have the duty to defend or indemnify for transportation network company services, unless the policy expressly provides otherwise for the time period specified in this paragraph, with or without a separate charge, or the policy contains an amendment or endorsement to provide such coverage, for which a separately stated premium is charged; and

(C) Notwithstanding any other law, a personal vehicle insurer may, at its discretion, offer a personal vehicle insurance policy, or an amendment or endorsement to an existing policy, that covers a driver's vehicle while being used for transportation network company services only if the policy expressly provides for such coverage during the time period specified in this paragraph, with or without a separate charge, or the policy contains an amendment or an endorsement to provide such coverage, for which a separately stated premium may be charged.

(h) The transportation network company shall comply with the following requirements for each driver:

(1) The driver shall be provided a disclosure from the transportation network company containing:

(A) All information and documentation required for compliance with Code Section 40-6-10 if the transportation network company provides any insurance policy required by subsection (b) of this Code section;

(B) Notice that the driver's personal vehicle insurance policy may exclude any and all coverage for injuries to the driver and to others and may exclude the duty to defend or indemnify any person or organization for liability for any loss or injury that occurs while providing transportation network company services; and

(C) Notice that the driver's personal vehicle insurance policy may exclude coverage for damage to the personal vehicle, medical payments coverage, uninsured and underinsured motorist coverage, and other first-party claims;

(2) Such transportation network company shall make the following disclosure to a driver in the driver's terms of service: 'If the vehicle with which you provide transportation network company services has a lien against it, you must notify the lienholder that you provide transportation network company services with such vehicle. Providing such transportation network company services may violate the terms of your contract with the lienholder.';

(3) The transportation network company shall include the disclosures required by this subsection in the driver's terms of service in a distinctive clause and shall require a separate acknowledgment by such driver of these terms by electronic signature or by handwritten signature; and

(4) For purposes of claims coverage investigation and upon request of the transportation network company driver's personal vehicle insurer, the transportation network company shall provide, within 15 calendar days of such insurer's request, the date and times at which an accident occurred that involved a transportation network company driver and the precise times in the 24 hours preceding and following the accident that the driver logged on and off the transportation network company network or application or otherwise signified availability to provide transportation network company services.

(i) In the event the transportation network company is providing primary insurance coverage under subsection (b) of this Code section, the transportation network company shall assume the costs of defense and indemnification for a claim in which a dispute exists as to whether the loss or injury giving rise to the claim occurred while a personal vehicle was available to provide transportation network company services. The transportation network company shall notify the driver and the driver's insurer of any such dispute within 25 business days of receiving notice of the accident that gives rise to such claim.

(j) In the event the transportation network company is providing primary insurance coverage under subsection (b) of this Code section and the driver or the driver's insurer is named as a defendant in a civil action for any loss or injury that occurs while a personal vehicle is available to provide transportation network company services, the transportation network company shall have the duty to defend and indemnify the driver and the driver's insurer."

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:

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

On the passage of the Bill, by substitute, the ayes were 141, nays 26.

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

HB 82. By Representative Kidd of the 145th:

A BILL to be entitled an Act to amend Code Section 12-3-402 of the Official Code of Georgia Annotated, relating to the Oconee River Greenway Authority, so as to allow certain members to appoint a designee; 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 12-3-402 of the Official Code of Georgia Annotated, relating to the Oconee River Greenway Authority, so as to add a member; to allow certain members to appoint a designee; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 12-3-402 of the Official Code of Georgia Annotated, relating to the Oconee River Greenway Authority, is amended by revising subsection (b) as follows:

"(b) The authority shall consist of the commissioner of natural resources or the designee thereof, the director of the State Forestry Commission or the designee thereof, the mayor of Milledgeville or the designee thereof, the president of Georgia Military College or the designee thereof, the president of Georgia College and State University or the designee thereof, the chairperson of the governing authority of each county which is in the geographic jurisdiction of the authority or the designee thereof, and no more than four residents of each county which is in the geographic jurisdiction of the authority who have training or experience in biology, botany, or environmental science and who shall be appointed by the chairperson of the governing authority of such county."

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:

E Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
E Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	Harrell	Y Morris	Y Smith, M
Y Anderson	Y Dawkins-Haigler	Y Hatchett	Y Mosby	Y Smith, R
Y Atwood	Y Deffenbaugh	Y Hawkins	Y Nimmer	Y Smyre
Y Ballinger	Y Dempsey	Y Henson	Y Nix	Y Spencer
Y Barr	Y Dickerson	Y Hightower	Y Oliver	Y Stephens, M
E Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	Y Pak	Y Stephenson
Y Bell	Y Dollar	Y Holmes	Y Parrish	Y Stovall
Y Belton	Y Douglas	Y Houston	Y Parsons	Y Stover
Y Bennett	Y Drenner	Y Howard	Y Peake	Y Strickland

Y Bentley	Y Dudgeon	Y Hugley	Y Petrea	Y Tankersley
Y Benton	Y Dukes	Y Jackson	Y Pezold	Y Tanner
Y Beskin	Y Dunahoo	Y Jacobs	Y Powell, A	Y Tarvin
Y Beverly	Y Duncan	Y Jasperse	Y Powell, J	Y Taylor, D
Y Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
Y Brockway	Y Efrstration	Y Jones, J.B.	Y Pruet	E Teasley
Y Brooks	Y Ehrhart	Y Jones, L	Y Quick	Y Thomas, A.M.
Y Bruce	Y England	Y Jones, S	Y Raffensperger	Y Thomas, E
Y Bryant	Y Epps	Y Jordan	Y Rakestraw	Y Trammell
Y Buckner	E Evans	Y Kaiser	Y Ramsey	Y Turner
Y Burns	Y Fleming	Y Kelley	Y Randall	Y Waites
Y Caldwell, J	Y Floyd	Y Kendrick	Y Reeves	Y Watson
Y Caldwell, M	Y Fludd	Y Kidd	Y Rhodes	Y Welch
Y Cantrell	Y Frazier	Y Kirby	Y Rice	Y Weldon
Y Carson	Y Frye	Y Knight	Y Roberts	Y Werkheiser
Y Carter	Y Gardner	Y LaRiccica	Y Rogers, C	Y Wilkerson
Y Casas	Y Gasaway	Y Lumsden	Y Rogers, T	Y Wilkinson
Y Chandler	Y Geisinger	Y Mabra	Y Rutledge	Y Willard
E Cheokas	Y Glanton	E Marin	Y Rynders	Y Williams, A
Y Clark, D	Y Golick	Y Martin	Y Scott	Y Williams, C
Y Clark, H	Y Gordon	Y Maxwell	Y Setzler	Y Williams, E
Y Clark, V	Y Gravley	E Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
E Cooke	Y Hamilton	Y McClain	Y Sims	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 147. By Representatives Powell of the 32nd, Knight of the 130th, Peake of the 141st and Hatchett of the 150th:

A BILL to be entitled an Act to amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, so as to provide for an initial two-year registration period for certain vehicles; to provide for certain fees; 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 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, so as to provide for an initial two-year registration period for certain vehicles; to provide for certain fees; 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 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, is amended by revising Code Section 40-2-20, relating to registration and license requirements, as follows:

"40-2-20.

(a)(1)(A) Except as provided in ~~subsection~~ subsections (b) and (d) of this Code section and subsection (a) of Code Section 40-2-47, every owner of a motor vehicle, including a tractor or motorcycle, and every owner of a trailer shall, during the owner's registration period in each year, register such vehicle as provided in this chapter and obtain a license to operate it for the 12 month period until such person's next registration period.

(B)(i) The purchaser or other transferee owner of every new or used motor vehicle, including tractors and motorcycles, or trailer shall register such vehicle as provided in Code Section 40-2-8 and obtain or transfer as provided in this chapter a license to operate it for the period remaining until such person's next registration period which immediately follows such initial registration period, without regard to whether such next registration period occurs in the same calendar year as the initial registration period or how soon such next registration period follows the initial registration period; provided, however, that this registration and licensing requirement does not apply to a dealer which acquires a new or used motor vehicle and holds it for resale. The commissioner may provide by rule or regulation for one 30 day extension of such initial registration period which may be granted by the county tag agent if the transferor has not provided such purchaser or other transferee owner with a title to the motor vehicle more than five business days prior to the expiration of such initial registration period. The county tag agent shall grant an extension of the initial registration period when the transferor, purchaser, or transferee can demonstrate by affidavit in a form provided by the commissioner that title has not been provided to the purchaser or transferee due to the failure of a security interest or lienholder to timely release a security interest or lien in accordance with Code Section 40-3-56.

(ii) No person, company, or corporation, including, but not limited to, used motor vehicle dealers and auto auctions, shall sell or transfer a motor vehicle without providing to the purchaser or transferee of such motor vehicle the last certificate of registration on such vehicle at the time of such sale or transfer; provided, however, that in the case of a salvage motor vehicle or a motor vehicle which is stolen but subsequently recovered by the insurance company after payment of a total loss claim, the salvage dealer or insurer, respectively, shall not be required to provide the certificate of registration for such vehicle; and provided, further, that in the case of a repossessed motor vehicle or a court ordered sale or other involuntary transfer, the lienholder or the transferor shall not be required to provide the certificate of registration for such vehicle but shall, prior to the sale of such

vehicle, surrender the license plate of such vehicle to the commissioner or the county tag agent by personal delivery or by certified mail or statutory overnight delivery for cancellation.

(2) An application for the registration of a motor vehicle may not be submitted separately from the application for a certificate of title for such motor vehicle, unless a certificate of title has been issued in the owner's name, has been applied for in the owner's name, or the motor vehicle is not required to be titled. An application for a certificate of title for a motor vehicle may be submitted separately from the application for the registration of such motor vehicle.

(b) Subsection (a) of this Code section shall not apply:

(1) To any motor vehicle or trailer owned by the state or any municipality or other political subdivision of this state and used exclusively for governmental functions except to the extent provided by Code Section 40-2-37;

(2) To any tractor or three-wheeled motorcycle used only for agricultural purposes;

(2.1) To any vehicle or equipment used for transporting cargo or containers between and within wharves, storage areas, or terminals within the facilities of any port under the jurisdiction of the Georgia Ports Authority when such vehicle or equipment is being operated upon any public road not part of The Dwight D. Eisenhower System of Interstate and Defense Highways by the owner thereof or his or her agent within a radius of ten miles of the port facility of origin and accompanied by an escort vehicle equipped with one or more operating amber flashing lights that are visible from a distance of 500 feet;

(3) To any trailer which has no springs and which is being employed in hauling unprocessed farm products to their first market destination;

(4) To any trailer which has no springs, which is pulled from a tongue, and which is used primarily to transport fertilizer to a farm;

(5) To any electric powered personal transportation vehicle;

(6) To any moped; or

(7) To any golf car.

(c) Any person who fails to register a new or used motor vehicle as required in subsection (a) of this Code section shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding \$100.00.

(d) Upon the payment of the requisite fee, the purchaser of a new motor vehicle passenger car, as such terms are defined in paragraphs (34) and (41) of Code Section 40-1-1, for which such purchaser has paid state and local title ad valorem taxes may choose to register such passenger car for an initial period of two years instead of the annual registration provided for in this Code section provided that the motor vehicle owner does not elect a prestige or special license plate. Thereafter, such passenger car shall be subject to the annual registration requirements of this Code section."

SECTION 2.

Said chapter is further amended by adding a new subsection to Code Section 40-2-151, relating to annual license fees for operation of vehicles and fee for permanent licensing of certain trailers, to read as follows:

"(c) The fee for a new passenger car for which the purchaser has paid state and local title ad valorem taxes and that is being registered as provided in subsection (d) of Code Section 40-2-20 shall be \$40.00 for the two-year registration period."

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:

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

Y Coleman
E Cooke

Y Greene
Y Hamilton

Y McCall
Y McClain

Y Shaw
Y Sims

Y Yates
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 252. By Representatives Caldwell of the 20th, Welch of the 110th, Pak of the 108th, Ramsey of the 72nd, Hatchett of the 150th and others:

A BILL to be entitled an Act to amend various titles of the Official Code of Georgia Annotated so as to enact the "J. Calvin Hill, Jr., Act"; to repeal obsolete and outdated provisions; to repeal provisions which have been deemed unconstitutional; to update obsolete and outdated terminology; to repeal certain provisions relating to preclearance requirements; 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 various titles of the Official Code of Georgia Annotated so as to enact the "J. Calvin Hill, Jr., Act"; to repeal obsolete and outdated provisions; to repeal provisions which have been deemed unconstitutional; to update obsolete and outdated terminology; to repeal certain provisions relating to preclearance requirements; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

This Act shall be known and may be cited as the "J. Calvin Hill, Jr., Act."

PART II
SECTION 2-1.

Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural resources, is amended by repealing and reserving Code Section 12-5-41, relating to aid to pollution control and surface-water management – water and sewage treatment facilities or systems for eligible planned communities.

SECTION 2-2.

Said title is further amended by revising subsection (b) of Code Section 12-5-235, relating to the Shore Protection Committee, as follows:

"(b) The committee, ~~in the absence of an approved local shore protection program as provided by this part, shall act as permit issuing authority and~~ shall have the authority to issue orders and to grant, suspend, revoke, modify, extend, condition, or deny permits as provided in this part. Permits may, at the committee's discretion, be revoked, suspended, or modified upon a finding that the permittee is not in compliance with permit conditions or that the permittee is in violation of any rule or regulation promulgated pursuant to this part."

SECTION 2-3.

Said title is further amended by repealing and reserving Code Section 12-5-241, relating to local shore assistance programs.

SECTION 2-4.

Said title is further amended by revising subsections (d) and (g) of Code Section 12-5-287, relating to the leasing of state owned marshland or water bottoms, as follows:

"(d) Each lease granted under this Code section shall be upon such provisions, requirements, and conditions as the committee shall make and shall, except as provided in ~~subsections (g) and~~ subsection (h) of this Code section, provide for a primary term of not more than ten years. Each lease, except as provided in ~~subsections (g) and~~ subsection (h) of this Code section, shall require the payment of an annual rental fee which, as of May 5, 2009, shall be \$1,000.00 per acre, which acreage shall consist of the covered area of dock structures and a ten-foot buffer surrounding such dock structures; and the committee shall in each calendar year thereafter adjust the amount of the annual rental fee per acre to reflect the effect of annual inflation or deflation for the immediately preceding calendar year in accordance with rules and regulations adopted by the board, which rules and regulations may use for this purpose the Consumer Price Index as reported by the Bureau of Labor Statistics of the United States Department of Labor or any other similar index established by the federal government, if the board determines that such federal index reflects the effect of inflation and deflation on the lessees. Except as provided in ~~subsections (g) and~~ subsection (h) of this Code section, an initial lease shall be for the annual fee in effect and established by the committee at the time such lease is entered into. Such lease shall be adjusted annually thereafter as provided in this subsection. Each lease may provide for two renewal terms, each of which shall not be for a term of more than equal duration to the primary term. Rental fees shall be paid in one installment to the department not later than July 15 of each year. A penalty of 10 percent of the annual rental shall be assessed for late payment. Failure to pay rental by August 1 of the year due shall result in the cancellation of the lease."

"(g) ~~Upon application of any eligible person who either is the owner of a marina in existence on March 1, 1989, or holds a permit subsequently granted by the committee~~

~~under this part on an application for a permit filed with the committee prior to March 1, 1989, the committee shall grant to that eligible person a lease of the state-owned marshland or water bottoms upon which such marina is actually located for a term of 20 years beginning March 1, 1989, with a nominal rental of \$1.00 per year; provided, however, that any extensions of the dock space or expansion of the area of state-owned marshland or water bottoms actually used in conjunction with the marina shall be subject to the provisions of subsection (d) of this Code section; and provided, further, that any such application made on or after January 1, 1999, shall be subject to the provisions of subsection (d) of this Code section. Reserved.~~"

SECTION 2-5.

Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by revising Code Section 20-2-553, relating to powers of the Georgia Education Authority (Schools), as follows:

"20-2-553.

(a) The authority shall have the power:

(1) To have a seal and alter it at pleasure;

(2) To acquire by purchase, lease, or otherwise and to hold, lease, sell, and dispose of real and personal property of every kind and character for its corporate purposes;

(3) To acquire in its own name by purchase, on such terms and conditions, and in such manner as it may deem proper, or by condemnation in accordance with any and all existing laws applicable to the condemnation of property for public use, real property or rights of easements therein or franchises necessary or convenient for its corporate purposes and to use them so long as its corporate existence shall continue and to lease or make contracts for the use of or dispose of them in any manner it deems to the best advantage of the authority, the authority being under no obligation to accept and pay for any property condemned under this part, except from the funds provided under the authority of this part. In any proceedings to condemn, such orders may be made by the court having jurisdiction of the action or proceeding as may be just to the authority and to the owners of the property to be condemned; and no property shall be acquired under this part upon which any lien or other encumbrance exists unless at the time such property is so acquired a sufficient sum of money is deposited in trust to pay and redeem the fair value of such lien or encumbrance. If the authority shall deem it expedient to construct any project on lands which are subject to the control of the public school system of the state or of any county board of education, city board of education, or governing body of an independent or quasi-independent district or system or local unit of administration, the Governor, in the case of the state, or the boards of education of counties or cities, or the equivalent governing authorities of independent school districts or systems are authorized to execute for and in behalf of the state or the various county boards of education, city boards of education, or governing bodies of independent districts or systems, as the case may be, a lease upon such lands to the authority for such parcel or parcels as shall be needed for a period not to exceed 50 years, at a nominal rental of \$1.00 per

year. If the authority shall deem it expedient to construct any project on any other lands the title to which shall then be in the state, the Governor is authorized to convey, for and in behalf of the state, title to such lands to the authority, upon payment into the state treasury for the credit of the general fund of the state of the reasonable value of such lands, such value to be determined by three appraisers to be agreed upon by the Governor and the chairperson of the authority. Further, if the authority shall deem it expedient to construct any project on any other lands the title to which shall then be in any county, municipality, or other governmental subdivision of the state, the proper authorities of such county, municipality, or governmental subdivision are authorized to convey, for and in behalf of such county, municipality, or governmental subdivision, title to such lands to the authority, upon payment to the proper fiscal officer of the county, municipality, or other governmental subdivision of the reasonable value of such lands, such value to be determined by three appraisers to be agreed upon between such governmental authorities and the chairperson of the authority;

(4) To appoint and select officers, agents, and employees, including engineering, architectural, and construction experts, fiscal agents, and attorneys, and to fix their compensation;

(5) To make contracts, agreements of sale, and leases and to execute all instruments necessary or convenient, including contracts for construction of projects, agreements for the sale of projects, and leases of projects or contracts for the use of projects which the authority causes to be erected or acquired; and any and all political subdivisions, departments, institutions, or agencies of the state are authorized to enter into contracts, leases, or agreements with the authority upon such terms and for such purposes as they deem advisable. Without limiting the generality of the foregoing, authority is specifically granted to the county boards of education, city boards of education, or governing bodies of independent districts or systems, for and on behalf of the units and institutions within their respective counties, cities, or districts, and to the authority to enter into contracts, agreements of sale, and lease agreements for the purchase or use of any structure, building, or facilities of the authority for a term not exceeding 50 years; and the board of education or equivalent governing body for and on behalf of the respective political subdivision may obligate itself and its successors to use only such structure, building, or facility and none other and so long as such property is used by such political subdivision to pay an amount to be determined from year to year for the use of such property so leased and also to obligate itself and its successors as a part of the lease contract to pay the cost of maintaining, repairing, and operating the property so leased from the authority;

(6) To construct, erect, acquire, own, repair, remodel, maintain, add to, extend, improve, equip, operate, and manage projects, as defined in paragraph (4) of subsection (a) of Code Section 20-2-551, to be located on property owned by or leased by the authority, the cost of any such project to be paid in whole or in part from the proceeds of revenue bonds of the authority, from such proceeds and any grant

from the United States or any agency or instrumentality thereof, or from any other source;

(7) To accept loans or grants of money or materials or property of any kind from the United States or any agency or instrumentality thereof upon such terms and conditions as the United States or such agency or instrumentality may impose;

(8) To borrow money for any of its corporate purposes and to issue negotiable revenue bonds payable solely from funds pledged for that purpose and to provide for the payment of such bonds and for the rights of the holders thereof;

(9) To exercise any power usually possessed by private corporations performing similar functions which is not in conflict with the Constitution and laws of this state;

(10) To issue various types of bonds with various federal tax consequences and to apply for and participate in any federal program which provides financial or other benefits or is supportive of functions of the authority. For purposes of federal law and without limiting the powers of the authority to issue other types of bonds and to participate in federal programs, the authority may act as the state education agency and may issue Qualified Zone Academy Bonds, Qualified School Construction Bonds, or Build America Bonds or, in its discretion, permit other authorized governmental bodies to issue Qualified Zone Academy Bonds, Qualified School Construction Bonds, or Build America Bonds. In participating in any federal program, the authority may apply for and receive funds, make certifications and designations, and do all other things necessary or convenient in the opinion of the authority to participate in or obtain the benefits of federal programs, including programs of bond finance provided under federal law;

(11) Deposit, or arrange for, federal funds in any form to be deposited into the sinking fund provided for in Code Section 20-2-567; and

(12) To do all things necessary or convenient to carry out the powers expressly given in this part.

~~(b) The validity of any bonds issued by the authority for projects certified as eligible for state development assistance under Code Section 45-12-170 and issued prior to the time the first general obligation debt was incurred under Article VII, Section III, Paragraph I of the Constitution of 1945 shall not be impaired; but no future such bonds shall be issued."~~

SECTION 2-6.

Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, is amended by repealing and reserving Code Section 32-5-24, relating to authorization of expenditures for public roads serving planned communities.

SECTION 2-7.

Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, is amended by repealing and reserving Chapter 32, relating to peddlers and itinerant traders.

SECTION 2-8.

Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees, is amended by repealing and reserving Code Section 45-12-170, relating to the Office of Planning and Budget performing planning and development functions, powers and duties generally, and recommendations of planned communities for state development assistance.

SECTION 2-9.

Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended by repealing and reserving Code Section 50-9-6, relating to authorization for projects and facilities on Confederate Soldiers' Home property.

SECTION 2-10.

Said title is further amended by revising Code Section 50-32-5, relating to the Transit Governance Study Commission, as follows:

"50-32-5.

~~(a) The State of Georgia, particularly the metropolitan Atlanta region, faces a number of critical issues relating to its transportation system and ever increasing traffic congestion. In light of the dwindling resources available to help solve the problems, it is imperative that all available resources be used to maximum efficiency in order to alleviate the gridlock in and around the metropolitan Atlanta region. There exists a need for a thorough examination of our current transportation system and the methodical development of legislative proposals for a regional transit governing authority in Georgia.~~

~~(b) In order to find practical, workable solutions to these problems, there is created the Transit Governance Study Commission to be composed of: four Senators from the Atlanta Regional Commission area to be appointed by the Lieutenant Governor, four Representatives from the Atlanta Regional Commission area to be appointed by the Speaker of the House of Representatives, the chairperson of the Metropolitan Atlanta Rapid Transit Oversight Committee, the chairperson of the Atlanta Regional Commission, the chairperson of the Regional Transit Committee of the Atlanta Regional Commission, one staff member from the Atlanta Regional Commission to be selected by the chairperson of the Atlanta Regional Commission, the executive director of the Georgia Regional Transportation Authority, the general manager of the Metropolitan Atlanta Rapid Transit Authority, and the directors of any other county transit systems operating in the Atlanta Regional Commission area.~~

~~(c) The commission shall elect, by a majority vote, one of its legislative members to serve as chairperson of the commission and such other officers as the commission deems appropriate. The commission shall meet at least quarterly at the call of the chairperson. The commission may conduct such meetings and hearings at such places and at such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish its objectives and purposes as contained in this Code section.~~

~~(d) All officers and agencies of the three branches of state government are directed to provide all appropriate information and assistance as requested by the commission.~~

~~(e) The commission shall undertake a study of the issues described in this Code section and recommend specific legislation which the commission deems necessary or appropriate. Specifically, the commission shall prepare a preliminary report on the feasibility of combining all of the regional public transportation entities into an integrated regional transit body. This preliminary report shall be completed on or before December 31, 2010, and be delivered to the Governor, the Lieutenant Governor, and the Speaker of the House of Representatives. The commission shall make a final report of its findings and recommendations, with specific language for proposed legislation, if any, on or before August 1, 2011, to the Governor, the Lieutenant Governor, and the Speaker of the House of Representatives. The commission shall stand abolished on August 1, 2011, unless extended by subsequent Act of the General Assembly.~~

~~(f) The Atlanta Regional Commission in conjunction with the Georgia Regional Transportation Authority and the department's director of planning shall utilize federal and state planning funds to continue the development of the Atlanta region's Concept 3 transit proposal, including assessment of potential economic benefit to the region and the state, prioritization of corridors based on highest potential economic benefit and lowest environmental impact, and completion of environmental permitting. Any new transit management instrumentality created as a result of the Transit Governance Study Commission created pursuant to this Code section shall participate in the Concept 3 development activities that remain incomplete at the time of the creation of the new regional transit body."~~

PART III SECTION 3-1.

Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is amended by repealing and reserving Code Section 16-11-40, relating to criminal defamation.

SECTION 3-2.

Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees, is amended by repealing and reserving Code Sections 45-2-7 and 45-2-8, relating to general prohibitions and exceptions and officials subject to removal for violation, respectively, with regard to the employment of aliens.

PART IV SECTION 4-1.

The following Code sections of the Official Code of Georgia Annotated are amended by replacing "National Bureau of Standards" wherever such term occurs with "National Institute of Standards and Technology":

- (1) Code Section 10-2-2, relating to recognized systems of weights and measures;
- (2) Code Section 10-2-3, relating to primary standards of weights and measures and prescribing and verifying secondary standards;
- (3) Code Section 10-2-4, relating to technical requirements for commercial weighing and measuring devices;
- (4) Code Section 10-2-5, relating to powers and duties of the Commissioner of Agriculture generally; and
- (5) Code Section 10-2-19, relating to manner of display of measurement of compressed natural gas on dispensing devices.

SECTION 4-2.

Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by revising Code Section 31-7-50, relating to authorization of grants-in-aid for construction and modernization of medical facilities, as follows:

"31-7-50.

The state is authorized to make grants to any county, municipality, or any combination thereof or to any hospital authority to assist in the construction and modernization of publicly owned and publicly operated medical facilities, auxiliary medical facilities, ~~mental retardation centers~~, and mental health centers as defined in Code Section 31-7-51. The amount of the grant shall be determined in accordance with Code Sections 31-7-52 and 31-7-53."

SECTION 4-3.

Said title is further amended by revising Code Section 31-7-51, relating to definitions relative to grants for construction and modernization of medical facilities, as follows:

"31-7-51.

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

- (1) 'Auxiliary medical facilities' means diagnostic and treatment facilities, nursing homes, chronic illness hospitals, and rehabilitation centers.
- (2) 'Construction project' means a program for the construction of any medical facility or auxiliary medical facility, ~~mental retardation center~~, or mental health center, as evidenced by the approval of a project under Title VI or Title VII, of the federal Public Health Service Act, as now or hereafter amended.
- (3) 'Hospital authority' means any hospital authority created under the 'Hospital Authorities Law,' Article 4 of this chapter, as now or hereafter amended.
- (4) 'Medical facilities' means general hospitals, psychiatric hospitals, nurse training facilities, tuberculosis hospitals, and public health centers.
- (5) 'Mental health center' means a facility providing services for the prevention or diagnosis of mental illness, or care and treatment of mentally ill patients, or rehabilitation of such persons, which services are provided principally for persons

residing in a particular community or communities in or near which the facility is situated.

(6) ~~'Mental retardation center' means a facility specially designed for the diagnosis, treatment, education, training, or custodial care of the mentally retarded, including facilities for training specialists and sheltered workshops for the mentally retarded but only if such workshops are part of the facilities which provide or will provide comprehensive services for the mentally retarded.~~ Reserved.

(7) 'Modernization project' means the alteration, major repair, remodeling, replacement, and renovation of existing buildings (including original equipment thereof) and replacement of obsolete, built-in equipment of existing buildings, as evidenced by the approval of a project under Title VI or Title VII of the federal Public Health Service Act, as now or hereafter amended.

(8) 'Publicly operated' means operated by a county, municipality, hospital authority, or any combination thereof.

(9) 'Publicly owned' means that a county, municipality, hospital authority, or any combination thereof holds title to or has a long-term lease acceptable to the state agency on the property on which the construction or modernization is proposed.

(10) 'State agency' means the State Health Planning and Development Agency or any successor designated as the agency of state government to administer the state construction and modernization plan and receive funds pursuant to Titles VI and VII of the federal Public Health Service Act, as amended.

(b) The terms 'hospital,' 'psychiatric hospital,' 'nurse training facilities,' 'public health center,' 'rehabilitation facility,' 'nursing home,' 'chronic illness hospital,' 'long-term care facility,' ~~'mental retardation center,'~~ 'mental health center,' 'construction,' 'cost of construction,' 'modernization,' and 'cost of modernization' shall have meanings consistent with those respectively ascribed to them in Titles VI and VII of the federal Public Health Service Act, as now or hereafter amended."

SECTION 4-4.

Said title is further amended by revising subsection (c) of Code Section 31-7-53, relating to matching formula, priority system, use of earnings, and approval of federal grants for construction and modernization of medical facilities, as follows:

"(c) No part of the net earnings of publicly owned and publicly operated medical facilities, auxiliary medical facilities, ~~mental retardation centers,~~ and mental health centers constructed with the assistance of a grant under this article shall inure to the benefit of any private corporation or individual."

SECTION 4-5.

Said title is further amended by revising Code Section 31-7-54, relating to manner of expenditure of construction funds for grants for construction and modernization of medical facilities, as follows:

"31-7-54.

In order to assist the several counties, municipalities, or any combination thereof or any hospital authorities created under the 'Hospital Authorities Law,' Article 4 of this chapter, such funds as are appropriated for each fiscal year for the construction of publicly owned and publicly operated medical facilities, auxiliary medical facilities, ~~mental retardation centers~~, and mental health centers shall be expended in accordance with the provisions of this article."

SECTION 4-6.

Said title is further amended by revising subsection (d) of Code Section 31-7-57, relating to procedures for grants to sponsors of construction projects and injunction of operation by transferee in violation of article, as follows:

"(d) If any publicly owned and publicly operated medical facility, auxiliary medical facility, ~~mental retardation center~~, or mental health center for which funds have been paid under this Code section shall be leased to any corporation, person, organization, or body other than one eligible to receive a grant under this article or shall be sold or used for any purpose contrary to the provision under which the grant was made, at any time within 20 years after completion of construction, and such change in lease, sale, or use is not approved by the state agency, such agency may bring an equitable proceeding for writ of injunction against any person, firm, corporation, or organization operating in violation of this article. The proceedings shall be filed in the county in which such persons reside or, in the case of a firm or corporation, where such firm or corporation maintains its principal office; and, unless it is shown that such person, firm, or corporation which has leased such medical facility, auxiliary medical facility, ~~mental retardation center~~, or mental health center would have been eligible to accept the grant-in-aid from the state in the first instance and the lease has been approved by the state agency or the sale or use has been approved by such agency, the writ of injunction shall issue and such person, firm, or corporation shall be perpetually enjoined throughout the state from operating in violation of the provisions ~~set out above~~ of this subsection. It shall not be necessary in order to obtain the equitable relief provided in this subsection that the state agency show that such person, firm, or corporation is ineligible nor to prove that there is no adequate remedy at law. In addition, the state agency shall be entitled to bring an action and recover from the transferor and transferee of any facility specified ~~above~~ in this subsection such percentage of the value of the facility as the state grant bore toward the total construction cost of that facility as determined by agreement of the parties or by action brought in court."

SECTION 4-7.

Title 37 of the Official Code of Georgia Annotated, relating to mental health, is amended by repealing Code Section 37-5-10, relating to the timetable for implementation of Chapter 5, relating to community services for the developmentally disabled.

SECTION 4-8.

Title 44 of the Official Code of Georgia Annotated, relating to property, is amended by revising Code Section 44-2-83, relating to conclusiveness of decrees relative to land registration, effect of disability on conclusiveness, and recourse of persons under a disability against assurance fraud, as follows:

"44-2-83.

Every decree rendered as provided in this article shall bind the land and bar all persons claiming title thereto or interest therein, shall quiet the title thereto, and shall be forever binding and conclusive upon and against all persons, including this state, whether mentioned by name in the order of publication or included under the general description 'whom it may concern.' It shall not be an exception to the conclusiveness of the decree that the person is a minor, is incompetent by reason of mental illness or ~~retardation~~ intellectual disability, or is under any other disability; but said person may have an action against the assurance fund provided for in Part 6 of this article."

SECTION 4-9.

Said title is further amended by revising Code Section 44-5-170, relating to effect of disabilities on commencement of prescription, as follows:

"44-5-170.

Prescription shall not run against the rights of a minor during his or her minority, a person incompetent by reason of mental illness or ~~retardation~~ as intellectual disability so long as the mental illness or ~~retardation~~ intellectual disability lasts, or a person imprisoned during his or her imprisonment. After any such disability is removed, prescription shall run against the person holding a claim to realty or personalty."

SECTION 4-10.

Said title is further amended by revising Code Section 44-6-161, relating to who may apply for partition, as follows:

"44-6-161.

If the party desiring the writ of partition is of full age and free from disability, he or she may make the application either in person or by his or her agent or attorney in fact or at law. An application may be made for the benefit of a minor, a mentally ill or ~~retarded~~ intellectually disabled person, or the beneficiary of a trust by the guardian of such minor, the guardian of such mentally ill or ~~retarded~~ intellectually disabled person, or the trustee of such beneficiary, as the case may be."

SECTION 4-11.

Said title is further amended by revising Code Section 44-6-162, relating to notice of intention to apply for writ of partition, as follows:

"44-6-162.

The party applying for the writ of partition shall give the other parties concerned at least 20 days' notice of his or her intention to make the application. If any of the other parties is a minor, a mentally ill or ~~retarded~~ intellectually disabled person, or a

beneficiary of a trust, the 20 days' notice shall be served on the guardian of such minor, the guardian of such mentally ill or ~~retarded~~ intellectually disabled person, or the trustee of such beneficiary. If any of the parties reside outside of this state, the court may order service by publication as in its judgment is right in each case."

SECTION 4-12.

Said title is further amended by revising Code Section 44-6-171, relating to setting aside judgment by parties under disability, absent, or not notified, time limitations, conclusiveness of judgment, and effect of proceedings on bona fide purchaser, as follows: "44-6-171.

When proceedings have been instituted and judgment of the partition has been rendered according to the regulations prescribed in this part and if any one of the parties in interest is a minor or a mentally ill or ~~retarded~~ intellectually disabled person who has no guardian, or is absent from the state during such proceeding, or has not been notified thereof, such minor or mentally ill or ~~retarded~~ intellectually disabled person may, within 12 months after coming of age, after restoration of mind, or after having a guardian appointed, as the case may be, and such absent or unnotified party may, at any time within 12 months after rendition of the judgment, move the court to set aside the judgment on any of the grounds upon which a party notified and free from disabilities might have resisted the judgment upon the hearing as authorized by Code Section 44-6-165. The issue shall be tried and the subsequent proceedings shall be the same as is provided for in cases of objections filed to the return of the partitioners before judgment. If such motion to set aside the judgment is not made within the time specified in this Code section, such judgment shall be as binding and conclusive upon such minor, mentally ill or ~~retarded~~ intellectually disabled person, or absent or unnotified party as if he or she had been notified, present, or free from disability. In no event shall such subsequent proceedings affect the title of a bona fide purchaser under a sale ordered by the court."

SECTION 4-13.

Title 49 of the Official Code of Georgia Annotated, relating to social services, is amended by revising subsection (i) of Code Section 49-4-193, relating to established drug testing, ineligibility for benefits based upon positive tests, drug treatment, impact of drug use by parents on children, confidentiality, and exceptions relative to temporary assistance for needy families, as follows:

"(i) No testing shall be required by the provisions of this Code section for any person whom the department determines is significantly hindered, because of a physical or mental handicap or developmental disability, from doing so or for any person enrolled in an enhanced primary care case management program operated by the Department of Community Health, Division of Medical Assistance to serve frail elderly and disabled beneficiaries to improve the health outcomes of persons with chronic health conditions by linking primary medical care with home and community based services. In addition, no testing shall be required by the provisions of this Code section for any individuals

receiving or on a waiting list for long-term services and supports through a non-Medicaid home and community based services program or for any individual residing in a facility such as a nursing home, personal care home, assisted living community, intermediate care facility for the ~~mentally-retarded~~ intellectually or developmentally disabled, community living arrangement, or host home."

SECTION 4-14.

Title 51 of the Official Code of Georgia Annotated, relating to torts, is amended by revising paragraph (8) of subsection (a) of Code Section 51-1-29.5, relating to definitions, limitation on health care liability claim to gross negligence in emergency medical care, and factors for jury consideration, as follows:

"(8) 'Health care institution' means:

- (A) An ambulatory surgical center;
- (B) A personal care home licensed under Chapter 7 of Title 31;
- (B.1) An assisted living community licensed under Chapter 7 of Title 31;
- (C) An institution providing emergency medical services;
- (D) A hospice;
- (E) A hospital;
- (F) A hospital system;
- (G) An intermediate care facility for the ~~mentally-retarded~~ intellectually or developmentally disabled; or
- (H) A nursing home."

SECTION 4-15.

The following Code sections of the Official Code of Georgia Annotated are amended by replacing "mental retardation" wherever such term occurs with "intellectual disability":

- (1) Code Section 9-3-73, relating to certain disabilities and exceptions applicable;
- (2) Code Section 9-3-90, relating to persons under disability or imprisoned when cause of action accrues;
- (3) Code Section 9-4-4, relating to declaratory judgments involving fiduciaries;
- (4) Code Section 15-9-30, relating to subject matter jurisdiction, powers and duties generally, and furnishing a copy of the Official Code of Georgia Annotated for each judge;
- (5) Code Section 15-12-163, relating to challenges for cause, hearing of evidence, and when objection may be made; and
- (6) Code Section 34-9-361, relating to employer's knowledge of employee's preexisting permanent impairment.

SECTION 4-16.

The following Code section of the Official Code of Georgia Annotated is amended by replacing "mental retardation" wherever such term occurs with "intellectual disabilities":

- (1) Code Section 34-6A-2, relating to definitions relative to the "Georgia Equal Employment for Persons With Disabilities Code."

SECTION 4-17.

The following Code sections of the Official Code of Georgia Annotated are amended by replacing "a mentally retarded" and "mentally retarded" wherever either such term occurs with "an intellectually disabled" and "intellectually disabled," respectively:

- (1) Code Section 13-3-24, relating to insane, mentally ill, mentally retarded, or mentally incompetent persons' capacity to enter into contracts; and
- (2) Code Section 48-8-3, relating to exemptions from sales and use taxes.

SECTION 4-18.

The following Code sections of the Official Code of Georgia Annotated are amended by replacing "mental retardation" wherever such term occurs with "developmental disability":

- (1) Code Section 9-11-34, relating to the production of documents and things and entry upon land for inspection and other purposes, applicability to nonparties, and confidentiality;
- (2) Code Section 10-1-850, relating to definitions relative to unfair or deceptive practices toward the elderly; and
- (3) Code Section 43-10A-3, relating to definitions relative to professional counselors, social workers, and marriage and family therapists.

PART V**SECTION 5-1.**

Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is amended by revising Code Section 16-11-7, relating to special assistant attorney general for investigation and prosecution of subversive activities, as follows:

"16-11-7.

The Governor, with the concurrence of the Attorney General, is authorized and directed to appoint a special assistant attorney general for investigating and prosecuting subversive activities, whose responsibility it shall be, under the supervision of the Attorney General, to assemble, arrange, and deliver to the district attorney of any county, together with a list of necessary witnesses for presentation to the next grand jury in the county, all information and evidence of matters within the county which have come to his or her attention relating in any manner to the acts prohibited by this part and relating generally to the purpose, processes, and activities of ~~communists and any other or related~~ subversive organizations, associations, groups, or persons. Such evidence may be presented by the Attorney General or the special assistant attorney general to the grand jury of any county directly, and he or she may represent the state on the trial of such a case, should he or she feel the ends of justice would be best served thereby, and the special assistant attorney general ~~herein provided~~ may testify before any grand jury as to matters referred to in this part as to which he or she may have information."

SECTION 5-2.

Said title is further amended by revising Code Section 16-11-10, relating to grand jury investigations regarding subversive activities, as follows:

"16-11-10.

The judge of any court exercising general criminal jurisdiction, when in his or her discretion it appears appropriate or when informed by the Attorney General or district attorney that there is information or evidence of the character described in Code Section 16-11-7 to be considered by the grand jury, shall charge the grand jury to inquire into violations of this part for the purpose of proper action and further to inquire generally into the purposes, processes, and activities, and any other matters affecting ~~communists~~ ~~or any related or other~~ subversive organizations, associations, groups, or persons."

SECTION 5-3.

Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees, is amended by revising Code Section 45-3-11, relating to persons required to take the loyalty oath, as follows:

"45-3-11.

All persons who are employed by and are on the payroll of the state and are the recipients of wages, per diem, or salary of the state or its departments and agencies, with the exception of pages employed by the General Assembly, and all counties and cities, school districts, and local educational systems throughout the entire state, are required to take an oath that they will support the Constitution of the United States and the Constitution of Georgia, ~~and that they are not members of the Communist Party.~~"

SECTION 5-4.

Said title is further amended by revising Code Section 45-3-13, relating to the form of the loyalty oath, as follows:

"45-3-13.

The oath prescribed in Code Section 45-3-11 shall be in the following form:

"I, _____ (Name) a citizen of _____ and being an employee of _____ and the recipient of public funds for services rendered as such employee, do hereby solemnly swear and affirm that I will support the Constitution of the United States and the Constitution of Georgia, ~~and that I am not a member of the Communist Party.~~"

PART VI**SECTION 6-1.**

Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by repealing Code Section 20-2-75, relating to the failure of local school board members to fulfill certain obligations relating to preclearance.

SECTION 6-2.

Title 21 of the Official Code of Georgia Annotated, relating to elections, is amended by revising subsection (c) of Code Section 21-2-226, relating to duties of county board in determining eligibility of voters, maps of municipal boundaries, notice of ineligibility, issuance of registration cards, and reimbursement for postage cost, as follows:

"(c) It shall be the duty of each incorporated municipality located wholly or partially within the boundaries of a county to provide a detailed map showing the municipal boundaries, municipal precinct boundaries, and voting district boundaries to the county board of registrars no later than January 1, 1995, and within 15 days ~~after the preclearance~~ of any changes in such municipal boundaries, precinct boundaries, or voting district boundaries ~~pursuant to Section 5 of the federal Voting Rights Act of 1965 (42 U.S.C. Section 1973e), as amended.~~ Upon receiving any changes in municipal boundaries, the county board of registrars shall provide to the municipal registrar a list of all voters affected by such changes with the street addresses of such electors for the purpose of verifying the changes with the municipality. Upon receiving the list of electors affected by changes in municipal boundaries, the municipal registrar shall immediately review the information provided by the county registrars and advise the county registrars of any discrepancies."

SECTION 6-3.

Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended by repealing and reserving Code Section 36-31-6, relating to the responsibility of the Attorney General for preclearances.

SECTION 6-4.

Said title is further amended by revising subsection (f) of Code Section 36-36-3, relating to report identifying annexed property, maps and surveys, technical assistance to municipalities, and preclearance, as follows:

"(f) ~~The clerk, city attorney, or other person designated by the governing authority of any municipality annexing property shall also file a copy of the transmittal letter to the United States Department of Justice seeking preclearance, without the attachments to such letter, with the Department of Community Affairs and with the governing authority of the county in which the property being annexed is located. This subsection shall apply so long as a filing with the United States Department of Justice is required.~~
Reserved."

SECTION 6-5.

Said title is further amended by revising subsection (f) of Code Section 36-36-92, relating to annexation of unincorporated islands, procedures, provision of municipal services, and preclearance by the U.S. Justice Department, as follows:

"(f) The provisions of this article with regard to annexation of unincorporated islands is severable as to each city and to the annexation of each unincorporated island therein. ~~The implementation of each annexation pursuant to this article is contingent upon~~

~~preclearance of each annexation by the U.S. Justice Department pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973(e). Any city annexing an unincorporated island pursuant to this article shall submit such annexation to the U.S. Justice Department for preclearance not later than 90 days following the date of adoption of the annexation ordinance by the municipal governing authority."~~

SECTION 6-6.

Said title is further amended by repealing and reserving Code Section 36-60-11, relating to the Attorney General to receive a copy of any submission to the United States Department of Justice pursuant to the federal Voting Rights Act of 1965.

SECTION 6-7.

Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees, is amended by repealing Code Section 45-15-35.1, relating to the Governor's power to seek preclearance of any change affecting voting pursuant to Section 5 of the federal Voting Rights Act of 1965.

PART VII

SECTION 7-1.

Code Section 37-2-6.1 of the Official Code of Georgia Annotated, relating to the executive director of community service boards, is amended by revising subsections (a), (b), and (g) as follows:

"(a)(1) ~~Each~~ The governing board of each community service board shall employ an executive director to serve as its chief executive officer and shall prescribe the duties thereof. The selection of the executive director and all terms of compensation shall be set by the governing board of each community service board and shall be subject to review and approval by the commissioner prior to any offer of employment or at any point thereafter where the terms of compensation are proposed to be substantially altered. Such contracts shall be reviewed by the commissioner every five years. Further, the commissioner shall be required to review and approve the selection of the executive director of each community service board for adherence to minimum qualifications for the position as prescribed by the department. The executive director shall direct the day-to-day operations of the community service board. Such executive director shall be appointed and removed by the community service board pursuant to this subsection and shall appoint other necessary staff pursuant to an annual budget adopted by the board, which budget shall provide for securing appropriate facilities, sites, and professionals necessary for the provision of disability and health services. Notwithstanding any other provision of law to the contrary, the governing board of the community service board may delegate any power, authority, duty, or function to its executive director or other staff. The executive director or other staff is authorized to exercise any power, authority, duty, or function on behalf of the governing board of the community service board.

~~(1)~~(2) The executive director or any full-time or part-time employee of a community service board shall have a responsibility to avoid any conflict of interest in a manner that is consistent with the declarations found in Code Section ~~45-10-2~~ 45-10-21. Such employees shall not transact any business with that community service board as prohibited in Code Section 45-10-23 unless any such transaction falls under the exceptions granted in Code Section 45-10-25. Transactions that fall under such exceptions shall be disclosed to the governing board of the community service board in the manner as such governing board shall determine and yearly to the Georgia Government Transparency and Campaign Finance Commission as prescribed in Code Section 45-10-26. The governing board of the community service board shall promulgate policies and procedures governing executive director and employee conflicts of interest and establish a code of ethics for the executive director and employees of the community service board.

(b) ~~Each~~ The governing board of a each community service board or each community service board, under the jurisdiction of its governing board, shall perform duties, responsibilities, and functions and may exercise power and authority described in this subsection as follows:

(1) ~~Each~~ The governing board of a each community service board shall adopt bylaws for the conduct of its affairs and the affairs of their respective community service boards; provided, however, that the governing board of a community service board shall meet at least quarterly, and that all such meetings and any bylaws shall be open to the public, as otherwise required under Georgia law;

(2) ~~Each~~ The governing board of a each community service board shall be required to review and approve the annual budget of the community service board and shall be required to establish the general policies related to such budget to be followed by the community service board;

(3) Each community service board shall provide an adequate range of disability services as prescribed by the department;

(4) Each community service board may make and enter into all contracts necessary and incidental to the performance of its duties and functions;

(5) Each community service board may acquire by purchase, gift, lease, or otherwise and may own, hold, improve, use, and sell, convey, exchange, transfer, lease, sublease, and dispose of real and personal property of every kind and character, or any interest therein, for its corporate purposes;

(6) Each community service board may contract to utilize the services of the Department of Administrative Services, the state auditor, or any other agency of state, local, or federal government;

(7) Each community service board may provide, either independently or through contract with appropriate state or local governmental entities, the following benefits to its employees, their dependents, and survivors, in addition to any compensation or other benefits provided to such persons:

(A) Retirement, pension, disability, medical, and hospitalization benefits, through the purchase of insurance or otherwise, but medical and hospitalization benefits may

only be provided through the Department of Community Health under the same conditions as provided for such benefits to state employees, and the Department of Community Health shall so provide if requested;

(B) Life insurance coverage and coverage under federal old age and survivors' insurance programs;

(C) Sick leave, annual leave, and holiday leave; and

(D) Any other similar benefits including, but not limited to, death benefits;

(8) Each community service board may cooperate with all units of local government in the counties where the community service board provides services as well as neighboring regions and with the programs of other departments, agencies, and regional commissions and regional planning boards;

(9) Each community service board shall establish and maintain a personnel program for its employees and fix the compensation and terms of compensation of its employees; provided, however, that each community service board shall comply with the provisions of Chapter 20 of Title 45, for so long as and to the extent that each employee of such board remains subject to the rules and regulations of the State Personnel Board or as otherwise provided by law;

(10) Each community service board may receive and administer grants, gifts, contracts, moneys, and donations for purposes pertaining to the delivery of disability services or of health services;

(11) Each community service board may establish fees for the provision of disability services or health services according to the terms of contracts entered into with the department, Department of Human Services, Department of Public Health, or Department of Community Health, as appropriate; provided, however, that all fees collected shall be used solely in accordance with the statutory nonprofit and public purposes of community service boards as prescribed in Article 1 of Chapter 2 of Title 37;

(12) Each community service board may accept appropriations, loans of funds, facilities, equipment, and supplies from local governmental entities in the counties where the community service board provides services;

(13) Each member of the governing board of a community service board may, upon approval of the executive director, receive reimbursement for actual expenses incurred in carrying out the duties of such office; provided, however, that such reimbursement shall not exceed the rates and allowances set for state employees by the Office of Planning and Budget or the mileage allowance for use of a personal car as that received by all other state officials and employees or a travel allowance of actual transportation cost if traveling by public carrier;

(14) ~~Each~~ The governing board of a each community service board shall elect a chairperson and vice chairperson from among its membership. The governing board members shall also elect a secretary and treasurer from among its membership or may designate the executive director of the community service board to serve in one or both offices. Such officers shall serve for such terms as shall be prescribed in the bylaws of the community service board or until their respective successors are elected

and qualified. No governing board member shall hold more than one office of the governing board of a community service board; except that the same person may serve as secretary and treasurer. The bylaws of the governing board of a community service board shall provide for any other officers of such board and the means of their selection, the terms of office of the officers, and an annual meeting to elect officers;

(15) Each community service board may have a seal and alter it;

(16) Each community service board may establish fees, rates, rents, and charges for the use of facilities of the community service board for the provision of disability services or of health services, in accordance with the terms of contracts entered into with the department, Department of Human Services, Department of Public Health, or Department of Community Health, as appropriate;

(17) Each community service board may borrow money for any business purpose and may incur debt, liabilities, and obligations for any business purpose. A debt, liability, or obligation incurred by a community service board shall not be considered a debt, liability, or obligation of the state or any county or any municipality or any political subdivision of the state. A community service board may not borrow money as permitted by this Code section if the highest aggregate annual debt service requirements of the then current fiscal year or any subsequent year for outstanding borrowings of the community service board, including the proposed borrowing, exceed 15 percent of the total revenues of the community service board in its fiscal year immediately preceding the fiscal year in which such debt is to be incurred. Interest paid upon such borrowings shall be exempt from taxation by the state or its political subdivisions. A state contract with a community service board shall not be used or accepted as security or collateral for a debt, liability, or obligation of a community service board without the prior written approval of the commissioner;

(18) Each community service board, to the extent authorized by law and the contract for the funds involved, may carry forward without lapse fund balances and establish operating, capital, and debt reserve accounts from revenues and grants derived from state, county, and all other sources; and

(19) Each community service board may operate, establish, or operate and establish facilities deemed by the community service board as necessary and convenient for the administration, operation, or provision of disability services or of health services by the community service board and may construct, reconstruct, improve, alter, repair, and equip such facilities to the extent authorized by state and federal law."

"(g) Each community service board may provide reasonable reserves for the improvement, replacement, or expansion of its facilities and services. Reserves under this subsection shall be subject to the limitations in paragraph ~~(15)~~ (17) of subsection (b) of this Code section."

SECTION 7-2.

Code Section 37-2-10 of the Official Code of Georgia Annotated, relating to the commissioner's emergency powers upon failure of a community service board, is amended by revising paragraph (5) of subsection (c) as follows:

"(5) A manager or management team ~~appoint~~ appointed pursuant to this subsection shall be free from all liability, joint or several, for the manager or management team's acts, omissions, and conduct and for the acts, omissions, and conduct of their duly constituted agents in the administration of the community service board or its programs. The state shall indemnify and save them, and each of them, harmless from the effects and consequences of their acts, omissions, and conduct in their official capacity, except to the extent that such effects and consequences shall result from their own willful misconduct."

PART VIII
SECTION 8-1.

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:

E Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
E Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	Y Harrell	Morris	Y Smith, M
Y Anderson	Y Dawkins-Haigler	Y Hatcher	Y Mosby	Y Smith, R
Y Atwood	Y Deffenbaugh	Y Hawkins	Y Nimmer	Y Smyre
Y Ballinger	Y Dempsey	Y Henson	Y Nix	Y Spencer
Y Barr	Y Dickerson	Y Hightower	Y Oliver	Y Stephens, M
E Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	Y Pak	Y Stephenson
Y Bell	Y Dollar	Y Holmes	Y Parrish	Y Stovall
Y Belton	Y Douglas	Y Houston	Y Parsons	Y Stover
Y Bennett	Y Drenner	Y Howard	Y Peake	Y Strickland
Y Bentley	Y Dudgeon	Y Hugley	Y Petrea	Y Tankersley
Y Benton	Y Dukes	Y Jackson	Y Pezold	Y Tanner
Y Beskin	Y Dunahoo	Y Jacobs	Y Powell, A	Y Tarvin
Y Beverly	Y Duncan	Y Jasperse	Y Powell, J	Y Taylor, D
Y Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
Y Brockway	Y Efstraction	Y Jones, J.B.	Y Pruet	Y Teasley
Y Brooks	Y Ehrhart	Y Jones, L	Y Quick	Y Thomas, A.M.
Y Bruce	Y England	Y Jones, S	Y Raffensperger	Y Thomas, E
Y Bryant	Y Epps	Y Jordan	Y Rakestraw	Y Trammell
Y Buckner	E Evans	Y Kaiser	Y Ramsey	Y Turner
Y Burns	Y Fleming	Y Kelley	Y Randall	Y Waites
Y Caldwell, J	Floyd	Y Kendrick	Y Reeves	Y Watson
Y Caldwell, M	Y Fludd	Y Kidd	Y Rhodes	Y Welch
Y Cantrell	Y Frazier	Y Kirby	Y Rice	Y Weldon
Y Carson	Y Frye	Y Knight	Y Roberts	Y Werkheiser
Y Carter	Y Gardner	Y LaRiccica	Y Rogers, C	Y Wilkerson
Y Casas	Y Gasaway	Y Lumsden	Y Rogers, T	Y Wilkinson
Y Chandler	Y Geisinger	Y Mabra	Y Rutledge	Y Willard

E Cheokas	Y Glanton	E Marin	Rynders	Y Williams, A
Clark, D	Y Golick	Y Martin	Y Scott	Y Williams, C
Y Clark, H	Y Gordon	Y Maxwell	Y Setzler	Y Williams, E
Y Clark, V	Y Gravley	E Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
E Cooke	Y Hamilton	Y McClain	Y Sims	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.

The following Bill of the House, having been postponed from the previous legislative day, was taken up for consideration and read the third time:

HB 71. By Representatives Tanner of the 9th, Golick of the 40th, Caldwell of the 131st, Atwood of the 179th, Oliver of the 82nd and others:

A BILL to be entitled an Act to amend Chapter 17 of Title 17 and Chapter 9 of Title 42 of the O.C.G.A., relating to the Crime Victims' Bill of Rights and pardons and paroles, respectively, so as to provide for input and transparency relative to the granting of a pardon or commutation of a death sentence to a life sentence; to change provisions relating to notifications by the State Board of Pardons and Paroles; to change provisions relating to the State Board of Pardons and Paroles procedure and information gathering when considering the grant of pardon, clemency, or commutation of a death sentence; to provide for exemptions from disclosure; to amend Code Section 50-13-9.1 of the O.C.G.A., relating to variance or waiver to rules, so as to correct an incorrect reference; 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 17 of Title 17 and Chapter 9 of Title 42 of the Official Code of Georgia Annotated, relating to the Crime Victims' Bill of Rights and pardons and paroles, respectively, so as to provide for input and transparency relative to the granting of a pardon or commutation of a death sentence to a life sentence; to change provisions relating to notifications by the State Board of Pardons and Paroles; to change provisions relating to the State Board of Pardons and Paroles procedure and information gathering when considering the grant of pardon, clemency, or commutation of a death sentence; to provide for exemptions from disclosure; to amend Code Section 50-13-9.1 of the Official

Code of Georgia Annotated, relating to variance or waiver to rules, so as to correct an incorrect reference; 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 17 of Title 17 of the Official Code of Georgia Annotated, relating to the Crime Victims' Bill of Rights, is amended by revising Code Section 17-17-13, relating to notification of impending parole or clemency proceedings, as follows:

"17-17-13.

The State Board of Pardons and Paroles shall give 20 days' advance notification to a victim whenever it considers making a final decision to grant parole, ~~or any other manner of executive clemency action to~~ release a defendant for a period exceeding 60 days, or grant a pardon; and the board shall provide the victim with an opportunity to file a written objection to such action. Within 72 hours of receiving a request to commute a death sentence, the State Board of Pardons and Paroles shall provide notification to a victim of the date set for hearing such request and provide such victim an opportunity to file a written response to such request. No notification to the victim need be given unless the victim has expressed ~~objection to release or has expressed~~ a desire for such notification and has provided the State Board of Pardons and Paroles with a current mailing or e-mail address and telephone number. Failure of the victim to inform the board of a change of address or telephone number shall not void a decision of the board."

SECTION 2.

Chapter 9 of Title 42 of the Official Code of Georgia Annotated, relating to pardons and paroles, is amended by revising Code Section 42-9-20.1, relating to public access to information regarding paroled felons residing within this state, as follows:

"42-9-20.1.

Notwithstanding the provisions of Article 4 of Chapter 18 of Title 50 or any provisions of this chapter relating to the confidentiality of records, the State Board of Pardons and Paroles shall develop and implement a system whereby any interested citizen of this state shall be permitted to contact the board through an electronic calling system or by other means and receive information relating to persons who have been convicted of a felony, who have been paroled, and whose current addresses are within the State of Georgia. With respect to each parolee, the board shall provide the parolee's name, sex, date of birth, current address, crime or crimes for which the parolee was convicted, and the beginning and ending dates of such person's parole. ~~The board shall not release any information regarding a person who has previously been paroled and whose civil rights have been restored.~~ The board shall be authorized to charge a reasonable fee to cover the costs of providing such information. The board shall be authorized to promulgate rules and regulations to carry out the provisions of this Code section."

SECTION 3.

Said chapter is further amended by revising subsection (b) of Code Section 42-9-42, relating to the procedure for granting relief from sentence, conditions, and prerequisites, as follows:

"(b)(1) A grant of ~~elementary~~, pardon, parole, or other relief from sentence shall be rendered only by a written decision which shall be signed by at least the number of board members required for the relief granted and which shall become a part of ~~the~~ such individual's permanent record.

(2) Notwithstanding the provisions of Article 4 of Chapter 18 of Title 50 or any provisions of this chapter relating to the confidentiality of records, a written decision relating to:

(A) A pardon shall:

(i) Include the board's findings which reflect the board's consideration of the evidence offered that supports the board's decision;

(ii) Indicate each board member's vote on the decision; and

(iii) Be available for public inspection; and

(B) A commutation of a death sentence shall:

(i) Include the board's findings which reflect the board's consideration of the evidence offered that supports the board's decision;

(ii) Indicate the board's vote on the decision; and

(iii) Be available for public inspection."

SECTION 4.

Said chapter is further amended by revising Code Section 42-9-43, relating to information to be considered by the board generally, investigation, granting relief, and notice to victim, as follows:

"42-9-43.

(a) The board, in considering any case within its power, shall cause to be brought before it all pertinent information on the person in question. Included therein shall be:

(1) A report by the superintendent, warden, or jailer of the jail or state or county correctional institution in which the person has been confined upon the conduct of record of the person while in such jail or state or county correctional institution;

(2) The results of such physical and mental examinations as may have been made of the person;

(3) The extent to which the person appears to have responded to the efforts made to improve his or her social attitude;

(4) The industrial record of the person while confined, the nature of his or her occupations while so confined, and a recommendation as to the kind of work he or she is best fitted to perform and at which he or she is most likely to succeed when and if he or she is released;

(5) The educational programs in which the person has participated and the level of education which the person has attained based on standardized reading tests; ~~and~~

(6) The written statements or oral testimony of the district attorney of the county in which the person was sentenced expressing views and making any recommendation as to a pardon or commutation of a death sentence;

~~(6)~~(7) The written, oral, audiotaped, or videotaped testimony of the victim, the victim's family, or a witness having personal knowledge of the victim's personal characteristics, including any information prepared by the victim or the victim's family, for the purpose of the board's consideration of a pardon or commutation of a death sentence if the victim has provided such information to the board; and

(8) If the person is or was required to register pursuant to Code Section 42-1-12, any court order issued releasing the person from registration requirements or residency or employment restrictions.

(b)(1) As used in this subsection, the term:

(A) 'Debilitating terminal illness' means a disease that cannot be cured or adequately treated and that is reasonably expected to result in death within 12 months.

(B) 'Entirely incapacitated' means an offender who:

(i) Requires assistance in order to perform two or more necessary daily life functions or who is completely immobile; and

(ii) Has such limited physical or mental ability, strength, or capacity that he or she poses an extremely low risk of physical threat to others or to the community.

(C) 'Necessary daily life function' means eating, breathing, dressing, grooming, toileting, walking, or bathing.

(2) The board may issue a medical reprieve to an entirely incapacitated person suffering a progressively debilitating terminal illness in accordance with Article IV, Section II, Paragraph II of the Constitution.

(c)(1) The board shall give at least 30 days' advance written notification to the district attorney of the circuit in which the person was sentenced whenever it considers making a final decision on a pardon and shall provide the district attorney an opportunity to submit information and file a written objection to such action.

(2) Within 72 hours of receiving a request to commute a death sentence, the board shall provide written notification to the district attorney of the circuit in which the person was sentenced of the date set for hearing such request and shall provide the district attorney an opportunity to submit information and file a written response to such request.

(3) The board may also make such other investigation as it may deem necessary in order to be fully informed about the person.

(d)(1) Before releasing any person on parole, granting a pardon, or commuting a death sentence, the board may have the person appear before it and may personally examine him or her. Thereafter, upon consideration and consider any testimony it deems relevant or necessary. When objections to relief have been tendered, the board may hold a hearing and consider oral testimony. Upon consideration of the records, papers, documents, and oral testimony submitted, the board shall make its findings and determine whether or not such person shall be granted a pardon, parole, or other

relief within the power of the board; and ~~the board shall~~ determine the terms and conditions thereof. When the decision involves a pardon or commutation of a death sentence, the decision shall be available for public inspection as provided in Code Section 42-9-42.

(2) Notice of the board's determination shall be given to ~~such person and to the person being considered,~~ the correctional official having him or her in custody, if applicable, the district attorney who submitted any information or objection, and the victim in accordance with Code Section 17-17-13.

(e) If a person in custody is granted a pardon or a parole, the correctional ~~officials~~ official having ~~the~~ such person in custody, upon notification thereof, shall inform him or her of the terms and conditions thereof and shall, in strict accordance therewith, release the person.

~~(f) The board shall send written notification of the parole decision to the victim or, if the victim is no longer living, to the family of the victim."~~

SECTION 5.

Said chapter is further amended by revising Code Section 42-9-46, relating to cases in which inmate has failed to serve time required for automatic initial consideration, as follows:

"42-9-46.

Notwithstanding any other provisions of law to the contrary, if the board is to consider any case in which an inmate has failed to serve the time required by law for automatic initial consideration, the board shall notify in writing, at least ten days prior to consideration, the sentencing judge, the district attorney of the county in which the person was sentenced, and any victim of crimes against the person or, if such victim is deceased, the spouse, children, or parents of the deceased victim if such person's ~~name and address are~~ contact information is provided on the impact statement pursuant to Code Section ~~17-10-1.1~~ 17-17-13. The sentencing judge, district attorney, or victim or, if such victim is deceased, the spouse, children, or parents of the deceased victim may appear at a hearing held by the board or make a written statement to the board expressing their views and making their recommendation as to whether the person should be paroled."

SECTION 6.

Said chapter is further amended by revising Code Section 42-9-47, relating to notification of decision to parole inmate, as follows:

"42-9-47.

Within 72 hours after the board reaches a final decision to parole an inmate, the district attorney, the presiding judge, the sheriff of each county in which the inmate was tried, convicted, and sentenced, the local law enforcement authorities of the county of the last residence of the inmate prior to incarceration, and the victim of crimes against the person shall be notified of the decision by the chairman of the board. Such notice to the victim shall be mailed or e-mailed to the victim's address as if such information is

provided for in subsection (e) of pursuant to Code Section ~~17-10-1.1~~ 17-17-13. Failure of the prosecuting attorney to provide an address of the victim or failure of the victim to inform the board of a change of address shall not void a parole date set by the board."

SECTION 7.

Said chapter is further amended by revising subsection (b) of Code Section 42-9-53, relating to preservation of documents, classification of information and documents, divulgence of confidential state secrets, and conduct of hearings, as follows:

"(b)(1) Except as provided in paragraph (2) of this subsection and subsection (d) of this Code section, all ~~All~~ information, both oral and written, received by the members of the board in the performance of their duties under this chapter and all records, papers, and documents coming into their possession by reason of the performance of their duties under this chapter shall be classified as confidential state secrets until declassified by the board; ~~provided, however, that the~~

(2) The board shall be authorized to disclose, upon request:

(A) To ~~to~~ an alleged violator of parole or conditional release, the evidence introduced against him or her at a final hearing on the matter of revocation of parole or conditional release; ~~provided, further, that the board may make supervision~~

(B) Supervision records of the board available to probation officials employed with the Department of Corrections and the Sexual Offender Registration Review Board, provided that the same shall remain confidential and not available to any other person or subject to subpoena unless declassified by the board;

(C) Information as provided in paragraph (2) of subsection (b) of Code Section 42-9-42; and

(D) To the public, all records, papers, and documents coming into the board's possession and considered by the board in granting or denying a pardon or commuting a death sentence, provided that such records, papers, and documents shall remain confidential and shall not be subject to subpoena or disclosure pursuant to Article 4 of Chapter 18 of Title 50 until after the board has reached a decision regarding such pardon or death sentence, and provided, further, that the following shall not be subject to subpoena or disclosure unless declassified by the board:

(i) Any written statements or information provided directly or indirectly by or on behalf of a victim that was created on or after the date the defendant was sentenced;

(ii) Any information provided pursuant to Code Section 42-5-36;

(iii) Any information provided by the Department of Corrections that would jeopardize the safety and security of a department facility, an employee of such facility, an inmate, or a probationer; and

(iv) Any internal communication among board members."

SECTION 8.

Code Section 50-13-9.1 of the Official Code of Georgia Annotated, relating to variance or waiver to rules, is amended by revising subsection (h) as follows:

"(h) This Code section shall not apply, and no variance or waiver shall be sought or authorized, when:

- (1) Any agency rule or regulation has been adopted or promulgated in order to implement or promote a federally delegated program;
- (2) Any rule or regulation is promulgated or adopted by the Department of Corrections concerning any institutional operations or inmate activities;
- ~~(3) Any rule or regulation is promulgated or adopted by the State Board of Pardons and Paroles regarding clemency considerations and actions;~~
- ~~(4)~~(3) Any rule or regulation is promulgated or adopted by the Department of Community Health;
- ~~(5)~~(4) Any rule or regulation is promulgated or adopted by the Department of Agriculture;
- ~~(6)~~(5) Any rules, regulations, standards, or procedures are adopted or promulgated by the Department of Natural Resources for the protection of the natural resources, environment, or vital areas of this state; or
- ~~(7)~~(6) The granting of a waiver or variance would be harmful to the public health, safety, or welfare."

SECTION 9.

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:

E Abrams	N Coomer	N Harbin	Y Meadows	Y Smith, E
E Alexander	N Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	Y Harrell	Morris	Y Smith, M
Y Anderson	N Dawkins-Haigler	Y Hatchett	N Mosby	Y Smith, R
Y Atwood	Y Deffenbaugh	Y Hawkins	Y Nimmer	Y Smyre
Y Ballinger	Y Dempsey	Y Henson	Y Nix	Y Spencer
Y Barr	Y Dickerson	Y Hightower	Y Oliver	Y Stephens, M
E Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	Y Pak	N Stephenson
Y Bell	Y Dollar	Y Holmes	Y Parrish	Y Stovall
Y Belton	Y Douglas	Y Houston	Y Parsons	Y Stover
Y Bennett	Y Drenner	Y Howard	Y Peake	Y Strickland
Y Bentley	Y Dudgeon	Y Hugley	Y Petrea	Y Tankersley
Y Benton	Y Dukes	Y Jackson	Y Pezold	Y Tanner
Y Beskin	Y Dunahoo	Y Jacobs	Y Powell, A	Y Tarvin
Y Beverly	Y Duncan	Y Jasperse	Y Powell, J	Y Taylor, D
Y Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
Y Brockway	Y Efrstration	Y Jones, J.B.	N Pruett	Y Teasley
Y Brooks	Y Ehrhart	Y Jones, L	Y Quick	Y Thomas, A.M.
Y Bruce	Y England	Y Jones, S	Y Raffensperger	Y Thomas, E
Y Bryant	Y Epps	Y Jordan	Y Rakestraw	Y Trammell

Y Buckner	E Evans	Y Kaiser	Y Ramsey	Y Turner
Y Burns	Y Fleming	Y Kelley	Y Randall	Y Waites
Y Caldwell, J	Y Floyd	Y Kendrick	Y Reeves	Y Watson
Y Caldwell, M	Y Fludd	Y Kidd	Y Rhodes	Y Welch
Y Cantrell	Y Frazier	Y Kirby	Y Rice	Y Weldon
Y Carson	Y Frye	Y Knight	Y Roberts	Y Werkheiser
Y Carter	Y Gardner	Y LaRiccica	Y Rogers, C	Y Wilkerson
Y Casas	Y Gasaway	Y Lumsden	Y Rogers, T	Y Wilkinson
Y Chandler	Y Geisinger	Y Mabra	Y Rutledge	Y Willard
E Cheokas	Y Glanton	E Marin	Y Rynders	Y Williams, A
Y Clark, D	Y Golick	Y Martin	Y Scott	Y Williams, C
Y Clark, H	Y Gordon	Y Maxwell	Y Setzler	Y Williams, E
Y Clark, V	Y Gravley	E Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
E Cooke	Y Hamilton	Y McClain	N Sims	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 162, nays 8.

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

The following Bill of the House, having been postponed from the previous legislative day, was taken up for consideration and read the third time:

HB 192. By Representatives Powell of the 32nd and Taylor of the 79th:

A BILL to be entitled an Act to amend Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions regarding counties, municipal corporations, and other governmental entities, so as to provide that elected officials of counties, municipal corporations, school districts, and consolidated governments shall be reimbursed for expenses only through the submission of expense reimbursement requests; to prohibit an elected official of a county, municipal corporation, school district, or consolidated government from being issued or authorized to use a government purchasing card or government credit card; to provide for the promulgation of certain policies; to provide for access to certain records; 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 80 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions regarding counties, municipal corporations, and other governmental entities, so as to provide for the limitation and regulation of the use of government

purchasing cards and government credit cards by elected officials of counties, municipal corporations, local school systems, and consolidated governments; to provide for the promulgation of certain policies; to provide for access to certain records; 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 80 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions regarding counties, municipal corporations, and other governmental entities, is amended by adding a new Code section to read as follows:

"36-80-24.

(a) An elected official of a county, municipal corporation, local school system, or consolidated government shall be prohibited from the use of a government purchasing card or a government credit card unless:

(1) Such purchases are solely for items or services that directly relate to such official's public duties; and

(2) Such purchases are in accordance with guidelines adopted by the county, municipal corporation, local school system, or consolidated government.

(b) Documents related to such purchases incurred by such elected officials shall be available for public inspection.

(c) No such county, municipal corporation, local school system, or consolidated government shall issue government purchasing cards or government credit cards to elected officials on or after January 1, 2016, until the governing authority of such county, municipal corporation, local school system, or consolidated government, by public vote, has authorized such issuance and has promulgated specific policies regarding the use of such government purchasing cards or government credit cards for elected officials of such county, municipal corporation, local school system, or consolidated government. Such policies shall include the following:

(1) Designation of officials who shall be authorized to be issued such government purchasing cards or government credit cards;

(2) A requirement that authorized users must sign a cardholder agreement;

(3) Transaction limits for the use of such cards;

(4) A description of purchases that shall be authorized for use of such cards;

(5) A description of purchases that shall not be authorized for use of such cards;

(6) Designation of a government purchasing card or government credit card administrator;

(7) A process for auditing and reviewing purchases made with such cards; and

(8) Procedures for addressing a violation of such purchasing card policies and penalties for violations including, but not limited to, revocation of purchasing card or credit card privileges and misdemeanor prosecution."

SECTION 2.

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

The following amendment was read and adopted:

Representative Powell of the 32nd offers the following amendment:

Amend the House Committee on Governmental Affairs substitute to HB 192 (LC 28 7516S) by striking line 33 and inserting in lieu thereof the following:

(2) A requirement that, before being issued a government purchasing card or government credit card, authorized users shall sign and accept an agreement with the county, municipal corporation, local school system, or consolidated government issuing the government purchasing card or government credit card that such users will use such cards only in accordance with the policies of the issuing governmental entity;

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:

E Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
E Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	Y Harrell	Y Morris	Y Smith, M
Y Anderson	Y Dawkins-Haigler	Y Hatchett	Y Mosby	Y Smith, R
Y Atwood	Y Deffenbaugh	Y Hawkins	Y Nimmer	Y Smyre
Y Ballinger	Y Dempsey	Y Henson	Y Nix	Y Spencer
Y Barr	Y Dickerson	Y Hightower	Y Oliver	Y Stephens, M
E Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	Y Pak	Y Stephenson
Y Bell	Y Dollar	Y Holmes	Y Parrish	Y Stovall
Y Belton	Y Douglas	Y Houston	Y Parsons	Y Stover
Y Bennett	Y Drenner	Y Howard	Y Peake	Y Strickland
N Bentley	Y Dudgeon	Y Hugley	Y Petrea	Y Tankersley
Y Benton	Y Dukes	Y Jackson	Y Pezold	Y Tanner
Y Beskin	Y Dunahoo	Y Jacobs	Y Powell, A	Y Tarvin
Y Beverly	Y Duncan	Y Jasperse	Y Powell, J	Y Taylor, D
Y Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
Y Brockway	Y Efstraction	Y Jones, J.B.	Y Pruet	Y Teasley
Y Brooks	Y Ehrhart	Y Jones, L	Y Quick	Y Thomas, A.M.
Y Bruce	Y England	Y Jones, S	Y Raffensperger	Y Thomas, E
Y Bryant	Y Epps	Y Jordan	Y Rakestraw	Y Trammell
Y Buckner	E Evans	Y Kaiser	Y Ramsey	Y Turner
Y Burns	Y Fleming	Y Kelley	N Randall	Y Waites
Y Caldwell, J	Y Floyd	Y Kendrick	Y Reeves	Y Watson
Y Caldwell, M	Y Fludd	Y Kidd	Y Rhodes	Y Welch

Y Cantrell	Y Frazier	Y Kirby	Y Rice	Y Weldon
Y Carson	Y Frye	Y Knight	Y Roberts	Y Werkheiser
Y Carter	Y Gardner	Y LaRiccica	Y Rogers, C	Y Wilkerson
Y Casas	Y Gasaway	Y Lumsden	Y Rogers, T	Y Wilkinson
Y Chandler	Y Geisinger	Y Mabra	Y Rutledge	Y Willard
E Cheokas	Y Glanton	E Marin	Y Rynders	Y Williams, A
Y Clark, D	Y Golick	Y Martin	Y Scott	Y Williams, C
Y Clark, H	Y Gordon	Y Maxwell	Y Setzler	Y Williams, E
Y Clark, V	Y Gravley	E Mayo	Y Sharper	Williamson
Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
E Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, as amended, the ayes were 167, nays 2.

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

HB 315. By Representatives Nimmer of the 178th, Coomer of the 14th and Dickey of the 140th:

A BILL to be entitled an Act to amend Article 2 of Chapter 4 of Title 20 of the Official Code of Georgia Annotated, relating to technical and adult education, so as to change the name of the Technical College System of Georgia to the Georgia Career College System; to change the name of the State Board of the Technical College System of Georgia to the State Board of the Georgia Career College System; to amend various provisions of the Official Code of Georgia Annotated to reflect such name change; to provide for related matters; to repeal conflicting laws; and for other purposes.

Pursuant to Rule 133, Representative Werkheiser of the 157th was excused from voting on HB 315.

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:

E Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
E Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
N Allison	Y Corbett	N Harrell	Y Morris	Y Smith, M
Y Anderson	Y Dawkins-Haigler	Y Hatcher	Y Mosby	Y Smith, R
Y Atwood	Y Deffenbaugh	Y Hawkins	Y Nimmer	Y Smyre
Y Ballinger	Y Dempsey	N Henson	N Nix	N Spencer
Y Barr	Y Dickerson	N Hightower	Y Oliver	N Stephens, M
E Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
N Beasley-Teague	Y Dickson	Y Holcomb	N Pak	Y Stephenson
N Bell	Y Dollar	Y Holmes	Y Parrish	Y Stovall
Y Belton	N Douglas	Y Houston	Y Parsons	N Stover

N Bennett	N Drenner	Howard	Y Peake	Y Strickland
Y Bentley	N Dudgeon	Y Hugley	Y Petrea	Y Tankersley
Y Benton	Y Dukes	Y Jackson	N Pezold	Y Tanner
Y Beskin	N Dunahoo	Y Jacobs	Y Powell, A	Y Tarvin
Y Beverly	N Duncan	Y Jasperse	Y Powell, J	Y Taylor, D
Y Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
N Brockway	Y Efrstration	N Jones, J.B.	Y Pruett	N Teasley
Y Brooks	Y Ehrhart	Y Jones, L	N Quick	Y Thomas, A.M.
Y Bruce	Y England	Y Jones, S	N Raffensperger	N Thomas, E
Y Bryant	Y Epps	Y Jordan	Y Rakestraw	Y Trammell
Buckner	E Evans	N Kaiser	Y Ramsey	N Turner
Y Burns	E Fleming	N Kelley	Y Randall	N Waites
Y Caldwell, J	N Floyd	Y Kendrick	Y Reeves	Y Watson
N Caldwell, M	Fludd	Y Kidd	Y Rhodes	Y Welch
N Cantrell	N Frazier	Kirby	Y Rice	Y Weldon
Y Carson	Y Frye	Y Knight	Y Roberts	Werkheiser
Y Carter	Y Gardner	Y LaRiccia	Y Rogers, C	N Wilkerson
Y Casas	Y Gasaway	Y Lumsden	Y Rogers, T	Y Wilkinson
Y Chandler	Y Geisinger	N Mabra	Y Rutledge	Y Willard
E Cheokas	Y Glanton	E Marin	Y Rynders	Y Williams, A
N Clark, D	Y Golick	Martin	N Scott	N Williams, C
N Clark, H	Y Gordon	Y Maxwell	Y Setzler	N Williams, E
Y Clark, V	N Gravley	E Mayo	Y Sharper	Y Williamson
Coleman	Y Greene	McCall	Y Shaw	Y Yates
E Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, the ayes were 122, nays 40.

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

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

HR 529. By Representatives Beskin of the 54th, Ralston of the 7th, Taylor of the 79th, Werkheiser of the 157th, Rynders of the 152nd and others:

A RESOLUTION commending Michael Joseph Egan, Jr., for his many years of dedicated public service to the State of Georgia and the United States and inviting him to be recognized by the House of Representatives; and for other purposes.

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

HR 520 Do Pass

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

HR 520. By Representatives Rogers of the 29th, Parrish of the 158th, Smyre of the 135th, Ehrhart of the 36th, Williams of the 119th and others:

A RESOLUTION commending Tom Daniel for his many years of service to the State of Georgia; congratulating him upon the grand occasion of his retirement; and inviting him to be recognized by the House of Representatives; and for other purposes.

The following Resolutions of the House were read and adopted:

HR 530. By Representative Thomas of the 56th:

A RESOLUTION commending Georgia State University student-athlete Ryann Austin Green for being selected as a candidate for the 2015 Senior CLASS Award; and for other purposes.

HR 531. By Representative Thomas of the 56th:

A RESOLUTION commending LisaRaye McCoy for empowering and inspiring women throughout the State of Georgia and the United States; and for other purposes.

HR 532. By Representatives Dempsey of the 13th, England of the 116th, Jones of the 47th, O'Neal of the 146th, Abrams of the 89th and others:

A RESOLUTION recognizing and commending the Boys & Girls Clubs of Georgia and Boys & Girls Clubs of Georgia's 2015 Military Youth of the Year, Andrew Brown; and for other purposes.

HR 533. By Representatives Dempsey of the 13th, England of the 116th, Jones of the 47th, O'Neal of the 146th, Abrams of the 89th and others:

A RESOLUTION recognizing and commending the Boys & Girls Clubs of Georgia and Boys & Girls Clubs of Georgia's 2015 Youth of the Year, Mikayla Taylor; and for other purposes.

HR 534. By Representatives Broadrick of the 4th, Dickson of the 6th and Tarvin of the 2nd:

A RESOLUTION congratulating Brian Suits upon being named Georgia's Middle School Principal of the Year; and for other purposes.

- HR 535. By Representatives Benton of the 31st and Quick of the 117th:
A RESOLUTION recognizing and commending Ms. Margaret Duncan Ward on her outstanding service to her community; and for other purposes.
- HR 536. By Representatives Wilkinson of the 52nd and Willard of the 51st:
A RESOLUTION commending Samantha Stahlman; and for other purposes.
- HR 537. By Representatives Gardner of the 57th and Thomas of the 56th:
A RESOLUTION commending the Juniper and Tenth Street High Rise Residents Association; and for other purposes.
- HR 538. By Representatives Rogers of the 29th, Caldwell of the 131st, Dickey of the 140th, Knight of the 130th and Williams of the 119th:
A RESOLUTION commending University System of Georgia Outstanding Scholar Amber Byous of Gordon State College on Academic Recognition Day for 2015; and for other purposes.
- HR 539. By Representatives Duncan of the 26th, Dudgeon of the 25th, Mabra of the 63rd, Gasaway of the 28th, Cantrell of the 22nd and others:
A RESOLUTION commending Georgia Tech baseball head coach Danny Hall and congratulating the Georgia Tech baseball team upon winning the 2014 ACC Championship; and for other purposes.
- HR 540. By Representatives Dawkins-Haigler of the 91st, Stephenson of the 90th, Kendrick of the 93rd, Anderson of the 92nd, Randall of the 142nd and others:
A RESOLUTION recognizing and commending the National Council of Negro Women, Inc., and Chairwoman Ingrid Saunders Jones; and for other purposes.
- HR 541. By Representatives Dawkins-Haigler of the 91st, Kendrick of the 93rd, Anderson of the 92nd, Stephenson of the 90th, Mosby of the 83rd and others:
A RESOLUTION commending Roderick Cunningham for his efforts to assist victims of domestic violence; and for other purposes.

HR 542. By Representatives Teasley of the 37th, Carson of the 46th, Reeves of the 34th, Parsons of the 44th and Setzler of the 35th:

A RESOLUTION commending the Shiloh Hills Christian School basketball team for winning the 2015 Georgia Christian Athletic Association State Championship; and for other purposes.

HR 543. By Representatives Hawkins of the 27th, Rogers of the 29th and Dunahoo of the 30th:

A RESOLUTION honoring the life and memory of Jim Lofton; and for other purposes

HR 544. By Representative Kendrick of the 93rd:

A RESOLUTION commending Rachel Lazarus, Dr. Tommy Welch, and LaShawn Smith, award recipients of the Rho Kappa Lambda Education Foundation fifth annual Martin Luther King Unity Breakfast; and for other purposes.

HR 545. By Representatives Dawkins-Haigler of the 91st, Stephenson of the 90th, Kendrick of the 93rd, Anderson of the 92nd, Randall of the 142nd and others:

A RESOLUTION commending the National Coalition of 100 Black Women; and for other purposes.

HR 546. By Representatives Reeves of the 34th, Teasley of the 37th, Ehrhart of the 36th, Parsons of the 44th, Dollar of the 45th and others:

A RESOLUTION recognizing and congratulating the Mount Paran Christian School varsity football team for winning the 2014 GHSA football state championship; and for other purposes.

Representative Jones of the 167th moved that the following Bill of the House be withdrawn from the Committee on Governmental Affairs and recommitted to the Committee on Intragovernmental Coordination:

HB 437. By Representatives Jones of the 167th and Atwood of the 179th:

A BILL to be entitled an Act to amend an Act creating the Brunswick-Glynn County Joint Water and Sewer Commission, approved April 19, 2006 (Ga. L. 2006, p. 3661), as amended, particularly by an Act approved April 11, 2012

(Ga. L. 2012, p. 5287), so as to provide for a short title name change; to provide for nonpartisan election in conjunction with general primary; to provide for terms of elected members; to provide for a quorum; to provide for public access to annual budget; to provide for solicitation of donations; to provide for assistance to low-income customers; to provide for separate accounting for certain donations and the expenditure of excess funds; to provide for notices and hearings prior to any increase in water or waste-water rates; to repeal conflicting laws; and for other purposes.

The motion prevailed.

Representative Caldwell of the 131st moved that the following Bill of the House be withdrawn from the Committee on Governmental Affairs and recommitted to the Committee on Intragovernmental Coordination:

HB 343. By Representative Caldwell of the 131st:

A BILL to be entitled an Act to amend an Act providing for the election of members of the Lamar County Board of Education, approved March 30, 1971 (Ga. L. 1971, p. 2710), as amended, particularly by an Act approved March 13, 2012 (Ga. L. 2012, p. 4416), so as to provide that members of the board of education shall be elected on a nonpartisan basis; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

The motion prevailed.

Representative Hamilton of the 24th moved that the following Bill of the House be withdrawn from the Committee on Education and recommitted to the Committee on Ways & Means:

HB 243. By Representatives Hamilton of the 24th, Dudgeon of the 25th, Powell of the 171st, Glanton of the 75th, Setzler of the 35th 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 establish an education savings account program; to provide for a short title; to provide for definitions; to provide for qualifications and requirements; to provide for management of accounts; to provide for participating schools; to provide for responsibilities of parents; to provide for duties of the Office of Student Achievement in administering the program; to provide for rules and regulations; to provide for related matters; to repeal conflicting laws; and for other purposes.

The motion prevailed.

Representative Dukes of the 154th moved that the following Bill of the Senate be withdrawn from the Committee on Governmental Affairs and recommitted to the Committee on Intragovernmental Coordination:

SB 93. By Senator Burke of the 11th:

A BILL to be entitled an Act to provide that future elections for the office of probate judge of Seminole County shall be nonpartisan elections; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The motion prevailed.

Representative Yates of the 73rd District, Chairman of the Committee on Defense and Veterans Affairs, submitted the following report:

Mr. Speaker:

Your Committee on Defense and Veterans Affairs 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 180 Do Pass

Respectfully submitted,
/s/ Yates of the 73rd
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 204	Do Pass, by Substitute	HB 303	Do Pass, by Substitute
HB 347	Do Pass, by Substitute	HB 405	Do Pass, by Substitute

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

Representative Maxwell of the 17th District, Chairman of the Committee on Regulated Industries, submitted the following report:

Mr. Speaker:

Your Committee on Regulated Industries 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 110 Do Pass, by Substitute
HB 225 Do Pass, by Substitute
HB 314 Do Pass, by Substitute

Respectfully submitted,
/s/ Maxwell of the 17th
Chairman

Representative Setzler of the 35th District, Chairman of the Committee on Science & Technology, submitted the following report:

Mr. Speaker:

Your Committee on Science & Technology has had under consideration the following Resolution of the House and has instructed me to report the same back to the House with the following recommendation:

HR 473 Do Pass

Respectfully submitted,
/s/ Setzler of the 35th
Chairman

Representative Powell of the 171st 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 81	Do Pass, by Substitute	HB 94	Do Pass, by Substitute
HB 238	Do Pass, by Substitute	HB 277	Do Pass
HB 289	Do Pass, by Substitute	HB 369	Do Pass
HB 374	Do Pass	HB 396	Do Pass, by Substitute
HB 457	Do Pass, by Substitute	HB 464	Do Pass, by Substitute

Respectfully submitted,
/s/ Powell of the 171st
Chairman

The following communications were received:

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 Mark Burkhalter 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 to fill the current vacancy for the remainder of the 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 18, 2015 in the Senate Chamber of the State Capitol Building. At that caucus, Honorable Mark Burkhalter was elected as the member of the State Transportation Board from the 6th Congressional District to fill the current vacancy for the remainder of the term expiring April 15, 2019.

Respectfully submitted,

/s/ David Shafer
Honorable David Shafer
Senator, District 48
CHAIRMAN

/s/ Don Parsons
Honorable Don Parsons
Representative, District 44
SECRETARY

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 Rudy Bowen has been reelected, pursuant to the provisions of O.C.G.A. Section 32-2-20, as the member of the State Transportation Board from the 7th Congressional District for the term expiring April 15, 2020.

/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 18, 2015 in the Senate Chamber of the State Capitol Building. At that caucus, Honorable Rudy Bowen was elected as the member of the State Transportation Board from the 7th Congressional District to serve a term expiring April 15, 2020.

Respectfully submitted,

/s/ David Shafer
Honorable David Shafer
Senator, District 48
CHAIRMAN

/s/ Valerie Clark
Honorable Valerie Clark
Representative, District 101
SECRETARY

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 Jay Shaw has been reelected, pursuant to the provisions of O.C.G.A. Section 32-2-20, as the member of the State Transportation Board from the 8th Congressional District for the term expiring April 15, 2020.

/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 18, 2015 in the Senate Chamber of the State Capitol Building. At that caucus, Honorable Jay Shaw was elected as the member of the State Transportation Board from the 8th Congressional District to serve a term expiring April 15, 2020.

Respectfully submitted,

/s/ Jay Roberts
Honorable Jay Roberts
Representative, District 155
CHAIRMAN

/s/ Tommie Williams
Honorable Tommie Williams
Senator, District 19
SECRETARY

Representative O'Neal of the 146th moved that the House stand in recess until 5:00 o'clock, P.M., at which time the House will stand adjourned until 10:00 o'clock, tomorrow morning.

The Speaker announced the House in recess until 5:00 o'clock, P.M., at which time the House will stand adjourned until 10:00 o'clock, tomorrow morning.