

Representative Hall, Atlanta, Georgia**Friday, March 13, 2015****Thirtieth Legislative Day**

The House met pursuant to adjournment at 9:30 o'clock, A.M., this day and was called to order by the Speaker.

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

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

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

Representatives Anderson of the 92nd, Casas of the 107th, Dollar of the 45th, Jacobs of the 80th, Mosby of the 83rd, Oliver of the 82nd, Peake of the 141st, Setzler of the 35th, and Stovall of the 74th.

They wished to be recorded as present.

Prayer was offered by Reverend Ed Rees, Pastor, St. Andrews Presbyterian Church, Augusta, Georgia.

The members pledged allegiance to the flag.

Representative Cheokas of the 138th, Chairman of the Committee on Information and Audits, reported that the Journal of the previous legislative day had been read and found to be correct.

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

The Journal was confirmed.

The following communication was received:

House of Representatives
504 Coverdell Legislative Office Building
Atlanta, Georgia 30334

March 12, 2015

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

RE; HB 408

Dear Mr. Reilly:

On Wednesday, March 11, 2015, I attempted to be recognized on the floor to by pressing the button, so as to excuse myself from voting on HB 408. I am unable to vote on HB 408 as my family is in the Hotel/Motel business.

Thank you for your consideration this matter.

Sincerely,

/s/ John Pezold
John Pezold, Representative
House District 133

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

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

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

HB 589. By Representatives Evans of the 42nd, Carson of the 46th, Wilkerson of the 38th, Smith of the 41st, Reeves of the 34th and others:

A BILL to be entitled an Act to amend an Act changing the compensation of the clerk of the superior court, the sheriff, and the judge of the Probate Court of Cobb County from the fee system to the salary system, approved February 9, 1949 (Ga. L. 1949, p. 427), as amended, particularly by an Act approved May 12, 2008 (Ga. L. 2008, p. 3732), so as to change the compensation of the judge of the probate court; 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 590. By Representatives Hitchens of the 161st, Lumsden of the 12th, Greene of the 151st and Tanner of the 9th:

A BILL to be entitled an Act to amend Code Section 47-17-1 of the Official Code of Georgia Annotated, relating to definitions relative to the Peace Officers' Annuity and Benefit Fund, so as to provide that certified jailers shall be eligible for membership in such fund; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

HB 591. By Representatives Hitchens of the 161st and Lumsden of the 12th:

A BILL to be entitled an Act to amend Chapter 17 of Title 47 of the Official Code of Georgia Annotated, relating to the Peace Officers' Annuity and Benefit Fund, so as to increase the amount of membership dues; to provide for a premium tax on motor vehicle liability and casualty insurance policies; to provide for payment of such funds to the retirement fund; to provide for reporting; to provide for penalties for noncompliance; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

HB 592. By Representatives Harrell of the 106th and Setzler of the 35th:

A BILL to be entitled an Act to amend Chapter 15 of Title 43 of the Official Code of Georgia Annotated, relating to professional engineers and land surveyors, so as to provide for the profession of professional structural engineer; to provide for definitions; to provide for continuing education requirements; to provide for unlawful practices; to provide for the issuance of certificates of registration for such professionals; to provide for registration by comity; to provide for certificates of registration; to provide for use of a seal; to provide for exceptions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries.

HB 593. By Representatives Hawkins of the 27th, Maxwell of the 17th, Rakestraw of the 19th, Harrell of the 106th, Powell of the 32nd and others:

A BILL to be entitled an Act to amend Chapter 14 of Title 43 of the Official Code of Georgia Annotated, relating to electrical contractors, plumbers, conditioned air contractors, low-voltage contractors, and utility contractors, so as to authorize the Division of Low-voltage Contractors to require continuing education; to provide for waiver of continuing education requirements under certain circumstances; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries.

HB 594. By Representative Kidd of the 145th:

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

Referred to the Committee on Intragovernmental Coordination - Local.

HB 597. By Representatives Holcomb of the 81st, Oliver of the 82nd, Jacobs of the 80th, Kendrick of the 93rd, Mitchell of the 88th and others:

A BILL to be entitled an Act to amend an Act revising, superseding, and consolidating the laws relating to the governing authority of DeKalb County and creating a chairman and board of commissioners of said county, approved March 8, 1956 (Ga. L. 1956, p. 3237), as amended, particularly by an Act approved April 9, 1981 (Ga. L. 1981, p. 4304), an Act approved March 20, 1990 (Ga. L. 1990, p. 3900), and an Act approved April 13, 1992 (Ga. L. 1992, p. 6137), so as to change the jurisdiction of the Board of Ethics of DeKalb County; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 598. By Representatives Holcomb of the 81st, Oliver of the 82nd, Jacobs of the 80th, Kendrick of the 93rd, Mitchell of the 88th and others:

A BILL to be entitled an Act to amend an Act revising, superseding, and consolidating the laws relating to the governing authority of DeKalb County and creating a chairman and board of commissioners of said county, approved March 8, 1956 (Ga. L. 1956, p. 3237), as amended, particularly by an Act approved April 9, 1981 (Ga. L. 1981, p. 4304), and an Act approved May 23, 2007 (Ga. L. 2007, p. 4073), so as to provide for the manner of purchasing by DeKalb County; to provide for procedures and limitations; to provide for certain disclosures and publications; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 599. By Representatives Holcomb of the 81st, Oliver of the 82nd, Jacobs of the 80th, Kendrick of the 93rd, Mitchell of the 88th and others:

A BILL to be entitled an Act to amend an Act revising, superseding, and consolidating the laws relating to the governing authority of DeKalb County and creating a chairman and board of commissioners of said county, approved March 8, 1956 (Ga. L. 1956, p. 3237), as amended, particularly by an Act approved April 9, 1981 (Ga. L. 1981, p. 4304), so as to provide for independent internal audits for DeKalb County; to provide for procedures, policies, and limitations; to provide for certain reports; to provide for funding; to provide for oversight; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 600. By Representatives Ehrhart of the 36th, Cooper of the 43rd, Evans of the 42nd, Wilkerson of the 38th, Carson of the 46th and others:

A BILL to be entitled an Act to amend an Act creating the State Court of Cobb County, approved March 26, 1964 (Ga. L. 1964, p. 3211), as amended, particularly by an Act approved May 12, 2008 (Ga. L. 2008, p. 3723), so as to revise the compensation of the solicitor-general of Cobb County; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 601. By Representatives Hightower of the 68th, Cooke of the 18th, Nix of the 69th and Smith of the 70th:

A BILL to be entitled an Act to provide for a method of distribution of the net proceeds of the sales tax for education purposes levied in Carroll County; to provide for the method of distribution of the net proceeds of such tax among the Carroll County School District and the independent school districts located wholly or partially within Carroll County, including particularly the Carrollton Independent School System and the Bremen Public School System; to provide for authority under Article VIII, Section VI, Paragraph IV of the Constitution; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 602. By Representatives Willard of the 51st, Dollar of the 45th, Martin of the 49th, Jacobs of the 80th, Jones of the 47th and others:

A BILL to be entitled an Act to amend an Act providing in Fulton County a system for pension and retirement to pay teachers and employees of the

Board of Education of Fulton County, approved February 2, 1945 (Ga. L. 1945, p. 528), as amended, particularly by an Act approved May 11, 2009 (Ga. L. 2009, p. 4004), an Act approved April 11, 2012 (Ga. L. 2012, p. 4982), and an Act approved May 6, 2013 (Ga. L. 2013, p. 4026), so as to provide that contributions made into the pension and retirement plan by employees shall be considered employer contributions for tax purposes; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 603. By Representatives Willard of the 51st, Dollar of the 45th, Martin of the 49th, Jacobs of the 80th, Jones of the 47th and others:

A BILL to be entitled an Act to amend an Act providing in Fulton County a system for pension and retirement to pay teachers and employees of the Board of Education of Fulton County, approved February 2, 1945 (Ga. L. 1945, p. 528), as amended, particularly by an Act approved May 11, 2009 (Ga. L. 2009, p. 4004), so as to revise disability pension benefit eligibility for new plan members in certain instances; to provide an offset of disability benefits by any workers' compensation indemnity benefits related to loss of income for new plan members; to limit the effect of workers' compensation or similar laws on the plan; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 604. By Representative Sharper of the 177th:

A BILL to be entitled an Act to amend Article 2 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to the issuance, expiration, and renewal of drivers' licenses, so as to provide for an exception to the renewal fee requirements for certain persons who are retired law enforcement officers in the renewal of noncommercial drivers' licenses; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Motor Vehicles.

HB 605. By Representatives Weldon of the 3rd and Welch of the 110th:

A BILL to be entitled an Act to amend Code Section 47-23-63 of the Official Code of Georgia Annotated, relating to definition and effect of full-time and part-time service and calculations, so as to provide that a member of the

Georgia Judicial Retirement System who was serving in a full-time position on his or her retirement may use prior part-time service for vesting; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

HB 606. By Representatives Kirby of the 114th, Dollar of the 45th, Stover of the 71st, Caldwell of the 20th, Yates of the 73rd and others:

A BILL to be entitled an Act to amend Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, so as to provide that retail dealers may purchase up to 15 percent of their inventory of beer and wine directly from wineries and breweries without utilizing a wholesale dealer; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries.

HB 607. By Representatives Kirby of the 114th, Dollar of the 45th, Stover of the 71st, Caldwell of the 20th, Brockway of the 102nd and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 3 of Title 3 of the Official Code of Georgia Annotated, relating to prohibited acts relative to alcoholic beverages, so as to define certain terms; to provide that beer and wine clubs may ship a certain quantity of alcoholic beverage into the state without the payment of state taxes; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries.

HB 608. By Representatives Kirby of the 114th, Dollar of the 45th, Stover of the 71st, Caldwell of the 20th, Yates of the 73rd and others:

A BILL to be entitled an Act to amend Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, so as to provide that the owner of two or more licensed retail facilities located in two or more wholesalers' territories may select one such wholesaler to service all such retail facilities; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries.

HB 609. By Representatives Caldwell of the 20th, Yates of the 73rd and Rice of the 95th:

A BILL to be entitled an Act to amend Code Section 40-2-84 of the Official Code of Georgia Annotated, relating to license plates for veterans awarded Purple Heart, so as to provide for free revalidation decals for such license plates; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Motor Vehicles.

HR 619. By Representative Battles of the 15th:

A RESOLUTION honoring the life and memory of Mr. Henry Carlton Floyd and dedicating a road in his memory; and for other purposes.

Referred to the Committee on Transportation.

HR 620. By Representative Drenner of the 85th:

A RESOLUTION urging local boards of education in Georgia to provide educational awareness regarding renewable energy; and for other purposes.

Referred to the Committee on Natural Resources & Environment.

HR 640. By Representatives Broadrick of the 4th, Gardner of the 57th, Tanner of the 9th, Clark of the 101st, Jasperse of the 11th and others:

A RESOLUTION creating the Joint Study Committee on Health, Education, and School-Based Health Centers; and for other purposes.

Referred to the Committee on Health & Human Services.

HR 641. By Representatives Dempsey of the 13th, Epps of the 144th, Harden of the 148th, Cooper of the 43rd, Oliver of the 82nd and others:

A RESOLUTION creating the Joint Study Committee on Children's Mental Health; and for other purposes.

Referred to the Committee on Health & Human Services.

HR 642. By Representatives Dempsey of the 13th, Epps of the 144th, Harden of the 148th, Cooper of the 43rd, Oliver of the 82nd and others:

A RESOLUTION creating the Joint Study Committee on Postsecondary Education and Employment Options for Individuals with Intellectual and Developmental Disabilities; and for other purposes.

Referred to the Committee on Higher Education.

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

HB 570	HB 571
HB 572	HB 573
HB 574	HB 575
HB 576	HB 577
HB 579	HB 580
HB 581	HB 582
HB 583	HB 584
HB 585	HB 586
HB 587	HB 588
HB 595	HB 596
HR 599	HR 600
HR 601	HR 612
HR 613	HR 618
SB 69	SB 132
SB 134	SB 156
SB 168	SB 175
SB 182	SR 296

Representative Hamilton of the 24th District, Chairman of the Committee on Industry and Labor, submitted the following report:

Mr. Speaker:

Your Committee on Industry and Labor 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 216 Do Pass, by Substitute

Respectfully submitted,
/s/ Hamilton of the 24th
Chairman

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

Mr. Speaker:

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

SB 101 Do Pass

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

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

HOUSE RULES CALENDAR
FRIDAY, MARCH 13, 2015

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 30th Legislative Day as enumerated below:

DEBATE CALENDAR

Open Rule

HB 297 Professional licensing boards; make designations for the receipt and processing of applications for examination; provide (RegI-Beskin-54th)

Modified Open Rule

HB 21 Transit authority; creation of; metropolitan areas; repeal a population provision (Trans-Carson-46th)

HB 322 Foreclosure; provide for recording of deeds under power within a certain time after sale; provisions (Substitute)(Judy-Strickland-111th)

HB 474 Charter schools; enrollment priorities for educationally disadvantaged students and military students; provide (Substitute)(Ed-Kaiser-59th)

HB 510 Georgia Sports Commission Fund; create; provisions (ED&T-Stephens-164th)

Modified Structured Rule

- HB 48 Special license plates; include surviving spouse of a sibling of service member killed in action; extend eligibility (Substitute)(MotV-Coleman-97th)
- HB 131 The End to Cyberbullying Act; enact (Substitute)(Ed-Dickerson-113th)
- HB 268 Child abuse; mandatory reporters; change provisions (Substitute)(JuvJ-Ballinger-23rd)
- HB 342 Nursing homes; violation of certain regulations shall not constitute negligence per se; provide (Substitute)(Judy-Kelley-16th)
- HB 343 Lamar County; Board of Education; members elected on nonpartisan basis; provide (IGC-Caldwell-131st)
- HB 375 Motor vehicles; driving with suspended, canceled, or revoked registration; change provisions relating to plea of nolo contendere (JudyNC-Powell-171st)
- HB 393 Motor vehicles fair practices; restrictions on ownership, operation, or control of dealerships by manufacturers and franchisors; provide exception (Substitute)(MotV-Martin-49th)
- HB 436 Georgia HIV/Syphilis Pregnancy Screening Act of 2015; enact (Substitute)(H&HS-Clark-101st)
- HB 443 Voluntary Veterans' Preference Employment Policy Act; enact (I&L-Dempsey-13th)
- HR 36 Staff Sergeant Shaun J. Whitehead Memorial Bridge; Jackson County; dedicate (Substitute)(Trans-Benton-31st)
- HR 215 Judge Ronald L. Newton Memorial Highway; Fannin County; dedicate (Trans-Ralston-7th)
- HR 519 Mixon, Mr. Harry; Mr. Brad Dorminy; name building in their honor; recognize (Substitute)(SP&CA-Roberts-155th)

Structured Rule

- HB 94 Ad valorem tax; certain members of armed forces from penalties for failure to timely pay tax; exempt (Substitute)(W&M-Williams-119th)
- HB 369 Sales and use tax; distribution for educational purposes; change certain provisions (W&M-Nix-69th)
- HB 426 Sales and use tax; provide new exemption only for limited period of time regarding tangible personal property to certain nonprofit health centers; provisions (Substitute)(W&M-Taylor-173rd)
- HB 496 Ad valorem tax; the use of certain property for collection and conversion of solar energy shall not constitute a breach of conservation use covenants; provide (Substitute)(W&M-Hatchett-150th)

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

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

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

Mr. Speaker:

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

SB 35. By Senators James of the 35th, Rhett of the 33rd, Parent of the 42nd, Jones of the 10th, Jackson of the 24th and others:

A BILL to be entitled an Act to amend Code Section 16-5-70 of the Official Code of Georgia Annotated, relating to cruelty to children, so as to provide that leaving certain children in vehicles under certain circumstances constitutes cruelty to children in the third degree; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 59. By Senators Hill of the 6th, Mullis of the 53rd, Gooch of the 51st, Beach of the 21st and Hill of the 32nd:

A BILL to be entitled an Act to amend Title 36 of the Official Code of Georgia Annotated, relating to local government, and Title 50 of the O.C.G.A., relating to state government, so as to provide for a "Partnership for Public Facilities and Infrastructure Act"; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

SB 64. By Senators Hufstetler of the 52nd and Jones of the 10th:

A BILL to be entitled an Act to amend Code Section 15-11-2, Title 19, and Chapter 10 of Title 31 of the O.C.G.A., relating to definitions for the Juvenile Code, domestic relations, and vital records, respectively, so as to repeal voluntary acknowledgments of legitimation; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 76. By Senators Jackson of the 24th, Wilkinson of the 50th, Jones of the 25th, Bethel of the 54th, Miller of the 49th and others:

A BILL to be entitled an Act to amend Code Section 40-6-20 of the Official Code of Georgia Annotated, relating to obedience to traffic-control devices, so as to provide for the safe operation of a motorcycle or lightweight motor vehicle through an inoperative traffic-control signal; to provide for a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

- SB 99. By Senators Kennedy of the 18th, McKoon of the 29th, Jones of the 25th, Bethel of the 54th, Hill of the 32nd and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 8 of Title 17 of the Official Code of Georgia Annotated, relating to conduct of proceedings, so as to change provisions relating to reversal on appeal when a judge expresses an opinion regarding proof in a criminal case or as to the accused's guilt; to provide for related matters; to repeal conflicting laws; and for other purposes.

- SB 111. By Senators Stone of the 23rd, Jeffares of the 17th, Jones of the 25th, Hufstetler of the 52nd, Kennedy of the 18th and others:

A BILL to be entitled an Act to amend Chapter 45 of Title 33 of the Official Code of Georgia Annotated, relating to continuing care providers and facilities, so as to define certain terms; to provide for a provider to offer continuing care at home; to repeal conflicting laws; and for other purposes.

- SB 116. By Senators Ligon, Jr. of the 3rd, Gooch of the 51st, Millar of the 40th, Shafer of the 48th, Cowser of the 46th 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 Celebrate Freedom Week; to provide for the posting of historical documents; to require the Department of Education to develop online resources and instructional support; to provide for related matters; to repeal conflicting laws; and for other purposes.

- SB 128. By Senators Kennedy of the 18th, Bethel of the 54th, Hill of the 32nd, Jones II of the 22nd and Parent of the 42nd:

A BILL to be entitled an Act to amend Article 8 of Chapter 2 of Title 14 of the O.C.G.A., relating to directors and officers, so as to enact reforms consistent with the Model Act; to change provisions relating to the functions of a board of directors; to change provisions relating to elections of directors; to change provisions relating to terms for directors; to change provisions relating to actions without meetings; to change provisions relating to committees; to

change provisions relating to derivative actions; to change provisions relating to officers; to change provisions relating to functions of officers; to change provisions relating to resignation and removal of officers; to enact provisions relating to business opportunities; to provide for related matters; to repeal conflicting laws; and for other purposes.

- SB 148. By Senators Kennedy of the 18th, Dugan of the 30th, Miller of the 49th, Jackson of the 24th, Bethel of the 54th and others:

A BILL to be entitled an Act to amend Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, so as to transfer the powers and responsibilities of the Governor's Office of Consumer Affairs to the Attorney General's office; to amend Titles 2, 16, 18, 31, 33, 35, 36, 43, and 46 of the Official Code of Georgia Annotated, relating to agriculture, crimes and offenses, debtors and creditors, health, insurance, law enforcement officers and agencies, local government, professions and businesses, and public utilities and public transportation, respectively, so as to conform to such transfer, correct cross-references, and remove obsolete provisions; to provide for related matters; to repeal conflicting laws; and for other purposes.

- SB 164. By Senators Jones of the 10th, Henson of the 41st, Harbison of the 15th, Seay of the 34th and Davenport of the 44th:

A BILL to be entitled an Act to amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, so as to provide for positive behavioral interventions and supports and response to intervention initiatives; to provide for related matters; to repeal conflicting laws; and for other purposes.

- SB 171. By Senators Tippins of the 37th, Hill of the 32nd, Tate of the 38th, Rhett of the 33rd and Hill of the 6th:

A BILL to be entitled an Act to amend an Act changing the compensation of the clerk of the superior court, the sheriff, and the judge of the Probate Court of Cobb County from the fee system to the salary system, approved February 9, 1949 (Ga. L. 1949, p. 427), as amended, particularly by an Act approved May 12, 2008 (Ga. L. 2008, p. 3702), an Act approved May 6, 2013 (Ga. L. 2013, p. 4150), and an Act approved April 10, 2014 (Ga. L. 2014, p. 4269), so as to change the compensation of the chief deputy, the assistant chief deputy, and the executive assistant to the sheriff; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

- SB 172. By Senators Tippins of the 37th, Hill of the 32nd, Tate of the 38th, Rhett of the 33rd and Hill of the 6th:

A BILL to be entitled an Act to amend an Act changing the compensation of the clerk of the superior court, the sheriff, and the judge of the Probate Court of Cobb County from the fee system to the salary system, approved February 9, 1949 (Ga. L. 1949, p. 427), as amended, particularly by an Act approved April 10, 2014 (Ga. L. 2014, p. 4104), and an Act approved April 10, 2014 (Ga. L. 2014, p. 4269), so as to change the compensation of the clerk of the superior court; to change the salary of the deputy clerk of the superior court; to provide for an executive assistant and an executive secretary; to provide for the appointment, qualifications, and salaries of such positions; to provide an effective date; to repeal conflicting laws; and for other purposes.

- SB 183. By Senators Wilkinson of the 50th, Black of the 8th, Heath of the 31st, Unterman of the 45th, Ginn of the 47th and others:

A BILL to be entitled an Act to amend Title 4 of the Official Code of Georgia Annotated, relating to animals, so as to provide for liability protection for certain activities related to livestock; to provide for limitations; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

- SB 184. By Senators Black of the 8th, Burke of the 11th, Tolleson of the 20th, Hufstetler of the 52nd and Heath of the 31st:

A BILL to be entitled an Act to amend Article 1 of Chapter 8 of Title 4 of the Official Code of Georgia Annotated, relating to general provisions relative to dogs, so as to provide that breed-specific regulation shall be limited to enactment by general law; to provide for related matters; to repeal conflicting laws; and for other purposes.

- SB 195. By Senators Williams of the 27th, Stone of the 23rd, Ligon, Jr. of the 3rd, Hill of the 4th and Gooch of the 51st:

A BILL to be entitled an Act to amend Chapter 6 of Title 17 of the Official Code of Georgia Annotated, relating to bonds and recognizances, so as to increase fees allowed for continuing education programs; to require bench warrants to be issued at the end of each court day; to provide for notices to be delivered and obtained using e-mail; to change provisions relating to principals who do not appear for court; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 197. By Senator Unterman of the 45th:

A BILL to be entitled an Act to amend an Act entitled "An Act to provide a new charter for the City of Buford," approved June 3, 2003 (Ga. L. 2003, p. 4622), so as to provide for the corporate boundaries; to repeal conflicting laws; and for other purposes.

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

SR 80. By Senators Ligon, Jr. of the 3rd, Millar of the 40th, Hill of the 32nd, Jeffares of the 17th, Watson of the 1st and others:

A RESOLUTION demanding revision by the College Board of Advanced Placement U.S. History; and for other purposes.

SR 155. By Senators Hill of the 32nd, Gooch of the 51st, McKoon of the 29th, Bethel of the 54th, Miller of the 49th and others:

A RESOLUTION encouraging the United States Congress to adopt and to submit to the states a balanced budget amendment to the United States Constitution and to balance our current budget; and for other purposes.

SR 266. By Senators Jeffares of the 17th, Harbison of the 15th, Albers of the 56th and Kennedy of the 18th:

A RESOLUTION authorizing the conveyance of certain state owned real property; authorizing the conveyance of certain state owned real property; authorizing the leasing of certain state owned real properties; authorizing the ground lease of certain state owned real property; authorizing the conveyance of a real property interest in Paulding County; authorizing the leasing of certain state owned real property located in Troup County; authorizing the conveyance of certain state owned real property located in Upson County; to provide an effective date; to repeal conflicting laws; and for other purposes.

SR 267. By Senators Jeffares of the 17th, Harbison of the 15th, Kennedy of the 18th and Albers of the 56th:

A RESOLUTION authorizing the granting of nonexclusive easements for the construction, operation, and maintenance of facilities, utilities, roads, and ingress and egress in, on, over, under, upon, across, or through property owned by the State of Georgia in the counties of Baldwin, Barrow, Bartow, Chatham, Clarke, Clayton, Cobb, DeKalb, Floyd, Fulton, Gordon, Houston,

Laurens, Liberty, Lowndes, Macon, McIntosh, Meriwether, Newton, Polk, Richmond, Troup, Walton, and Wayne; 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 bill of the House:

HB 410. By Representatives Evans of the 42nd, Carson of the 46th, Reeves of the 34th, Wilkerson of the 38th, Ehrhart of the 36th and others:

A BILL to be entitled an Act to amend an Act creating the State Court of Cobb County, approved March 26, 1964 (Ga. L. 1964, p. 3211), as amended, particularly by an Act approved April 10, 2014 (Ga. L. 2014, p. 4102), so as to change the compensation of the judges of the state court; to provide an effective date; to repeal conflicting laws; and for other purposes.

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

SB 35. By Senators James of the 35th, Rhett of the 33rd, Parent of the 42nd, Jones of the 10th, Jackson of the 24th and others:

A BILL to be entitled an Act to amend Code Section 16-5-70 of the Official Code of Georgia Annotated, relating to cruelty to children, so as to provide that leaving certain children in vehicles under certain circumstances constitutes cruelty to children in the third degree; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

SB 59. By Senators Hill of the 6th, Mullis of the 53rd, Gooch of the 51st, Beach of the 21st and Hill of the 32nd:

A BILL to be entitled an Act to amend Title 36 of the Official Code of Georgia Annotated, relating to local government, and Title 50 of the O.C.G.A., relating to state government, so as to provide for a "Partnership for Public Facilities and Infrastructure Act"; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

SB 64. By Senators Hufstetler of the 52nd and Jones of the 10th:

A BILL to be entitled an Act to amend Code Section 15-11-2, Title 19, and Chapter 10 of Title 31 of the O.C.G.A., relating to definitions for the Juvenile Code, domestic relations, and vital records, respectively, so as to repeal voluntary acknowledgments of legitimation; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Juvenile Justice.

SB 76. By Senators Jackson of the 24th, Wilkinson of the 50th, Jones of the 25th, Bethel of the 54th, Miller of the 49th and others:

A BILL to be entitled an Act to amend Code Section 40-6-20 of the Official Code of Georgia Annotated, relating to obedience to traffic-control devices, so as to provide for the safe operation of a motorcycle or lightweight motor vehicle through an inoperative traffic-control signal; to provide for a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety & Homeland Security.

SB 99. By Senators Kennedy of the 18th, McKoon of the 29th, Jones of the 25th, Bethel of the 54th, Hill of the 32nd and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 8 of Title 17 of the Official Code of Georgia Annotated, relating to conduct of proceedings, so as to change provisions relating to reversal on appeal when a judge expresses an opinion regarding proof in a criminal case or as to the accused's guilt; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

SB 111. By Senators Stone of the 23rd, Jeffares of the 17th, Jones of the 25th, Hufstetler of the 52nd, Kennedy of the 18th and others:

A BILL to be entitled an Act to amend Chapter 45 of Title 33 of the Official Code of Georgia Annotated, relating to continuing care providers and facilities, so as to define certain terms; to provide for a provider to offer continuing care at home; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance.

- SB 116. By Senators Ligon, Jr. of the 3rd, Gooch of the 51st, Millar of the 40th, Shafer of the 48th, Cowser of the 46th 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 Celebrate Freedom Week; to provide for the posting of historical documents; to require the Department of Education to develop online resources and instructional support; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

- SB 128. By Senators Kennedy of the 18th, Bethel of the 54th, Hill of the 32nd, Jones II of the 22nd and Parent of the 42nd:

A BILL to be entitled an Act to amend Article 8 of Chapter 2 of Title 14 of the O.C.G.A., relating to directors and officers, so as to enact reforms consistent with the Model Act; to change provisions relating to the functions of a board of directors; to change provisions relating to elections of directors; to change provisions relating to terms for directors; to change provisions relating to actions without meetings; to change provisions relating to committees; to change provisions relating to derivative actions; to change provisions relating to officers; to change provisions relating to functions of officers; to change provisions relating to resignation and removal of officers; to enact provisions relating to business opportunities; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

- SB 148. By Senators Kennedy of the 18th, Dugan of the 30th, Miller of the 49th, Jackson of the 24th, Bethel of the 54th and others:

A BILL to be entitled an Act to amend Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, so as to transfer the powers and responsibilities of the Governor's Office of Consumer Affairs to the Attorney General's office; to amend Titles 2, 16, 18, 31, 33, 35, 36, 43, and 46 of the Official Code of Georgia Annotated, relating to agriculture, crimes and offenses, debtors and creditors, health, insurance, law enforcement officers and agencies, local government, professions and businesses, and public utilities and public transportation, respectively, so as to conform to such transfer, correct cross-references, and remove obsolete provisions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Agriculture & Consumer Affairs.

- SB 164. By Senators Jones of the 10th, Henson of the 41st, Harbison of the 15th, Seay of the 34th and Davenport of the 44th:

A BILL to be entitled an Act to amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, so as to provide for positive behavioral interventions and supports and response to intervention initiatives; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

- SB 171. By Senators Tippins of the 37th, Hill of the 32nd, Tate of the 38th, Rhett of the 33rd and Hill of the 6th:

A BILL to be entitled an Act to amend an Act changing the compensation of the clerk of the superior court, the sheriff, and the judge of the Probate Court of Cobb County from the fee system to the salary system, approved February 9, 1949 (Ga. L. 1949, p. 427), as amended, particularly by an Act approved May 12, 2008 (Ga. L. 2008, p. 3702), an Act approved May 6, 2013 (Ga. L. 2013, p. 4150), and an Act approved April 10, 2014 (Ga. L. 2014, p. 4269), so as to change the compensation of the chief deputy, the assistant chief deputy, and the executive assistant to the sheriff; 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.

- SB 172. By Senators Tippins of the 37th, Hill of the 32nd, Tate of the 38th, Rhett of the 33rd and Hill of the 6th:

A BILL to be entitled an Act to amend an Act changing the compensation of the clerk of the superior court, the sheriff, and the judge of the Probate Court of Cobb County from the fee system to the salary system, approved February 9, 1949 (Ga. L. 1949, p. 427), as amended, particularly by an Act approved April 10, 2014 (Ga. L. 2014, p. 4104), and an Act approved April 10, 2014 (Ga. L. 2014, p. 4269), so as to change the compensation of the clerk of the superior court; to change the salary of the deputy clerk of the superior court; to provide for an executive assistant and an executive secretary; to provide for the appointment, qualifications, and salaries of such positions; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

SB 183. By Senators Wilkinson of the 50th, Black of the 8th, Heath of the 31st, Unterman of the 45th, Ginn of the 47th and others:

A BILL to be entitled an Act to amend Title 4 of the Official Code of Georgia Annotated, relating to animals, so as to provide for liability protection for certain activities related to livestock; to provide for limitations; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 184. By Senators Black of the 8th, Burke of the 11th, Tolleson of the 20th, Hufstetler of the 52nd and Heath of the 31st:

A BILL to be entitled an Act to amend Article 1 of Chapter 8 of Title 4 of the Official Code of Georgia Annotated, relating to general provisions relative to dogs, so as to provide that breed-specific regulation shall be limited to enactment by general law; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

SB 195. By Senators Williams of the 27th, Stone of the 23rd, Ligon, Jr. of the 3rd, Hill of the 4th and Gooch of the 51st:

A BILL to be entitled an Act to amend Chapter 6 of Title 17 of the Official Code of Georgia Annotated, relating to bonds and recognizances, so as to increase fees allowed for continuing education programs; to require bench warrants to be issued at the end of each court day; to provide for notices to be delivered and obtained using e-mail; to change provisions relating to principals who do not appear for court; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

SB 197. By Senator Unterman of the 45th:

A BILL to be entitled an Act to amend an Act entitled "An Act to provide a new charter for the City of Buford," approved June 3, 2003 (Ga. L. 2003, p. 4622), so as to provide for the corporate boundaries; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

- SR 80. By Senators Ligon, Jr. of the 3rd, Millar of the 40th, Hill of the 32nd, Jeffares of the 17th, Watson of the 1st and others:

A RESOLUTION demanding revision by the College Board of Advanced Placement U.S. History; and for other purposes.

Referred to the Committee on Education.

- SR 155. By Senators Hill of the 32nd, Gooch of the 51st, McKoon of the 29th, Bethel of the 54th, Miller of the 49th and others:

A RESOLUTION encouraging the United States Congress to adopt and to submit to the states a balanced budget amendment to the United States Constitution and to balance our current budget; and for other purposes.

Referred to the Committee on Appropriations.

- SR 266. By Senators Jeffares of the 17th, Harbison of the 15th, Albers of the 56th and Kennedy of the 18th:

A RESOLUTION authorizing the conveyance of certain state owned real property; authorizing the conveyance of certain state owned real property; authorizing the leasing of certain state owned real properties; authorizing the ground lease of certain state owned real property; authorizing the conveyance of a real property interest in Paulding County; authorizing the leasing of certain state owned real property located in Troup County; authorizing the conveyance of certain state owned real property located in Upson County; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Properties.

- SR 267. By Senators Jeffares of the 17th, Harbison of the 15th, Kennedy of the 18th and Albers of the 56th:

A RESOLUTION authorizing the granting of nonexclusive easements for the construction, operation, and maintenance of facilities, utilities, roads, and ingress and egress in, on, over, under, upon, across, or through property owned by the State of Georgia in the counties of Baldwin, Barrow, Bartow, Chatham, Clarke, Clayton, Cobb, DeKalb, Floyd, Fulton, Gordon, Houston, Laurens, Liberty, Lowndes, Macon, McIntosh, Meriwether, Newton, Polk,

Richmond, Troup, Walton, and Wayne; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Properties.

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

Representatives Efstoration of the 104th, Carter of the 175th, Williams of the 168th et al., Brockway of the 102nd, Waites of the 60th, and Bentley of the 139th.

By order of the Committee on Rules, the following Bill of the Senate was withdrawn from the General Calendar and recommitted to the Committee on Agriculture & Consumer Affairs:

SB 139. By Senators Harper of the 7th, Mullis of the 53rd, Wilkinson of the 50th, Tolleson of the 20th, Sims of the 12th and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to selling and other trade practices, so as to provide that any regulation regarding the use, disposition, or sale or any imposition of any prohibition, restriction, fee imposition, or taxation of auxiliary containers shall be done only by general law; to provide for legislative findings; to provide for a definition; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

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

HB 343. By Representatives Caldwell of the 131st and Knight of the 130th:

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

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

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

On the passage of the Bill, the ayes were 119, nays 32.

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

HB 94. By Representatives Williams of the 119th, Yates of the 73rd, Atwood of the 179th and Belton of the 112th:

A BILL to be entitled an Act to amend Part 1 of Article 10 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding the ad valorem taxation of motor vehicles and motor homes, so as to exempt certain members of the armed forces from penalties for failure to timely pay the ad valorem tax; to provide for related matters; to

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

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Part 1 of Article 10 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding the ad valorem taxation of motor vehicles and motor homes, so as to exempt certain persons from penalties for failure to timely pay the ad valorem tax; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 1 of Article 10 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding the ad valorem taxation of motor vehicles and motor homes, is amended by revising Code Section 48-5-451, relating to the penalty for failure to make return or pay tax on a motor vehicle or mobile home, as follows:

"48-5-451.

(a) Every ~~Every~~ Except as otherwise provided in subsection (b) of this Code section, every owner of a motor vehicle or a mobile home, in addition to the ad valorem tax due on the motor vehicle or mobile home, shall be liable for a penalty of 10 percent of the tax due or \$5.00, whichever is greater, for the failure to make the return or pay the tax in accordance with this article.

(b) Any Georgia resident who voluntarily cancels the registration of his or her motor vehicle pursuant to Code Section 40-2-10 shall not be assessed any penalty for failure to pay the tax due on a motor vehicle under subsection (a) of this Code section for any such period of time. Any such person shall remain liable for the ad valorem tax due on a motor vehicle he or she owns. This subsection shall not apply to motor vehicles subject to Code Section 48-5-441.1. The commissioner shall promulgate any necessary rules and forms to implement the provisions of this subsection."

SECTION 2.

This Act shall become effective on July 1, 2015, and shall be applicable to any penalties assessed on or after that date. Any proceedings instituted for the collection of penalties under the law in existence prior to July 1, 2015, shall not be affected by the enactment of this Act.

SECTION 3.

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

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	Y Harrell	Y Morris	Y Smith, M
Y Anderson	E Dawkins-Haigler	Y Hatchett	Y Mosby	Y Smith, R
Y Atwood	Y Deffenbaugh	Y Hawkins	Y Nimmer	Y Smyre
Y Ballinger	Y Dempsey	E Henson	Y Nix	Y Spencer
Y Barr	Y Dickerson	Y Hightower	Y Oliver	Y Stephens, M
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
E Beasley-Teague	Y Dickson	Y Holcomb	Y Pak	Y Stephenson
Y Bell	Dollar	Y Holmes	Y Parrish	Y Stovall
Y Belton	Y Douglas	Y Houston	Y Parsons	Y Stover
Y Bennett	Y Drenner	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
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	Y Ehrhart	E 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	Y Evans	Y Kaiser	E Ramsey	Y Turner
Y Burns	Y Fleming	Y Kelley	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
Casas	Y Gasaway	Y Lumsden	Y Rogers, T	Y Wilkinson
Y Chandler	Y Geisinger	Y Mabra	Y Rutledge	Y Willard
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	Y Golick	Y Martin	Y Scott	Y Williams, C
Y Clark, H	Y Gordon	Y Maxwell	E Setzler	Y Williams, E
Y Clark, V	Y Gravley	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y 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 496. By Representatives Hatchett of the 150th, Peake of the 141st, Williams of the 119th, Roberts of the 155th, England of the 116th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding ad valorem taxation of property, so as to provide that use of certain property for collection and conversion of solar energy shall not constitute a breach of conservation use covenants; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding ad valorem taxation of property, so as to provide that use of certain property for collection and conversion of solar energy shall not constitute a breach of conservation use covenants; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding ad valorem taxation of property, is amended by revising subsection (p) of Code Section 48-5-7.4, relating to the assessment of bona fide conservation use property for ad valorem tax purposes, by deleting "or" at the end of paragraph (8), by deleting the period and inserting "; or" at the end of paragraph (9), and by adding a new paragraph to read as follows:

"(10)(A) Allowing part of the property subject to the covenant to be used for solar generation of energy and conversion of such energy into heat or electricity, and the sale of the same in accordance with applicable law.

(B) The provisions of subparagraph (A) of this paragraph shall not allow the portion of the property on which such solar energy generating equipment is located and which is subject to an existing covenant to remain in the covenant. Such property shall be removed from the existing covenant at the time of the installation of the solar energy generating equipment and shall be subject to ad valorem taxation at fair market value."

SECTION 2.

Said article is further amended by revising subsection (q) of Code Section 48-5-7.7, relating to the assessment of forest land conservation use property for ad valorem tax purposes, by deleting "or" at the end of paragraph (4), by deleting the period and inserting "; or" at the end of paragraph (5), and by adding a new paragraph to read as follows:

"(6)(A) Allowing part of the property subject to the covenant to be used for solar generation of energy and conversion of such energy into heat or electricity, and the sale of the same in accordance with applicable law.

(B) The provisions of subparagraph (A) of this paragraph shall not allow the portion of the property on which such solar energy generating equipment is located and which is subject to an existing covenant to remain in the covenant. Such property shall be removed from the existing covenant at the time of the installation of the solar energy generating equipment and shall be subject to ad valorem taxation at fair market value."

SECTION 3.

This Act shall become effective on July 1, 2015.

SECTION 4.

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

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	Y Harrell	Y Morris	Y Smith, M
Y Anderson	E Dawkins-Haigler	Y Hatcher	Y Mosby	Y Smith, R
Y Atwood	Y Deffenbaugh	Y Hawkins	Nimmer	Y Smyre
Y Ballinger	Y Dempsey	E Henson	Y Nix	Y Spencer
Y Barr	Y Dickerson	Y Hightower	Y Oliver	Y Stephens, M
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
E Beasley-Teague	Y Dickson	Y Holcomb	Y Pak	Y Stephenson
Y Bell	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	Y Teasley
Y Brooks	Y Ehrhart	E 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	Y Evans	Y Kaiser	E Ramsey	Y Turner
Y Burns	Y Fleming	Y Kelley	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
Carson	Y Frye	Y Knight	Y Roberts	Y Werkheiser

Y Carter	Y Gardner	Y LaRiccia	Y Rogers, C	Y Wilkerson
Casas	Y Gasaway	Y Lumsden	Y Rogers, T	Y Wilkinson
Y Chandler	Y Geisinger	Y Mabra	Y Rutledge	Y Willard
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	Y Golick	Y Martin	Y Scott	Y Williams, C
Y Clark, H	Y Gordon	Y Maxwell	E Setzler	Y Williams, E
Y Clark, V	Y Gravley	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y 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 297. By Representatives Beskin of the 54th, Nix of the 69th, Geisinger of the 48th, Dudgeon of the 25th, Maxwell of the 17th and others:

A BILL to be entitled an Act to amend Code Section 43-1-2 of the Official Code of Georgia Annotated, relating to appointment and general powers of division director, members and meetings of professional licensing boards, examination standards, roster of licensees, and funding, so as to provide for professional licensing boards to make designations for the receipt and processing of applications for examination; to repeal conflicting laws; and for other purposes.

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	Y Harrell	Y Morris	Y Smith, M
Y Anderson	E Dawkins-Haigler	Y Hatchett	Y Mosby	Y Smith, R
Y Atwood	Y Deffenbaugh	Y Hawkins	Nimmer	Y Smyre
Y Ballinger	Y Dempsey	E Henson	Y Nix	Y Spencer
Y Barr	Y Dickerson	Y Hightower	Y Oliver	Y Stephens, M
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
E Beasley-Teague	Y Dickson	Y Holcomb	Y Pak	Y Stephenson
Y Bell	Dollar	Y Holmes	Y Parrish	Y Stovall
Y Belton	Y Douglas	Y Houston	Y Parsons	N 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	N Pezold	Y Tanner
Y Beskin	Y Dunahoo	Y Jacobs	Y Powell, A	Y Tarvin
Y Beverly	Y Duncan	Y Jasperse	Y Powell, J	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	Y Ehrhart	E 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	Y Evans	Y Kaiser	E Ramsey	Y Turner
Y Burns	Y Fleming	Y Kelley	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
Casas	Y Gasaway	Y Lumsden	Y Rogers, T	Y Wilkinson
Y Chandler	Y Geisinger	Y Mabra	Y Rutledge	Y Willard
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	Y Golick	Y Martin	Y Scott	Y Williams, C
N Clark, H	Y Gordon	Y Maxwell	E Setzler	Williams, E
Y Clark, V	Y Gravley	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
N Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, the ayes were 160, nays 4.

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

HB 21. By Representatives Carson of the 46th, Roberts of the 155th and Jacobs of the 80th:

A BILL to be entitled an Act to amend Code Section 32-9-9 of the Official Code of Georgia Annotated, relating to the creation of the transit authority by special legislation and the authority's attributes and powers, so as to repeal a population provision relative to creation of a transit authority within metropolitan areas; to provide for the establishment of intergovernmental agreements prior to the operation of service by a transit authority when it is being created in a geographical area where a transit service is already provided by an authority or county government; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	Y Harrell	Y Morris	Y Smith, M
Y Anderson	E Dawkins-Haigler	Y Hatcher	Y Mosby	Y Smith, R
Y Atwood	Y Deffenbaugh	Y Hawkins	Nimmer	Y Smyre
Y Ballinger	Y Dempsey	E Henson	Y Nix	Y Spencer
Y Barr	Y Dickerson	Y Hightower	Y Oliver	Y Stephens, M

Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
E Beasley-Teague	Y Dickson	Y Holcomb	Y Pak	Y Stephenson
Y Bell	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	N 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	Y Ehrhart	E 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	Y Evans	Y Kaiser	E 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 LaRiccia	Y Rogers, C	Y Wilkerson
Casas	Y Gasaway	Y Lumsden	Y Rogers, T	Y Wilkinson
Y Chandler	Y Geisinger	Y Mabra	Y Rutledge	Y Willard
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	Y Golick	Y Martin	Y Scott	Y Williams, C
Y Clark, H	Y Gordon	Y Maxwell	E Setzler	Y Williams, E
Y Clark, V	Y Gravley	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, the ayes were 166, nays 1.

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

HB 322. By Representatives Strickland of the 111th, Ramsey of the 72nd, Mabra of the 63rd, Frye of the 118th, Jones of the 62nd and others:

A BILL to be entitled an Act to amend Part 1 of Article 7 of Chapter 14 of Title 44 of the Official Code of Georgia Annotated, relating to foreclosure, so as to provide for the recording of deeds under power within a certain time after a foreclosure sale; to provide for the assessment and collection of a late filing fee; to provide for the remittance of sums collected from such late filing 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 Part 1 of Article 7 of Chapter 14 of Title 44 of the Official Code of Georgia Annotated, relating to foreclosure, so as to provide for the filing of deeds under power within a certain time after a foreclosure sale; to provide for the assessment and collection of a late filing fee; to provide for the remittance of sums collected from such late filing 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.

Part 1 of Article 7 of Chapter 14 of Title 44 of the Official Code of Georgia Annotated, relating to foreclosure, is amended by revising Code Section 44-14-160, relating to recording of foreclosure sales and deeds under power, as follows:

"44-14-160.

(a) Within 90 days of a foreclosure sale, all deeds under power shall be recorded filed by the holder of a deed to secure debt or a mortgage with the clerk of the superior court of the county or counties in which the foreclosed property is located. The clerk shall write in the margin of the page where record and cross reference the deed under power to the deed to secure debt or mortgage foreclosed upon is recorded the word 'foreclosed' and the deed book and page number on which is recorded the deed under power conveying the real property; provided, however, that, in counties where the clerk keeps the records affecting real estate on microfilm, the notation provided for in this Code section shall be made in the same manner in the index or other place where the clerk records transfers and cancellations of deeds to secure debt. The deed under power shall be indexed pursuant to standards promulgated by the Georgia Superior Court Clerks' Cooperative Authority.

(b) In the event the deed under power is not filed within 30 days after the time period set forth in subsection (a) of this Code section, the holder shall be required to pay a late filing penalty of \$500.00 upon filing in addition to the required filing fees provided for in subsection (f) of Code Section 15-66-77. Such late filing penalty shall be collected by the clerk of the superior court before filing.

(c) The sums collected as a late filing penalty under subsection (b) of this Code section shall be remitted to the governing authority of the county. If the foreclosed property is located within a municipality, the governing authority of the county shall remit the late filing penalty for such property to the governing authority of such municipality within 30 days of its receipt of the penalty. For each late filing penalty for property located within the corporate limits of a municipality, the governing authority of the county may withhold a 5 percent administrative processing fee from the remittance to such municipality."

SECTION 2.

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

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	Y Harrell	Y Morris	Y Smith, M
Y Anderson	E Dawkins-Haigler	Y Hatchett	Y Mosby	Y Smith, R
Y Atwood	Y Deffenbaugh	Y Hawkins	Nimmer	Y Smyre
Y Ballinger	Y Dempsey	E Henson	Y Nix	Y Spencer
Y Barr	Y Dickerson	Y Hightower	Y Oliver	Y Stephens, M
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
E Beasley-Teague	Y Dickson	Y Holcomb	Y Pak	Y Stephenson
Y Bell	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	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	Y Ehrhart	E 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	Y Evans	Y Kaiser	E 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	Wilkerson
Casas	Y Gasaway	Y Lumsden	Y Rogers, T	Y Wilkinson
Y Chandler	Y Geisinger	Y Mabra	Y Rutledge	Y Willard
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	Y Golick	Y Martin	Y Scott	Y Williams, C
Y Clark, H	Y Gordon	Y Maxwell	E Setzler	Y Williams, E
Y Clark, V	Y Gravley	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 164, nays 0.

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

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

HR 655. By Representative Jones of the 53rd:

A RESOLUTION recognizing and commending the Mays High School Lady Raiders basketball team as the 2015 GHSA AAAAA Georgia State Runner-Up; and for other purposes.

HR 656. By Representatives Williams of the 119th, Burns of the 159th, Smith of the 70th, Rynders of the 152nd and Knight of the 130th:

A RESOLUTION commending Corporal Greg Wade, 2014 Ranger of the Year, and inviting him to be recognized by the House of Representatives; and for other purposes.

HR 657. By Representatives Jasperse of the 11th, Ralston of the 7th, Harden of the 148th, Parrish of the 158th, Stephens of the 164th and others:

A RESOLUTION recognizing Jack Dunn as the Willard B. Simmons National Community Pharmacists Association Independent Pharmacist of the Year and inviting him to be recognized by the House of Representatives; and for other purposes.

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

HR 228 Do Pass
HR 643 Do Pass

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

HR 228. By Representatives Rogers of the 29th, Ralston of the 7th, Hawkins of the 27th, Barr of the 103rd and Dunahoo of the 30th:

A RESOLUTION commending Theodore N. "Ted" Oglesby and inviting him to be recognized by the House of Representatives; and for other purposes.

HR 643. By Representatives Stovall of the 74th, Strickland of the 111th, Scott of the 76th, Jones of the 53rd, Mabra of the 63rd and others:

A RESOLUTION commending Chris "Ludacris" Bridges, founder of The Ludacris Foundation, 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 658. By Representative Waites of the 60th:

A RESOLUTION recognizing and commending Reverend Frederick R. Gray; and for other purposes.

HR 659. By Representative Nimmer of the 178th:

A RESOLUTION recognizing and commending the 2015 Pierce County PeeWee Boys All Star Basketball Team; and for other purposes.

HR 660. By Representative Buckner of the 137th:

A RESOLUTION commending the Camp Dream Foundation on its 20th anniversary and recognizing March 18, 2015, as Camp Dream Day; and for other purposes.

HR 661. By Representative Cheokas of the 138th:

A RESOLUTION recognizing and honoring the 1963 Leesburg Stockade Women, heroes of the American Civil Rights Movement; and for other purposes.

HR 662. By Representative Bryant of the 162nd:

A RESOLUTION commending Chief of Police David L. Lyons, Captain Donald Chapman, Lieutenant Timothy McMillian, Sergeant Brian Childs, Sergeant Shawn Myers, Sergeant Kurtis Purtee, Officer Chauncey Bilge, K9 Officer Matthew Davis, Officer Ryan Loyd, Officer Barbara O'Neal, Firefighter Patrick Hauger, Sergeant Bobby Stewart, Officer Daniel Jones, and Officer Ronald Smith; and for other purposes.

HR 663. By Representative Greene of the 151st:

A RESOLUTION congratulating the Calhoun County High School basketball team on winning the 2015 GHSA Class A State Championship; and for other purposes.

HR 664. By Representatives Dukes of the 154th, Ealum of the 153rd and Greene of the 151st:

A RESOLUTION commending Tysheria Green, Youth of the Year for the Boys & Girls Clubs of Albany; and for other purposes.

HR 665. By Representatives Hatchett of the 150th, Epps of the 144th and Pruett of the 149th:

A RESOLUTION recognizing March 30, 2015, as Doctor's Day at the capitol; and for other purposes.

HR 666. By Representatives Reeves of the 34th, Greene of the 151st, Parrish of the 158th, Mabra of the 63rd, Dudgeon of the 25th and others:

A RESOLUTION recognizing and commending Mr. Joe Shalabi on the occasion of his retirement; and for other purposes.

HR 667. By Representatives Stephens of the 165th, Stephens of the 164th, Gordon of the 163rd, Bryant of the 162nd and Petrea of the 166th:

A RESOLUTION commending Henry Willie Lee Lloyd for his many years of dedicated service to the young people of his community; and for other purposes.

HR 668. By Representatives Stephens of the 165th, Stephens of the 164th, Gordon of the 163rd, Bryant of the 162nd and Petrea of the 166th:

A RESOLUTION commending Mr. Albert Paul Ganem; and for other purposes.

HR 669. By Representatives Caldwell of the 20th, Turner of the 21st, Cantrell of the 22nd, Ballinger of the 23rd and Carson of the 46th:

A RESOLUTION honoring the life and memory of Mr. Joseph John Robert; and for other purposes.

HR 670. By Representative Kelley of the 16th:

A RESOLUTION recognizing Robert W. Barton as a 2015 honoree of the Martin Luther King, Jr., Celebration Community Service Awards; and for other purposes.

HR 671. By Representative Kelley of the 16th:

A RESOLUTION recognizing Vanessa Holmes as a 2015 honoree of the Martin Luther King, Jr., Celebration Community Service Awards; and for other purposes.

HR 672. By Representative Kelley of the 16th:

A RESOLUTION recognizing Dorothy Talley Lusby as a 2015 honoree of the Martin Luther King, Jr., Celebration Community Service Awards; and for other purposes.

HR 673. By Representative Kelley of the 16th:

A RESOLUTION recognizing Barbara Prater Harris as a 2015 honoree of the Martin Luther King, Jr., Celebration Community Service Awards; and for other purposes.

HR 674. By Representative Kelley of the 16th:

A RESOLUTION recognizing Reverend Nancy Frazier English as a 2015 honoree of the Martin Luther King, Jr., Celebration Community Service Awards; and for other purposes.

HR 675. By Representative Kelley of the 16th:

A RESOLUTION recognizing Estella Lavonne McDermott as a 2015 honoree of the Martin Luther King, Jr., Celebration Community Service Awards; and for other purposes.

HR 676. By Representatives Dukes of the 154th, Frazier of the 126th, Sims of the 123rd, Smith of the 125th, Howard of the 124th and others:

A RESOLUTION commending Crystal Nason on being named 2014 Employee of the Year for Augusta, Georgia; and for other purposes.

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

HB 48. By Representatives Coleman of the 97th, Rice of the 95th and Jones of the 53rd:

A BILL to be entitled an Act to amend Code Section 40-2-85.3 of the Official Code of Georgia Annotated, relating to special license plates honoring family members of service members killed in action, so as to extend eligibility to apply for such license plates to include a surviving spouse of a sibling of the service member; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige license plates and special plates for certain persons and vehicles, so as to provide for a special and distinctive motor vehicle license plate for public safety first responders who have received a major injury in the line of duty; to provide for standards for the issuance of such license plates; to provide for applicable fees; to provide for authority to establish rules and regulations; to provide for a definition of "disabled veteran"; to provide for issuance of free motor vehicle license plates to disabled veterans; to provide for eligibility; to provide for revalidation of such license plates; to provide for the transfer of such license plates upon death; to provide for issuance of special and distinctive license plates for use on motorcycles; to extend eligibility to apply for such license plates to include a surviving spouse of a sibling of the service member; to provide for a minimum number of applicants prior to issuance of a new special license plate; to amend Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of property, so as to provide for a definition of "disabled veteran" for homestead exemption purposes; to provide for an exemption to motor vehicle ad valorem taxes for disabled veterans; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige license plates and special plates for certain persons and vehicles, is amended by adding a new Code section to read as follows:

"40-2-63.1.

(a) Any law enforcement officer, firefighter, emergency medical services personnel, ambulance driver, or other similarly employed public safety first responder who has sustained a major injury through no fault of his or her own during the competent performance of his or her official duties shall, upon application therefor, be issued a special and distinctive motor vehicle license plate upon presentation of proof that such individual is entitled to receive such special license plate. Application for such license

plates shall include payment of a manufacturing fee of \$25.00. For purposes of this Code section, a major injury shall be one that was of sufficient seriousness as to require hospitalization or comparable medical treatment and which resulted in permanent disability or disfigurement of the body.

(b) License plates issued pursuant to this Code section need not contain a place for the county name decal, and a county name decal need not be affixed to a license plate issued pursuant to this Code section. Special and distinctive license plates issued pursuant to this Code section shall be renewed annually, and revalidation decals shall be issued upon compliance with the laws relating to registration and licensing and upon payment of an additional registration fee of \$35.00 which shall be collected by the county tag agent at the time for collection of other registration fees and shall be remitted to the state as provided in Code Section 40-2-34. The special license plates issued pursuant to this Code section shall be transferred to another vehicle as provided in Code Section 40-2-80.

(c) The commissioner is authorized and directed to design the license plate, establish procedures, establish standards for proof of eligibility, and promulgate rules and regulations to effectuate the purposes of this Code section."

SECTION 2.

Said article is further amended by revising Code Section 40-2-69, relating to free license plates and revalidation decals for certain disabled veterans, as follows:

"40-2-69.

(a) Any disabled veteran who was discharged under honorable conditions and who served on active duty in the armed forces of the United States or on active duty in a reserve component of the United States, including the National Guard, who is a citizen and resident of this state shall, upon application therefor, be issued a free motor vehicle license plate, upon presentation of proof that such veteran is receiving or that he or she is entitled to receive a statutory award from the United States Department of Veterans Affairs for As used in this Code section, the term 'disabled veteran' means any veteran who was discharged under honorable conditions and who has been adjudicated by the United States Department of Veterans Affairs as being 100 percent totally disabled or as being less than 100 percent totally disabled but is compensated at the 100 percent level due to individual unemployability and is entitled to receive a statutory award from the United States Department of Veterans Affairs for:

- (1) Loss or permanent loss of use of one or both feet;
- (2) Loss or permanent loss of use of one or both hands;
- (3) Loss of sight in one or both eyes; or
- (4) Permanent impairment of vision of both eyes of the following status: central visual acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity of more than 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends on angular distance no greater than 20 degrees in the better eye.

(b) Any disabled veteran ~~who was discharged under honorable conditions and who has been adjudicated by the United States Department of Veterans Affairs as being 100 percent totally disabled and entitled to receive service connected benefits~~ shall, upon application therefor, be issued a free motor vehicle license plate upon presentation of proof that he or she ~~is receiving or that he or she is entitled to receive benefits for a 100 percent service connected disability, as long as he or she is 100 percent disabled~~ qualifies as a disabled veteran. A disabled veteran who claims that ~~such 100 percent total~~ his or her disability is permanent shall furnish proof of such permanent disability through a letter from the United States Department of Veterans Affairs.

(c)(1) Once a disabled veteran has established his or her eligibility to receive free motor vehicle license plates as a result of being permanently disabled, he or she shall be entitled to receive free plates or free revalidation decals in succeeding years on any automobile, private passenger pickup truck, motorcycle, station wagon, or van type vehicle of three-quarter tons or less that he or she may own or jointly with his or her spouse or minor child own or acquire in the future.

(2) Once a disabled veteran has established his or her eligibility to receive free motor vehicle license plates ~~as a result of having a 100 percent total disability which~~ but his or her disability has not been determined to be a permanent disability, he or she shall be entitled to receive free plates or free revalidation decals in succeeding years upon furnishing, on an annual basis, proof of ~~such 100 percent disability~~ his or her status as a disabled veteran through a letter from the United States Department of Veterans Affairs. Such free plates or free revalidation decals shall apply to any automobile, private passenger pickup truck, motorcycle, station wagon, or van type vehicle of three-quarter tons or less that he or she may own or jointly with his or her spouse or minor child own or acquire in the future.

(3)(A) Two license plates or revalidation decals each year shall be furnished for vehicles other than motorcycles to disabled veterans qualifying under this Code section unless the originals are lost. Such plates shall be fastened to both the front and the rear of the vehicle.

(B) One license plate or revalidation decal each year shall be furnished for motorcycles to disabled veterans qualifying under this Code section unless the original is lost. Such plate shall be fastened to the rear of the vehicle.

(4) In the event of the death of the person who received the special license plates pursuant to this Code section, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, his or her unremarried surviving spouse or minor child may continue to receive the free special license plates and revalidation decals until the remarriage of the surviving spouse or death of the surviving spouse or minor child."

SECTION 3.

Said article is further amended in Code Section 40-2-85.1, relating to special and distinctive license plates for veterans, by revising subsections (b), (c), and (d) as follows:

"(b)(1) Motor vehicle and trailer owners who are veterans of the armed forces of the United States, or who have received a military medal award, or persons who served during active military combat shall be eligible to receive special and distinctive vehicle license plates for private passenger cars, motorcycles, trucks, or recreational vehicles used for personal transportation. Such license plates shall be issued in compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles as prescribed in Article 2 of this chapter.

(2)(A) Motor vehicle and trailer owners who are veterans or have received a military medal award or served during active military combat shall be issued upon application for and upon compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles a veteran's license plate, military medal award recipient license plate, or commemorative service license plate for service during active military combat. One such license plate shall be issued without the requisite registration fee, manufacturing fee, or annual registration fee.

(B) Each member or former member of the armed forces listed in this subsection shall be entitled to no more than one such free license plate at a time; provided, however, that upon payment of a manufacturing fee of \$25.00, a member shall be entitled to one additional such license plate. For each additional license plate for which a \$25.00 manufacturing fee is required, there shall be an additional annual registration fee of \$25.00 which fee shall be collected by the county tag agent at the time of collection of other registration fees and shall be remitted to the state as provided in Code Section 40-2-34.

(c) The commissioner shall design a veteran's license plate, a military medal award recipient license plate, and a license plate to commemorate service with the United States armed forces during active military combat. The commissioner shall promulgate such rules and regulations as may be necessary to enforce compliance with all state license laws relating to the use and operation of private passenger cars, motorcycles, trucks, and trailers before issuing these license plates in lieu of the regular Georgia license plates. The manufacturing fee for such special and distinctive license plates shall be \$25.00. The commissioner is specifically authorized to promulgate all rules and regulations necessary to ensure compliance in instances where such vehicles have been transferred or sold. Except as provided in subsection (e) of this Code section, such plates shall be nontransferable.

(d) The special and distinctive vehicle license plates shall be as prescribed in Article 2 of this chapter for private passenger cars, motorcycles, trucks, and trailers used for personal transportation. Such plates shall contain such words or symbols, in addition to the numbers and letters prescribed by law, so as to identify distinctively the owners as veterans of the armed forces of the United States, recipients of a military medal award, or persons who served during active military combat and shall additionally identify distinctly the owner as a veteran of one of the following branches of the armed forces: Army, Navy, Marines, Air Force, or Coast Guard."

SECTION 4.

Said article is further amended in Code Section 40-2-85.3, relating to special license plates honoring family members of service members killed in action, by revising subsections (d) and (f) as follows:

"(d) Any motor vehicle owner who is a resident of Georgia, other than one registering under the International Registration Plan, upon complying with state laws relating to registration and licensing of motor vehicles shall be issued such a special license plate upon application therefor. Special license plates issued under this Code section shall be renewed annually with a revalidation decal as provided in Code Section 40-2-31. Upon payment of all ad valorem taxes and other fees due at registration of a motor vehicle an eligible family member may apply for a Gold Star license plate. In order to qualify as an eligible family member for purposes of this Code section, the person must be ~~directly~~ related to the fallen service member as a spouse, mother, father, sibling, child, ~~or step-parent,~~ or surviving spouse of such service member's sibling. One free license plate shall be allowed for the spouse, mother, and father, and they may purchase additional license plates for each motor vehicle they register in this state. Siblings, children, ~~or step-parents,~~ or surviving spouses of siblings of service members may purchase Gold Star license plates for motor vehicles registered in this state. The cost of a Gold Star license plate shall be established by the department, but shall not exceed the cost of other specialty license plates. If a Gold Star license plate is lost, damaged, or stolen, the eligible family member must pay the reasonable cost, to be established by the department, but not to exceed the cost of other specialty license plates, to replace the Gold Star license plate."

"(f) A free Gold Star license plate shall be issued only to the spouse, mother, and father of service members who resided in Georgia at the time of the death of the service member. However, an eligible family member, except for nonresident siblings or surviving spouses of such nonresident siblings, who was not a resident of Georgia at the time of the death of the service member may purchase a Gold Star license plate, at a cost to be established by the department, not to exceed the cost of other specialty license plates."

SECTION 5.

Said article is further amended in Code Section 40-2-86, relating to special license plates promoting certain beneficial projects and supporting certain worthy agencies, funds, or nonprofit corporations, by revising subsection (g) as follows:

"(g) On or after July 1, 2010, no special license plate authorized pursuant to subsections (l), (m), and (n) of this Code section shall be issued except upon the receipt by the department of at least 1,000 prepaid applications along with the manufacturing fees. The special license plate shall have an application period of two years after the date on which the application period becomes effective for payment of the manufacturing fee. After such time if the minimum number of applications is not met, the department shall not continue to accept the manufacturing fees, and all fees shall be refunded to applicants; provided, however, that once the department has received 1,000

prepaid applications along with the manufacturing fees, the sponsor shall not be entitled to a refund."

SECTION 6.

Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of property, is amended in Code Section 48-5-48, relating to eligibility and filing requirements for homestead extension for a qualified disabled veteran, by revising paragraph (1) of subsection (a) as follows:

"(1) ~~A wartime veteran who was discharged under honorable conditions and who has been adjudicated by the Department of Veterans Affairs of the United States as being totally and permanently disabled and entitled to receive service connected benefits so long as he or she is 100 percent disabled and receiving or entitled to receive benefits for a 100 percent service connected disability~~ Any veteran who was discharged under honorable conditions and who has been adjudicated by the United States Department of Veterans Affairs as being 100 percent totally disabled or as being less than 100 percent totally disabled but is compensated at the 100 percent level due to individual unemployability and is entitled to receive a statutory award from the United States Department of Veterans Affairs for:

(A) Loss or permanent loss of use of one or both feet;

(B) Loss or permanent loss of use of one or both hands;

(C) Loss of sight in one or both eyes; or

(D) Permanent impairment of vision of both eyes of the following status: central visual acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity of more than 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends on angular distance no greater than 20 degrees in the better eye;"

SECTION 7.

Said chapter is further amended by revising Code Section 48-5-478, relating to constitutional exemption from ad valorem taxation for disabled veterans, as follows:

"48-5-478.

(a) A motor vehicle owned by or leased to a disabled veteran who is a citizen and resident of ~~Georgia~~ this state and on which such disabled veteran actually places the free disabled veteran motor vehicle license plate he or she receives ~~from the State of Georgia pursuant to Code Section 40-2-69~~ is hereby exempted from all ad valorem taxes for state, county, municipal, and school purposes. ~~The~~ As used in this Code section, the term 'disabled veteran,' ~~as used in this Code section,~~ means any ~~wartime~~ veteran who was discharged under honorable conditions and who has been adjudicated by the United States Department of Veterans Affairs as being 100 percent totally ~~and permanently~~ disabled or as being less than 100 percent totally disabled but is being compensated at the 100 percent level due to individual unemployability and is entitled to receive ~~service-connected~~ service connected benefits and any veteran who is

receiving or who is entitled to receive a statutory award from the United States Department of Veterans Affairs for:

- (1) Loss or permanent loss of use of one or both feet;
- (2) Loss or permanent loss of use of one or both hands;
- (3) Loss of sight in one or both eyes; or
- (4) Permanent impairment of vision of both eyes of the following status: ~~Central~~ central visual acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity of more than 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends on angular distance no greater than 20 degrees in the better eye.

(b) Once a disabled veteran has established his or her eligibility for such ad valorem tax exemption by being 100 percent totally disabled, he or she shall be entitled to receive such ad valorem tax exemption in succeeding years thereafter. A disabled veteran who claims 100 percent total disability shall furnish proof of such disability through a letter from the United States Department of Veterans Affairs.

(c) Once a disabled veteran has established his or her eligibility for such ad valorem tax exemption but his or her disability has not been adjudicated a 100 percent total disability, he or she shall be entitled to such ad valorem tax exemption in succeeding years upon furnishing, on an annual basis, proof of his or her status as a disabled veteran through a letter from the United States Department of Veterans Affairs.

(d) In the event of the death of the disabled veteran who received such ad valorem tax exemption pursuant to this Code section, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, his or her unmarried surviving spouse or minor child may continue to receive the exemption."

SECTION 8.

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

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	Y Harrell	Y Morris	Y Smith, M
Y Anderson	E 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
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
E Beasley-Teague	Y Dickson	Y Holcomb	Y Pak	Y Stephenson
Y Bell	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 Pruett	Y Teasley
Y Brooks	Y Ehrhart	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	Y Evans	Y Kaiser	E Ramsey	Y Turner
Y Burns	Y Fleming	Y Kelley	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	Y LaRiccica	Y Rogers, C	Y Wilkerson
Casas	Y Gasaway	Y Lumsden	Y Rogers, T	Y Wilkinson
Y Chandler	Y Geisinger	Y Mabra	Y Rutledge	Y Willard
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	Y Golick	Y Martin	Y Scott	Y Williams, C
Y Clark, H	Y Gordon	Y Maxwell	E Setzler	Y Williams, E
Y Clark, V	Y Gravley	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	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 369. By Representatives Nix of the 69th, Ehrhart of the 36th, Rogers of the 29th, Battles of the 15th, Dickson of the 6th and others:

A BILL to be entitled an Act to amend Part 2 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to sales tax for educational purposes, so as to change certain provisions regarding distribution of the sales tax for educational purposes; to provide for related matters; to provide for contingent effectiveness; to provide for automatic repeal under certain conditions; to repeal conflicting laws; and for other purposes.

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	Y Harrell	Y Morris	Y Smith, M

Y Anderson	E 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
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
E Beasley-Teague	Y Dickson	Y Holcomb	Y Pak	Y Stephenson
Y Bell	Dollar	Y Holmes	Y Parrish	Y Stovall
Y Belton	Y Douglas	Y Houston	Y Parsons	N 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
N 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	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	Y Evans	Y Kaiser	E Ramsey	Y Turner
Y Burns	Y Fleming	N Kelley	Randall	Y Waites
Y Caldwell, J	Y Floyd	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 LaRiccica	Y Rogers, C	Y Wilkerson
Casas	Y Gasaway	Y Lumsden	Y Rogers, T	N Wilkinson
Y Chandler	Y Geisinger	Y Mabra	Y Rutledge	Y Willard
Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	Y Golick	Y Martin	Y Scott	Y Williams, C
Y Clark, H	Y Gordon	Y Maxwell	E Setzler	Y Williams, E
Y Clark, V	Y Gravley	Y Mayo	Y Sharper	Y Williamson
N Coleman	Y Greene	N McCall	Y Shaw	Y Yates
N Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, the ayes were 160, nays 7.

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

HB 426. By Representatives Taylor of the 173rd, Smyre of the 135th, Stephens of the 164th, Abrams of the 89th, Sims of the 123rd and others:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so as to provide a new exemption from state sales and use tax only for a limited period of time regarding the sale or use of tangible personal property to certain nonprofit health centers; to provide a new exemption for a limited period of time with respect to certain nonprofit volunteer health clinics; to provide an effective date; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so as to provide a new exemption from state sales and use tax only for a limited period of time regarding the sale or use of tangible personal property to certain nonprofit health centers; to provide a new exemption for a limited period of time with respect to certain nonprofit volunteer health clinics; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, is amended by revising paragraphs (7.05) and (7.3) as follows:

"(7.05)(A) For the period commencing on July 1, ~~2008~~ 2015, and ending on June 30, ~~2010~~ 2018, sales of tangible personal property to a nonprofit health center in this state which has been established under the authority of and is receiving funds pursuant to the United States Public Health Service Act, 42 U. S. C. Section 254b if such health clinic obtains an exemption determination letter from the commissioner.

(B)(i) For the purposes of this paragraph, the term 'local sales and use tax' shall mean any sales tax, use tax, or local sales and use tax which is levied and imposed in an area consisting of less than the entire state, however authorized, including, but not limited to, such taxes authorized by or pursuant to constitutional amendment; by or pursuant to Section 25 of an Act approved March 10, 1965 (Ga. L. 1965, p. 2243), as amended, the 'Metropolitan Atlanta Rapid Transit Authority Act of 1965'; by or pursuant to Article 2, 2A, 3, or 4 of this chapter.

(ii) The exemption provided for in subparagraph (A) of this paragraph shall not apply to any local sales and use tax levied or imposed at any time.

(C) Notwithstanding Code Sections 48-2-15, 48-7-60, and 48-7-61, any taxpayer seeking to claim the exemption provided for within subparagraph (A) of this paragraph shall electronically submit to the department, at the time of application for the exemption and any such annual renewal, the total number of patients treated in the previous calendar year, the average monthly number of full-time employees, and the total amount of exempt purchases made by the taxpayer in the preceding calendar year. The department shall then issue a report to the chairpersons of the House Committee on Ways and Means and the Senate Finance Committee detailing the total number of patients treated, average monthly number of full-time employees, and the total amount of sales and use tax exempted sales for the previous calendar year, by June 30 each year;"

"(7.3)(A) For the period commencing July 1, ~~2008~~ 2015, and ending June 30, ~~2010~~ 2018, sales of tangible personal property and services to a nonprofit volunteer health clinic which primarily treats indigent persons with incomes below 200 percent of

the federal poverty level and which property and services are used exclusively by such volunteer health clinic in performing a general treatment function in this state when such volunteer health clinic is a tax exempt organization under the Internal Revenue Code and obtains an exemption determination letter from the commissioner.

(B) Notwithstanding Code Sections 48-2-15, 48-7-60, and 48-7-61, any taxpayer seeking to claim the exemption provided for within subparagraph (A) of this paragraph shall electronically submit to the department, at the time of application for the exemption and any such annual renewal, the total number of patients treated in the previous calendar year, the average monthly number of full-time employees, and the total amount of exempt purchases made by the taxpayer in the preceding calendar year. The department shall then issue a report to the chairpersons of the House Committee on Ways and Means and the Senate Finance Committee detailing the total number of patients treated, average monthly number of full-time employees, and the total amount of sales and use tax exempted sales for the previous calendar year, by June 30 each year;"

SECTION 2.

This Act shall become effective on July 1, 2015.

SECTION 3.

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

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	Y Harrell	Y Morris	Y Smith, M
Y Anderson	E 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
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
E 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	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 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	Y Evans	Y Kaiser	E Ramsey	Y Turner
Y Burns	Y Fleming	Y Kelley	Randall	Y Waites
Y Caldwell, J	Y Floyd	Kendrick	Y Reeves	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	Y LaRiccia	Y Rogers, C	Y Wilkerson
Casas	Y Gasaway	Y Lumsden	Y Rogers, T	Y Wilkinson
Y Chandler	Y Geisinger	Y Mabra	Y Rutledge	Y Willard
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	Y Golick	Y Martin	Y Scott	Y Williams, C
N Clark, H	Y Gordon	Y Maxwell	E Setzler	Y Williams, E
Y Clark, V	Y Gravley	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 164, nays 3.

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

HB 375. By Representatives Powell of the 171st, Fleming of the 121st, Hightower of the 68th, Hitchens of the 161st, Powell of the 32nd and others:

A BILL to be entitled an Act to amend Code Section 40-6-15 of the Official Code of Georgia Annotated, relating to knowingly driving a motor vehicle with a suspended, canceled, or revoked vehicle registration, so as to change provisions relating to a plea of nolo contendere; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following amendment was read and adopted:

Representative Powell of the 171st offers the following amendment:

Amend HB 375 (LC 29 6387) by deleting line 1 and inserting in lieu thereof the following:

To amend Code Section 40-2-20 of the Official Code of Georgia Annotated, relating to registration and license requirements, so as to provide for a temporary operating permit when a vehicle fails to pass federal emissions standards and certain conditions have been satisfied; to amend Code Section 40-6-15 of the Official Code of Georgia Annotated, relating to

By inserting between lines 6 and 7 the following:

Code Section 40-2-20 of the Official Code of Georgia Annotated, relating to registration and license requirements, is amended by adding a new subparagraph to paragraph (1) of subsection (a) to read as follows:

"(C) The county tag agent may issue a temporary operating permit for any vehicle that fails to comply with applicable federal emission standards, provided that the owner of such vehicle has provided verification of the existence of minimum motor vehicle liability insurance coverage and paid all applicable taxes, penalties, insurance lapse fees, and fees other than the registration fee. Such temporary operating permit shall be valid for 30 days and shall not be renewable."

SECTION 2.

By replacing "2" on line 17 with "3".

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	Y Harrell	Y Morris	Y Smith, M
Y Anderson	E 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
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
E 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.	Pruett	Y Teasley
Y Brooks	Y Ehrhart	Y Jones, L	Y Quick	N 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	Y Evans	Y Kaiser	E Ramsey	Y Turner
Y Burns	Y Fleming	Y Kelley	Randall	Y Waites
Y Caldwell, J	Y Floyd	Y Kendrick	Y Reeves	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
Casas	Y Gasaway	Y Lumsden	Y Rogers, T	Y Wilkinson
Y Chandler	Y Geisinger	Y Mabra	Y Rutledge	Y Willard

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

On the passage of the Bill, as amended, the ayes were 168, nays 1.

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

HB 443. By Representatives Dempsey of the 13th, Yates of the 73rd, Coomer of the 14th, Atwood of the 179th, Meadows of the 5th and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 34 of the Official Code of Georgia Annotated, relating to general provisions regarding labor and industrial relations, so as to permit employers to create and use a policy that provides preferential hiring, promoting, or retention to veterans of the armed forces of the United States; to provide for 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.

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	Y Harrell	Y Morris	Y Smith, M
Y Anderson	E 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
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
E 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
Bennett	Y Drenner	Y Howard	Y Peake	Y Strickland
Y Bentley	Y Dudgeon	Y Hugley	Y Petrea	Y Tankersley
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	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	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	Y Evans	Y Kaiser	E Ramsey	Y Turner
Y Burns	Y Fleming	Y Kelley	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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, the ayes were 170, nays 0.

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

HB 131. By Representatives Dickerson of the 113th, Drenner of the 85th, Waites of the 60th, Thomas of the 56th and Jones of the 53rd:

A BILL to be entitled an Act to amend Code Section 20-2-751.4 of the Official Code of Georgia Annotated, relating to policies in public schools prohibiting bullying, so as to prohibit cyberbullying; to provide for related matters; to provide for a short title; to provide for an effective date and for applicability; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

**A BILL TO BE ENTITLED
AN ACT**

To amend Code Section 20-2-751.4 of the Official Code of Georgia Annotated, relating to policies in public schools prohibiting bullying, so as to prohibit cyberbullying; to provide for related matters; to provide for a short title; to provide for an effective date and for applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be cited as "The End to Cyberbullying Act."

SECTION 2.

Code Section 20-2-751.4 of the Official Code of Georgia Annotated, relating to policies in public schools prohibiting bullying, is amended by revising subsection (a) as follows:

"(a) As used in this Code section, the term 'bullying' means an act ~~which occurs on school property, on school vehicles, at designated school bus stops, or at school related functions or activities, or by use of data or software that is accessed through a computer, computer system, computer network, or other electronic technology of a local school system,~~ that is:

- (1) Any willful attempt or threat to inflict injury on another person, when accompanied by an apparent present ability to do so;
- (2) Any intentional display of force such as would give the victim reason to fear or expect immediate bodily harm; or
- (3) Any intentional written, verbal, or physical act which a reasonable person would perceive as being intended to threaten, harass, or intimidate, that:
 - (A) Causes another person substantial physical harm within the meaning of Code Section 16-5-23.1 or visible bodily harm as such term is defined in Code Section 16-5-23.1;
 - (B) Has the effect of substantially interfering with a student's education;
 - (C) Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
 - (D) Has the effect of substantially disrupting the orderly operation of the school.

The term applies to acts which occur on school property, on school vehicles, at designated school bus stops, or at school related functions or activities or by use of data or software that is accessed through a computer, computer system, computer network, or other electronic technology of a local school system. The term also applies to acts of cyberbullying which occur through the use of electronic communication, including but not limited to telephones, cellular telephones, wireless communication devices, pagers, computers, e-mail, instant messaging, text messaging, through websites, or any similar means of communication, whether or not such electronic act originated on school property or with school equipment, if the electronic act (1) is directed specifically at students or school personnel, (2) is maliciously intended for the purpose of threatening the safety of those specified or substantially disrupting the orderly operation of the school, and (3) creates a reasonable fear of harm to the students' or school personnel's person or property or has a high likelihood of succeeding in that purpose."

SECTION 3.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval. This Act shall apply to conduct on or after that date, and conduct prior to that date shall continue to be governed by prior law.

SECTION 4.

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

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

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

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

On the passage of the Bill, by substitute, the ayes were 140, nays 26.

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

HB 342. By Representatives Kelley of the 16th, Willard of the 51st, Ramsey of the 72nd, Benton of the 31st, Fleming of the 121st and others:

A BILL to be entitled an Act to amend Code Section 31-7-3.2 of the Official Code of Georgia Annotated, relating to the notice of cited deficiencies and imposition of sanctions for nursing homes or intermediate care homes, so as to provide that a violation of certain regulations shall not constitute negligence per se; to provide for limitations on advertisements that use or reference the results of federal or state surveys or inspections of nursing homes; 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 Code Section 31-7-3.2 of the Official Code of Georgia Annotated, relating to the notice of cited deficiencies and imposition of sanctions for nursing homes or intermediate care homes, so as to provide that a violation of certain regulations shall not constitute negligence per se; to provide for limitations on advertisements that use or reference the results of federal or state surveys or inspections of nursing homes; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 31-7-3.2 of the Official Code of Georgia Annotated, relating to the notice of cited deficiencies and imposition of sanctions for nursing homes or intermediate care homes, is amended by adding new subsections to read as follows:

"(i) No violation of any regulation promulgated pursuant to the federal Nursing Home Reform Act, 42 U.S.C. Sections 1396r and 1395i-3, or any regulation included in Ga. Comp. R. & Regs. 111-8-50 or 111-8-56 as they existed on the effective date of this subsection, shall constitute negligence per se; provided, however, that the court in any civil action shall take judicial notice of these regulations and admit them into evidence. Nothing in this subsection shall abrogate any express cause of action authorized under law or be construed to amend or repeal any provision of the 'Bill of Rights for Residents of Long-term Care Facilities' in Article 5 of Chapter 8 of Title 31.

(j)(1) The results or findings of a federal or state survey or inspection of a nursing home facility, including any statement of deficiencies or reports, shall not be used or referenced in an advertisement or solicitation by any person or any entity, unless the advertisement or solicitation includes all of the following:

(A) The date the survey was conducted;

(B) A statement that the Department of Community Health conducts a survey of all nursing home facilities at least once every 15 months;

(C) If a finding or deficiency cited in the statement of deficiencies has been substantially corrected, a statement that the finding or deficiency has been substantially corrected and the date that the finding or deficiency was substantially corrected;

(D) The number of findings and deficiencies cited in the statement of deficiencies on the basis of the survey and a disclosure of the severity level for each finding and deficiency;

(E) The average number of findings and deficiencies cited in statements of deficiencies on the basis of surveys conducted by the department during the same calendar year as the survey used in the advertisement;

(F) A disclosure of whether each finding or deficiency caused actual bodily harm to any residents and the number of residents harmed thereby; and

(G) A statement that the advertisement is neither authorized nor endorsed by any government agency.

(2) In addition to any other remedies and damages allowed by law, a party found to have violated paragraph (1) of this subsection shall be liable for attorney fees and expenses of litigation incurred in an action to restrain or enjoin such violation; provided, however, that damages, attorney fees, and expenses of litigation shall not be recoverable against any newspaper, news outlet, or broadcaster publishing an advertisement or solicitation submitted by a third party for a fee."

SECTION 2.

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

SECTION 3.

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

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	Y Harrell	Y Morris	Y Smith, M
Y Anderson	E 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
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
E 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 Efstrotation	Y Jones, J.B.	Y 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	Y Evans	Y Kaiser	E 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	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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 173, nays 0.

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

HB 268. By Representatives Ballinger of the 23rd, Chandler of the 105th, Clark of the 101st, Oliver of the 82nd, Hatchett of the 150th and others:

A BILL to be entitled an Act to amend Code Section 19-7-5 of the Official Code of Georgia Annotated, relating to reporting of child abuse and when it is mandated or authorized, so as to change provisions relating to mandatory reporters; to provide for procedure; 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 Code Section 19-7-5 of the Official Code of Georgia Annotated, relating to reporting of child abuse and when it is mandated or authorized, so as to change provisions relating to mandatory reporters; to provide for procedure; to provide for

consistent usage of defined terms; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 19-7-5 of the Official Code of Georgia Annotated, relating to reporting of child abuse and when it is mandated or authorized, is amended by revising subsections (a), (c), (d), and (e) as follows:

"(a) The purpose of this Code section is to provide for the protection of children ~~whose health and welfare are adversely affected and further threatened by the conduct of those responsible for their care and protection.~~ It is intended that ~~the~~ mandatory reporting of ~~such~~ cases will cause the protective services of the state to be brought to bear on the situation in an effort to prevent ~~further~~ abuses, to protect and enhance the welfare of ~~these~~ children, and to preserve family life wherever possible. This Code section shall be liberally construed so as to carry out the purposes thereof."

"(c)(1) The following persons having reasonable cause to believe that ~~a child has been abused~~ suspected child abuse has occurred shall report or cause reports of ~~that such~~ abuse to be made as provided in this Code section:

- (A) Physicians licensed to practice medicine, physician assistants, interns, or residents;
- (B) Hospital or medical personnel;
- (C) Dentists;
- (D) Licensed psychologists and persons participating in internships to obtain licensing pursuant to Chapter 39 of Title 43;
- (E) Podiatrists;
- (F) Registered professional nurses or licensed practical nurses licensed pursuant to Chapter 26 of Title 43 or nurse's aides;
- (G) Professional counselors, social workers, or marriage and family therapists licensed pursuant to Chapter 10A of Title 43;
- (H) School teachers;
- (I) School administrators;
- (J) School ~~guidance~~ counselors, visiting teachers, school social workers, or school psychologists certified pursuant to Chapter 2 of Title 20;
- (K) Child welfare agency personnel, as ~~that~~ such agency is defined ~~pursuant to~~ in Code Section 49-5-12;
- (L) Child-counseling personnel;
- (M) Child service organization personnel;
- (N) Law enforcement personnel; or
- (O) Reproductive health care facility or pregnancy resource center personnel and volunteers.

(2) If a person is required to report child abuse pursuant to this subsection because ~~that~~ such person attends to a child pursuant to such person's duties as an employee of

or volunteer at a hospital, school, social agency, or similar facility, ~~that~~ such person shall notify the person in charge of ~~the~~ such hospital, school, agency, or facility, or the designated delegate thereof, and the person so notified shall report or cause a report to be made in accordance with this Code section. An employee or volunteer who makes a report to the person designated pursuant to this paragraph shall be deemed to have fully complied with this subsection. Under no circumstances shall any person in charge of such hospital, school, agency, or facility, or the designated delegate thereof, to whom such notification has been made exercise any control, restraint, or modification, ~~or~~ make any other change to the information provided by the reporter, although each of the aforementioned persons may be consulted prior to the making of a report and may provide any additional, relevant, and necessary information when making the report.

(3) When a person identified in paragraph (1) of this subsection receives reliable information that child abuse has occurred involving a person who attends to a child pursuant to such person's duties as an employee of or volunteer at a hospital, school, social agency, or similar facility, the person who received such information shall notify the person in charge of such hospital, school, agency, or facility, or the designated delegate thereof, and the person so notified shall report or cause a report to be made in accordance with this Code section. An employee or volunteer who makes a report to the person designated pursuant to this paragraph shall be deemed to have fully complied with this subsection. Under no circumstances shall any person in charge of such hospital, school, agency, or facility, or the designated delegate thereof, to whom such notification has been made exercise any control, restraint, or modification or make any other change to the information provided by the reporter, although each of the aforementioned persons may be consulted prior to the making of a report and may provide any additional, relevant, and necessary information when making the report.

(d) Any other person, other than one specified in subsection (c) of this Code section, who has reasonable cause to believe that ~~a child is abused~~ suspected child abuse has occurred may report or cause reports to be made as provided in this Code section.

(e) With respect to reporting required by subsection (c) of this Code section, an ~~An~~ oral report by telephone or other oral communication or a written report by electronic submission or facsimile shall be made immediately, but in no case later than 24 hours from the time there is reasonable cause to believe a child has been abused, by telephone or otherwise and that suspected child abuse has occurred. When a report is being made by electronic submission or facsimile to the Division of Family and Children Services of the Department of Human Services, it shall be done in the manner specified by the division. Oral reports shall be followed by a later report in writing, if requested, to a child welfare agency providing protective services, as designated by the Division of Family and Children Services of the Department of Human Services, or, in the absence of such agency, to an appropriate police authority or district attorney. If a report of child abuse is made to the child welfare agency or independently discovered by the agency, and the agency has reasonable cause to believe such report is true or the report

contains any allegation or evidence of child abuse, then the agency shall immediately notify the appropriate police authority or district attorney. Such reports shall contain the names and addresses of the child and the child's parents or caretakers, if known, the child's age, the nature and extent of the child's injuries, including any evidence of previous injuries, and any other information that the reporting person believes might be helpful in establishing the cause of the injuries and the identity of the perpetrator. Photographs of the child's injuries to be used as documentation in support of allegations by hospital employees or volunteers, physicians, law enforcement personnel, school officials, or employees or volunteers of legally mandated public or private child protective agencies may be taken without the permission of the child's parent or guardian. Such photographs shall be made available as soon as possible to the chief welfare agency providing protective services and to the appropriate police authority."

SECTION 2.

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

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

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

Y Abrams	Y Coomer	Y Harbin	Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	Y Harrell	Y Morris	Y Smith, M
Y Anderson	E 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
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
E 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	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	Y Evans	Y Kaiser	E 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	Gardner	Y 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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 172, nays 0.

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

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

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.

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
N Allison	Y Corbett	N Harrell	Y Morris	Smith, M
Y Anderson	Y Dawkins-Haigler	Y Hatchett	Y Mosby	Y Smith, R
N Atwood	Y Deffenbaugh	Y Hawkins	Y Nimmer	Y Smyre
Y Ballinger	Y Dempsey	Y Henson	Y Nix	Y Spencer
N Barr	Y Dickerson	Y Hightower	N Oliver	Y Stephens, M
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
E Beasley-Teague	Y Dickson	Y Holcomb	N Pak	Y Stephenson
Y Bell	N 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
N Benton	Y Dukes	Y Jackson	Y Pezold	N Tanner
Y Beskin	N Dunahoo	Y Jacobs	Y Powell, A	Y Tarvin
Y Beverly	Y Duncan	Y Jasperse	Y Powell, J	Y Taylor, D
N Broadrick	Ealum	Y Jones, J	Y Prince	Y Taylor, T
Brockway	Y Efrstration	Y Jones, J.B.	Y Pruett	E Teasley
Y Brooks	N 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

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

On the passage of the Bill, the ayes were 148, nays 21.

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

HB 476. By Representatives Fludd of the 64th, Bruce of the 61st, Mabra of the 63rd, Kaiser of the 59th, Thomas of the 56th and others:

A BILL to be entitled an Act to repeal the amendment to the Constitution of Georgia creating within Fulton County the Fulton County Industrial District and prohibiting the governing authority of Fulton County from levying any tax for educational purposes within such district; to provide for a referendum with respect to the effectiveness of the foregoing; to provide for contingent effective dates; to repeal conflicting laws; and for other purposes.

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

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

Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
N Allison	Y Corbett	N Harrell	Y Morris	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
N Barr	Y Dickerson	Y Hightower	N Oliver	Y Stephens, M
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
E Beasley-Teague	Y Dickson	Y Holcomb	N Pak	Y Stephenson
Bell	N 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	Tankersley
Y Benton	Y Dukes	Y Jackson	N Pezold	N Tanner
Y Beskin	N Dunahoo	Y Jacobs	Y Powell, A	N 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
N Brockway	Y Efration	Y Jones, J.B.	Y Pruett	E Teasley
Y Brooks	N 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	Y Evans	Y Kaiser	E Ramsey	Y Turner
Y Burns	Y Fleming	N Kelley	Y Randall	Y Waites
Y Caldwell, J	Y Floyd	Kendrick	Y Reeves	Y Watson
Y Caldwell, M	Y Fludd	Y Kidd	N Rhodes	N Welch
Y Cantrell	Y Frazier	Y Kirby	Y Rice	N Weldon
Y Carson	Y Frye	Y Knight	Y Roberts	Y Werkheiser
Y Carter	N Gardner	Y LaRiccica	Y Rogers, C	Y Wilkerson
N Casas	Y Gasaway	Y Lumsden	Y Rogers, T	Y Wilkinson
Y Chandler	Y Geisinger	Y Mabra	N Rutledge	Y Willard
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	Y Golick	Y Martin	Y Scott	Y Williams, C
N Clark, H	Y Gordon	Y Maxwell	Y Setzler	Y Williams, E
Y Clark, V	Y Gravley	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
N Cooke	Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, the ayes were 147, nays 21.

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

The Speaker announced the House in recess until 1:45 o'clock, this afternoon.

AFTERNOON SESSION

The Speaker called the House to order.

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 bill of the Senate:

SB 122. By Senator Mullis of the 53rd:

A BILL to be entitled an Act to amend Code Section 48-8-111 of the Official Code of Georgia Annotated, relating to the procedure for implementing a special purpose local option sales tax, so as to provide for an additional purpose for use of the proceeds of the tax; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Resolutions of the House were read and adopted:

HR 677. By Representatives Thomas of the 56th and Brooks of the 55th:

A RESOLUTION recognizing March 20, 2015, as Dr. Walter Rodney Day in the State of Georgia and commending the Walter Rodney Foundation and the 12th Annual Walter Rodney Symposium; and for other purposes.

HR 678. By Representative Brooks of the 55th:

A RESOLUTION commending Claude Sitton upon being inducted into the Georgia Journalism Hall of Fame; and for other purposes

HR 679. By Representatives Peake of the 141st, Epps of the 144th, Dickey of the 140th, Harbin of the 122nd, Stephens of the 164th and others:

A RESOLUTION commending Mercer University's Walter F. George School of Law and recognizing March 18, 2015, as Legislative Day with Mercer Law at the state capitol; and for other purposes.

HR 680. By Representatives Stovall of the 74th, Waites of the 60th, Scott of the 76th, Jordan of the 77th, Mabra of the 63rd and others:

A RESOLUTION commending Valerie Larkin; and for other purposes.

HR 681. By Representatives Stovall of the 74th, Waites of the 60th, Douglas of the 78th, Harrell of the 106th, Thomas of the 56th and others:

A RESOLUTION commending men and women in radio broadcasting and recognizing April 21-25, 2015, as Men and Women in Radio Broadcasting Week in the State of Georgia; and for other purposes.

HR 682. By Representatives Thomas of the 56th and Stovall of the 74th:

A RESOLUTION commending Pamela Franklin Stegall; and for other purposes.

HR 683. By Representatives Thomas of the 56th, Bennett of the 94th, Anderson of the 92nd, Mitchell of the 88th and Smyre of the 135th:

A RESOLUTION recognizing and commending Reverend Jai S. Haithco, Sr., on the occasion of his 30th anniversary of service in the African Methodist Episcopal Church; and for other purposes.

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

HB 436. By Representatives Clark of the 101st, Cooper of the 43rd, Sims of the 123rd, Kaiser of the 59th, Hawkins of the 27th and others:

A BILL to be entitled an Act to amend Chapter 17 of Title 31 of the Official Code of Georgia Annotated, relating to control of venereal disease, so as to require that physicians and health care providers offer HIV and syphilis testing of pregnant women in their third trimester of pregnancy; to provide for refusal of testing by a pregnant woman; 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 31 of the Official Code of Georgia Annotated, relating to control of venereal disease, so as to require that physicians and health care providers offer HIV and syphilis testing of pregnant women in their third trimester of pregnancy; to

provide for refusal of testing by a pregnant woman; 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 31 of the Official Code of Georgia Annotated, relating to control of venereal disease, is amended by revising Code Section 31-17-4.2, relating to HIV Pregnancy Screening, as follows:

"31-17-4.2.

(a) This Code section shall be known and may be cited as the 'Georgia HIV/Syphilis Pregnancy Screening Act of ~~2007~~ 2015.'

(b) Every physician and health care provider who assumes responsibility for the prenatal care of a pregnant woman during gestation and at delivery shall be required to test such pregnant woman for HIV and syphilis except in cases where the woman refuses the testing. Additionally, every physician and health care provider who provides prenatal care of a pregnant woman during the third trimester of gestation shall offer to test such pregnant woman for HIV and syphilis at the time of first examination during that trimester or as soon as possible thereafter, regardless of whether such testing was performed during the first two trimesters of her pregnancy.

(c) If at the time of delivery there is no written evidence that an HIV test or a syphilis test has been performed, the physician or other health care provider in attendance at the delivery shall order that a sample of the woman's blood be taken or a rapid oral test test for HIV or syphilis be administered at the time of the delivery except in cases where the woman refuses the testing; provided, however, that if available documentation indicates that a test for HIV or syphilis was already performed during the third trimester of her pregnancy in accordance with subsection (b) of this Code section, and she does not disclose when questioned any activities posing a risk for infection with HIV or syphilis occurring more recently than would have been detected by such test, the physician or health care provider in attendance at the delivery is not required to order such additional test.

(d) The woman shall be informed of the test to be conducted and her right to refuse. A pregnant woman shall submit to an HIV test and a syphilis test pursuant to this Code section unless she specifically declines. If the woman tests positive for HIV or syphilis, counseling services provided by the Department of Public Health shall be made available to her and she shall be referred to appropriate medical care providers for herself and her child.

(e) If for any reason the pregnant woman is not tested for HIV and syphilis, that fact shall be recorded in the patient's records, which, if based upon the refusal of the patient, shall relieve the physician or other health care provider of any other responsibility under this Code section.

(f) The Department of Public Health shall be authorized to promulgate rules and regulations for the purpose of administering the requirements under this Code section."

SECTION 2.

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

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

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

Y Abrams	Y Coomer	Y Harbin	E Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
N Allison	Y Corbett	Y Harrell	Y Morris	Y Smith, M
Y Anderson	Y Dawkins-Haigler	Y Hatchett	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
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E Pak	Y Stephenson
Y Bell	Y Dollar	Y Holmes	Y Parrish	Y Stovall
Y Belton	Y Douglas	Y Houston	Y Parsons	N 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	N Pezold	Y Tanner
Y Beskin	Y Dunahoo	Y Jacobs	Y Powell, A	N Tarvin
Y Beverly	Y Duncan	Y Jasperse	Y Powell, J	Y Taylor, D
E 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	Y Raffensperger	Y Thomas, S
Bryant	Y Epps	Y Jordan	Y Rakestraw	Y Trammell
Y Buckner	Y Evans	Y Kaiser	E Ramsey	N Turner
Y Burns	Y Fleming	Y Kelley	Y Randall	Y Waites
Y Caldwell, J	Y Floyd	Y Kendrick	Y Reeves	Y Watson
N 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 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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
N Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 161, nays 7.

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

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

Mr. Speaker:

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

SB 63. By Senators Hill of the 6th, Gooch of the 51st, Albers of the 56th, Bethel of the 54th, Ginn of the 47th and others:

A BILL to be entitled an Act to amend Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, so as to provide for manufacturers of malt beverages to make limited retail sales of malt beverages under certain circumstances; to change the definition of a "brewpub"; to provide for licensed brewpubs to sell malt beverages manufactured on its premises to the public for off-premises consumption; to define the term "tasting room"; to provide for legislative intent; to create a limited exception to the three-tier distribution system so as to allow licensed malt beverage manufacturers to sell limited amounts of malt beverages directly to the public for on-premises and off-premises consumption; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

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

HB 474. By Representatives Kaiser of the 59th, Clark of the 101st, Dudgeon of the 25th, Mayo of the 84th and Coleman of the 97th:

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 enrollment priorities in charter schools for educationally disadvantaged students and military students; 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 Article 31 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to charter schools, so as to provide for enrollment priorities in charter schools for

educationally disadvantaged students and military students; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 31 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to charter schools, is amended by adding new paragraphs to Code Section 20-2-2062, relating to definitions, to read as follows:

"(4.1) 'Educationally disadvantaged students' means students who are economically disadvantaged, students with disabilities, migrant students, limited English proficient students, neglected or delinquent students, and homeless students."

"(10.1) 'Military student' means the dependent child of an active duty military service member who is stationed in Georgia or who is on deployment and lists Georgia as such service member's home of record."

SECTION 2.

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

"20-2-2066.

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

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

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

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

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

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

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

(vi) Educationally disadvantaged students; and

(vii) Military students.

(B) A conversion charter school shall enroll any student who resides in the attendance zone specified in the charter and who submits a timely application as specified in the charter. If the number of applying students who reside in the attendance zone does not exceed the capacity as specified in the charter, additional students shall be enrolled based on a random selection process, except for the category included in division (vi) of this subparagraph; provided, however, that a conversion charter school may give enrollment preferences may be given preference to applicants in any one or more of the following categories in the order of priority specified in the charter:

- (i) A sibling of a student enrolled in the conversion charter school or in any school in the high school cluster;
- (ii) ~~Students~~ A student whose parent or guardian is a member of the governing board of the conversion charter school or is a full-time teacher, professional, or other employee at the conversion charter school;
- (iii) Students who were enrolled in the local school prior to its becoming a conversion charter school;
- (iv) Students who reside in the ~~charter~~ attendance zone specified in the charter; ~~and~~
- (v) Children who matriculate from a pre-kindergarten program which is associated with the school, including, but not limited to, programs which share common facilities or campuses with the school or programs which have established a partnership or cooperative efforts with the school; ~~and~~
- (vi) Educationally disadvantaged students; and
- (vii) Military students; and

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

(b) A state chartered special school shall enroll any student who resides in the attendance zone specified in the charter and who submits a timely application as specified in the charter unless the number of applications exceeds the capacity of a program, class, grade level, or building. The period of time during which an application for enrollment may be submitted shall be specified in the charter. ~~In such case~~ Except for the category included in paragraph (6) of this subsection, all such applicants shall have an equal chance of being admitted through a random selection process unless otherwise prohibited by law; provided, however, that a state chartered special school may give enrollment preference to ~~a child of a full-time teacher, professional, or other employee of the state chartered special school as provided for in subsection (b) of Code Section 20-2-293~~ or to a sibling of a student currently enrolled

in the state chartered special school applicants in any one or more of the following categories in the order of priority specified in the charter:

- (1) A sibling of a student enrolled in the state chartered special school;
- (2) A sibling of a student enrolled in another local school designated in the charter;
- (3) A student whose parent or guardian is a member of the governing board of the state chartered special school or is a full-time teacher, professional, or other employee at the state chartered special school;
- (4) Students matriculating from a local school designated in the charter;
- (5) Children who matriculate from a pre-kindergarten program which is associated with the state chartered special school, including, but not limited to, programs which share common facilities or campuses with the school or programs which have established a partnership or cooperative efforts with the school;
- (6) Educationally disadvantaged students; and
- (7) Military students.

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

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

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

SECTION 3.

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

The following amendment was read and adopted:

Representative Kaiser of the 59th offers the following amendment:

Amend the House Committee on Education substitute to HB 474 (LC 33 6111S) by deleting from line 11 the following:

migrant students,

The Committee substitute, as amended, was adopted.

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

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

Y Abrams	Y Coomer	Y Harbin	E Meadows	Y Smith, E
Y 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	Dickerson	Y Hightower	Y Oliver	Y Stephens, M
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E Pak	Y Stephenson
Y Bell	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
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
E Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
Y Brockway	Y Efrstration	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	Y Evans	Y Kaiser	E Ramsey	Y Turner
Y Burns	Y Fleming	Y Kelley	Y Randall	Y Waites
Y Caldwell, J	Y Floyd	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 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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	Y Golick	Y Martin	Y Scott	Y Williams, C
N Clark, H	Y Gordon	Y Maxwell	Y Setzler	Y Williams, E
Y Clark, V	Y Gravley	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
N Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, as amended, the ayes were 166, nays 2.

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

HR 36. By Representatives Benton of the 31st and Quick of the 117th:

A RESOLUTION honoring the life and memory of Staff Sergeant Shaun J. Whitehead and dedicating a bridge in his honor; and for other purposes.

The following Committee substitute was read and adopted:

A RESOLUTION

Dedicating certain portions of the state highway system; and for other purposes.

PART I

WHEREAS, our nation's security continues to rely on patriotic men and women who put their personal lives on hold in order to place themselves in harm's way to protect the freedoms that all United States citizens cherish; and

WHEREAS, the State of Georgia and this nation continue to mourn the loss of one of its finest citizens with the untimely passing of Staff Sergeant Shaun J. Whitehead on April 24, 2008; and

WHEREAS, a native of Commerce, Georgia, Staff Sergeant Whitehead attended Commerce High School and joined the United States Armed Forces in 2003; and

WHEREAS, he served as a guardian of this nation's freedom and liberty as a member of the A Company, 2nd Battalion, 502nd Infantry Regiment, 2nd Brigade Combat Team; and

WHEREAS, Staff Sergeant Whitehead was struck and killed by a bomb while patrolling on foot in Iskandariyah, Iraq; and

WHEREAS, the untimely passing of this American hero has left an unfillable void in the hearts and lives of his parents, wife, children, family, and friends; and

WHEREAS, Staff Sergeant Whitehead embodied the spirit of service, willing to find meaning in something greater than himself, and it is abundantly fitting and proper that this remarkable and distinguished American be recognized appropriately by dedicating a bridge in his memory.

PART II

WHEREAS, Mr. Bill T. Hardman was named Georgia's first tourism director of the Georgia Department of Industry and Trade in 1959 and was charged with the responsibility of building this state's hospitality industry; and

WHEREAS, Mr. Hardman established and served as president of the Southern Travel Directors' Council, conducted the first Governor's Conference on Tourism in this country, and promoted Georgia at travel conferences around the United States, Canada, and Europe; and

WHEREAS, he helped organize and served as chairman of the National Association of Travel Organizations and served on the organization's board of directors for 49 years; and

WHEREAS, Mr. Hardman developed the concept of building Welcome Centers at major highway entrances for the State of Georgia; and

WHEREAS, in 1991 he created the Southeast Tourism Society's Marketing College at the University of North Georgia; each year 300 students from 13 southern states travel to Dahlonega to participate in this tourism oriented school, which has 804 graduates to date; and

WHEREAS, he was active in the effort to preserve and restore Lumpkin County's original courthouse, which now serves as Dahlonega's Gold Museum, and was part of the group of local civic boosters who led a wagon train loaded with gold mined in Dahlonega to the State Capitol to promote Dahlonega as a major tourism destination; and

WHEREAS, in his beloved hometown of Dahlonega, Mr. Hardman organized the Christmas Decorating Contest for Dahlonega merchants and raised funds to restore and display the Dahlonega Driving Bell, a relic from 1875 found in the Chestatee River; and

WHEREAS, Mr. Hardman was awarded the Tourism Lifetime Achievement Award by the State of Georgia and was inducted into the Atlanta Hospitality Hall of Fame.

PART III

WHEREAS, Mr. William Love Walton played a vital role in leadership and demonstrated a deep personal commitment to the welfare of the citizens of Georgia; and

WHEREAS, he served as a guardian of this nation's freedom and liberty with the United States Armed Forces, valiantly and courageously protecting his fellow Americans during World War II; and

WHEREAS, an upstanding resident of Eatonton, Georgia, for 88 years, Mr. Walton was a dairy farmer and beef farmer, helping to put the city on the map as the dairy capital of the world; and

WHEREAS, Mr. Walton was named Georgia's Soil Conservationist of the Year in the early 1960's; and

WHEREAS, a man of deep and abiding faith, Mr. Walton was an active member of First Baptist Church of Eatonton; and

WHEREAS, he was united in love and marriage for more than 64 years to his wife, Carolyn Cunningham Walton, and he was blessed with four remarkable children; and

WHEREAS, it is abundantly fitting and proper that the extraordinary accomplishments of this distinguished Georgian be appropriately recognized by dedicating a bridge in his memory.

PART IV

WHEREAS, the State of Georgia continues to mourn the loss of one of its most distinguished citizens with the passing of Mrs. Pauline Spearman Brinkley; and

WHEREAS, Mrs. Brinkley was a woman with exceptional values and enduring work ethic, as evidenced by the countless hours she spent inspiring and influencing the children of Faceville and Decatur County, Georgia, through her work with the school lunch room program during and after World War II; and

WHEREAS, a widowed mother of five, Mrs. Brinkley sewed clothes for her children out of patterns cut from newspapers and made her children's upbringing and happiness a priority during the most challenging of financial times; and

WHEREAS, she gave inspiration to many through her high ideals, morals, and deep concern for her fellow citizens, and the devotion, patience, and understanding she demonstrated to her family and friends were admired by others; and

WHEREAS, Mrs. Brinkley was a person of magnanimous strengths with an unimpeachable reputation for integrity, intelligence, fairness, and kindness, and by the example she made of her life, she made this world a better place in which to live; and

WHEREAS, it is abundantly fitting and proper that the extraordinary accomplishments of this distinguished Georgian be appropriately recognized by dedicating a road in her memory.

PART V

WHEREAS, the State of Georgia continues to mourn the loss of one of its most distinguished citizens with the passing of Senior Police Officer Elmer B. "Buddy" Christian III on March 22, 2011; and

WHEREAS, Officer Christian grew up in Madison County, Georgia, a beloved son of Bud and Carolyn Christian; and

WHEREAS, Officer Christian was highly regarded by the citizens of his community and state and by local government officials as a person of unquestioned integrity and dedication to the sound principles of law enforcement; and

WHEREAS, he worked with the Athens-Clarke County Transportation and Public Works Department before joining the Athens-Clarke County Police Department in December of 2002 as a police officer; and

WHEREAS, Officer Christian was promoted to Senior Police Officer in March of 2010 and was a member of the department's honor guard; and

WHEREAS, on March 22, 2011, Officer Christian paid the ultimate sacrifice when he was shot and killed in the line of duty; and

WHEREAS, he was posthumously honored with the Sherm Applebaum Award by the Athens Rotary Club, Red Cross Heroes Award by the American Red Cross East Georgia Chapter, Military Order of the Purple Heart, Sworn Employee of the First Quarter of 2011 by the Athens-Clarke County Police Department, and Sworn Employee of the Year for 2011; and

WHEREAS, his name has been added to the wall at the National Law Enforcement Memorial in Washington, D.C., and the Georgia Law Enforcement Memorial; and

WHEREAS, it is abundantly fitting and proper that the extraordinary accomplishments and sacrifice of this distinguished Georgian be appropriately recognized by dedicating a bridge in his memory.

PART VI

WHEREAS, Mr. James Henning Perry, also known as Uncle Jim Perry of Nashville, was born in May, 1922, in Nashville, Georgia, the beloved son of Edmond and Carrie Dorsey Perry and the brother of Mary Erneste Perry Houston and W.D. "Bill" Perry; and

WHEREAS, Mr. Perry graduated from Berrien County High School, where he was a popular football star, and attended the University of Georgia; and

WHEREAS, he served as a guardian of this nation's freedom and liberty with the United States Armed Forces and landed on Utah Beach in Normandy, France, on D-Day; and

WHEREAS, throughout World War II, Mr. Perry fought at the Battle of St. Lo, France, the Liberation of Paris, the Battle of Huertgen Forest, and the Battle of Baston/Battle of the Bulge; and

WHEREAS, his valor and bravery were recognized with medals and awards which include the Silver Star, Army Accommodation Medal for Valor, Purple Heart, Expert Infantryman's badge, three campaign ribbons for the war in Europe, and National Defense Medal; and

WHEREAS, he was awarded the French Croix de Guerre, a medal equivalent to the Distinguished Service Cross given by the United States Armed Forces, for valor under fire on behalf of the liberation of Paris and the French people; and

WHEREAS, upon his return to the United States after the war, Mr. Perry became a community leader, speaking often around the country; and

WHEREAS, Mr. Perry was the president and owner of the Nashville Grocery Company, a director and agent of Life of the South Insurance Company, and a bank director of the Citizens Bank; and

WHEREAS, a man of deep and abiding faith, Mr. Perry was a devoted member of Nashville United Methodist Church where he sang in the choir and was on the church board; and

WHEREAS, he was united in love and marriage to his supportive wife, Mary Payne Brown, and was blessed with two remarkable children, Jimmy and Kathryn; and

WHEREAS, it is abundantly fitting and proper that the outstanding accomplishments and service of this remarkable and distinguished Georgian be appropriately recognized.

PART VII

WHEREAS, Captain Herb Emory was born on April 2, 1953, in Transylvania County, North Carolina; and

WHEREAS, Captain Herb moved to Atlanta in 1971 to attend the Atlanta School of Broadcasting and National School of Broadcasting and began serving as a traffic reporter in Atlanta; and

WHEREAS, throughout his career, Captain Herb worked with numerous local radio stations, including WSNE of Cumming, WDGL of Douglasville, WFOM of Marietta, WACX of Austell, WQXI-AM, 94 Q-Star 94, and Georgia Network News; and

WHEREAS, in 1991 Captain Herb moved to WSB Radio and *Channel 2 Action News*, where he initiated and helped build the traffic team system and infrastructure, including the concepts of "Red Alerts" and "Triple Team Traffic" which countless Atlanta commuters grew to rely upon for accuracy and up-to-the-minute traffic advisories; and

WHEREAS, Captain Herb's commitment to helping Atlanta's drivers navigate traffic with ease is evident by his numerous awards and accolades, including at least 15 First Place Awards, including two Green Eyeshades, for news and traffic reports from the Georgia Associated Press Association, and his induction into the Georgia Radio Hall of Fame in 2008; and

WHEREAS, his generosity of spirit and compassion for others was also widely recognized as he hosted the annual Toys for Tots fundraiser at Fred's Barbeque House in Lithia Springs, volunteered with the Douglas County Boys and Girls Club, was a dedicated member of the Douglas County Animal Control Advisory Board, served on the Friends of Sweetwater Creek State Park Board of Directors, and raised awareness against drinking and driving; and

WHEREAS, Captain Herb passed away on April 12, 2014, doing what he did best—helping others, and his presence and work has been sorely missed by the Atlanta community; and

WHEREAS, it is abundantly fitting and proper that the members of this body show their gratitude for the life's work of this Atlanta icon by dedicating a bridge in his memory.

PART VIII

WHEREAS, Mr. Wayne J. Hawes was born on February 22, 1914, the beloved son of the late Jack and Josephine Dallas Hawes; and

WHEREAS, he served as a guardian of this nation's freedom and liberty with the United States Air Corps, valiantly and courageously defending his fellow citizens in World War II; and

WHEREAS, a graduate of Washington High School, Mr. Hawes earned a bachelor's degree from Savannah State University and devoted his career to inspiring young people as an educator; and

WHEREAS, he taught at several elementary schools in Lincoln County and served as a social studies teacher, department chairperson, assistant principal, and accounts manager at West Side High School; and

WHEREAS, a civil rights advocate, Mr. Hawes was a life member of the NAACP, serving as president of his local chapter for many years, and was the first African American member of Lincoln County Board of Education; and

WHEREAS, Mr. Hawes was a charter member of Twilight Improvement, Inc.; co-founder, chief executive officer, and president of Twilight Sewing Plant, Inc; and a

member of the Northeast Georgia Leadership Council and American Legion Post 597; and

WHEREAS, a man of deep and abiding faith, Mr. Hawes was a member of Ebenezer Baptist Church, where he served as a deacon for 52 years, a Sunday school teacher for more than 60 years, and assistant church clerk; and

WHEREAS, he served as assistant secretary of the Columbia Sunday School Convention and president of the Lincoln County Sunday School Union; and

WHEREAS, it is abundantly fitting and proper that the extraordinary accomplishments of this distinguished Georgian be appropriately recognized by dedicating a bridge in his memory.

PART IX

WHEREAS, Mr. Roy William Beaver was born on July 9, 1927, the beloved son of R.A. "Rufus" and Etta Mae Beaver; and

WHEREAS, a member of the VFW Blue Ridge Chapter, Mr. Beaver served as a guardian of this nation's freedom and liberty with the United States military, valiantly and courageously defending his fellow citizens during World War II and the Korean War; and

WHEREAS, he dedicated his career to Levi Strauss & Co. and diligently and conscientiously devoted innumerable hours of his time, talents, and energy toward the betterment of his community and state; and

WHEREAS, Mr. Beaver served on the Fannin County Board of Commissioners and Fannin County Board of Education and was a past master of the Masonic Lodge Blue Ridge Chapter #67; and

WHEREAS, he was united in love and marriage to Patsy Ruth Davenport Beaver for 61 wonderful years, and was blessed with two remarkable children, Michael and Sharon, three grandchildren, and two great-grandchildren; and

WHEREAS, a man of deep and abiding faith, Mr. Beaver was an active member of O'Zion Baptist Church, where he served as secretary and treasurer; and

WHEREAS, it is abundantly fitting and proper that the extraordinary accomplishments of this distinguished Georgian be appropriately recognized by dedicating an intersection in his memory.

PART X

WHEREAS, James C. Moore was born in Coffee County in 1930; and

WHEREAS, he graduated from Nicholls High School, from South Georgia College, and Georgia Southern College (known as Georgia Teachers College at the time); and

WHEREAS, he served in the United States Air Force from 1951 until 1953, rising to the rank of Staff Sergeant; and

WHEREAS, he taught and coached in the Coffee County School System for 13 years, serving at West Green (2), Nicholls (5), Douglas Junior High (2), and Coffee High (4); and

WHEREAS, he also served as Principal of West Green Elementary for one year, Assistant Superintendent for one year, and as Superintendent of Schools for nine years; and

WHEREAS, from 1978-1989, he served in the General Assembly representing Coffee and Atkinson Counties. During this period, he became close friends with the DOT Commissioner, Tom Moreland, and initiated many highway projects that are still providing benefits today. These projects included: the four-laning of U.S. Highway 441 from Douglas to Pearson; the four-laning and adding passing lanes from downtown Douglas to the present high school and to Broxton; the completion of the perimeter road around Douglas, which Mr. Moreland said at the dedication that Douglas was only the third city in Georgia to have a perimeter road behind Atlanta and Athens; the paving of streets in Coffee and Touchton Woods subdivisions; the paving of all roads to churches in Coffee County; the four-laning of SR 158 from Peterson Avenue to Baker Highway (a must for the Wal-Mart Distribution Center to locate in Douglas); and adding wider truck access on the perimeter road for Wal-Mart; and

WHEREAS, while in the General Assembly, James C. Moore served on the Ways and Means, Education, Agriculture, Natural Resources, and QBE Study Committees; and

WHEREAS, he was a member of the Legislative Council to the Southern Regional Education Board (SREB) for five years; and

WHEREAS, James C. Moore sponsored legislation to create the Department of Adult and Technical Education; and

WHEREAS, he resigned from the General Assembly in 1989 to become the Vice-President for Economic Development at Altamaha Technical College in Jesup and served in that position from 1989 until 1992; and

WHEREAS, since he grew up in Coffee County, attended school in Coffee County, returned to Coffee County to live and work as an educator and farmer, and is a landowner and was a former business owner in Douglas, it is only proper and fitting that a lasting

tribute recognizing the contributions of James C. Moore to the people of Coffee County be established.

PART XI

WHEREAS, the State of Georgia lost one of its finest citizens and most dedicated law enforcement officers with the tragic passing of Trooper James David Young on May 4, 1975; and

WHEREAS, a native of Fitzgerald, Georgia, Trooper Young attended the 41st Trooper School and was assigned to service at Post 30 in Cordele, Georgia; and

WHEREAS, this dedicated law enforcement officer's life was cut short when he was killed by a prisoner while working with the Cordele Police Department; and

WHEREAS, Trooper Young exhibited extraordinary devotion to duty, outstanding loyalty, fine leadership, and meticulous attention to detail in all his duties.

PART XII

WHEREAS, the State of Georgia lost one of its finest citizens and most dedicated law enforcement officers with the tragic passing of Trooper John Dixon Morris on May 18, 1982; and

WHEREAS, a native of Dublin, Georgia, Trooper Morris attended the 54th Trooper School and was assigned to service at Post 8 in Madison, Georgia; and

WHEREAS, this dedicated law enforcement officer's life was cut short after he was killed in a patrol car crash on Atlanta Highway in Monroe, Georgia; and

WHEREAS, Trooper Morris exhibited extraordinary devotion to duty, outstanding loyalty, fine leadership, and meticulous attention to detail in all his duties.

PART XIII

WHEREAS, the State of Georgia lost one of its finest citizens and most dedicated law enforcement officers with the tragic passing of Trooper Mack Allen Page on June 22, 1968; and

WHEREAS, a native of Ellijay, Georgia, Trooper Page attended the 26th Trooper School and was assigned to service with Post 27 in Blue Ridge, Georgia; and

WHEREAS, this dedicated law enforcement officer's life was cut short after a patrol car crash on State Route 2 in Union County; and

WHEREAS, Trooper Page exhibited extraordinary devotion to duty, outstanding loyalty, fine leadership, and meticulous attention to detail in all his duties.

PART XIV

WHEREAS, our nation's security continues to rely on patriotic men and women who put their personal lives on hold in order to place themselves in harm's way to protect the freedoms that all United States citizens cherish; and

WHEREAS, Major Herndon Cummings, Colonel John Whitehead, and Colonel Marion Rodgers were influential Tuskegee Airmen who valiantly and courageously served this nation during World War II and were born in or spent years during their childhood in Laurens County, Georgia; and

WHEREAS, a native of Laurens County, Major Herndon Cummings enlisted in the United States Air Corps on June 25, 1942, and was assigned to the 447th Bomber Group with whom he served for four years;

WHEREAS, upon completion of his service with the Air Corps, Major Cummings enlisted with the United States Air Force Reserve and dedicated 20 years of additional service to the nation; and

WHEREAS, Colonel Marion Rodgers was raised in Dublin, Georgia, and served with an anti-aircraft artillery unit and as a radio operator prior to attending flight school; and

WHEREAS, Colonel Rodgers was assigned to the 99th Fighter Squadron, the "Red Tails," and dedicated 22 years to the Air Force before working in the civil service field for 17 years; and

WHEREAS, Colonel Rodgers spent a year working for N.A.S.A. as a program manager on the mission for Apollo 13 and was prominent in the development of electronics and communications procedures with N.O.R.A.D.; and

WHEREAS, Colonel John Whitehead spent several years during his youth in Laurens County and flew several missions over Europe during World War II; and

WHEREAS, known as "Mr. Death" by his fellow pilots, Colonel Whitehead was the first African American test pilot for the Air Force and during his 30 year career spent more than 9,500 hours in the air; and

WHEREAS, it is abundantly fitting and proper that the extraordinary accomplishments of these distinguished Georgians be appropriately recognized with the naming of an interchange in their honor.

PART XV

WHEREAS, MSG Reginald S. Carter, Sr., was recognized by the citizens of this state for the vital role that he played in leadership and his deep personal commitment to the welfare of the citizens of Georgia; and

WHEREAS, he served as a guardian of this nation's freedom and liberty with the United States Armed Forces for over 25 years during World War II and the Vietnam War; and

WHEREAS, MSG Carter diligently and conscientiously devoted innumerable hours of his time, talents, and energy toward the betterment of his community and state as evidenced dramatically by his superlative service with the Taylor County Board of Education and the Tax Assessors Board; and

WHEREAS, he was a person of magnanimous strengths with an unimpeachable reputation for integrity, intelligence, fairness, and kindness; and

WHEREAS, it is abundantly fitting and proper that the extraordinary life of this distinguished Georgian be appropriately recognized by dedicating a bridge in his memory.

PART XVI

WHEREAS, Lieutenant Kelso C. Horne served as a guardian of this nation's freedom and liberty as a second lieutenant in the 82nd Airborne Division during World War II; and

WHEREAS, Lieutenant Horne was a resident of Dublin, Georgia, and graced the cover of *LIFE* magazine on August 14, 1944, as a representation of the one of thousands of men who were fighting to win the battle for France; and

WHEREAS, at 2:06 A.M. on June 6, 1944, Lieutenant Horne leapt from his transport plane and parachuted into Normandy; and

WHEREAS, after weeks of fighting to gain ground against the enemy, Lieutenant Horne was at the head of an infantry column that was advancing on a German-held town when he was stopped by a staff car and asked to be photographed; and

WHEREAS, Lieutenant Horne was injured by shellfire in July 1944, and as he healed from his injuries in England he saw his photo on the cover of *LIFE* magazine; and

WHEREAS, after he returned home from the war, Lieutenant Horne continued to serve his country with the United States Postal Service; and

WHEREAS, it is only fitting and proper that a lasting tribute to Lieutenant Horne's memory and life of service to his country be established.

PART XVII

NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA that the bridge on State Route 82 at Interstate 85 in Jackson County is dedicated as the Staff Sergeant Shaun J. Whitehead Memorial Bridge.

BE IT FURTHER RESOLVED AND ENACTED that State Route 400 in Dawson and Lumpkin counties is dedicated as the Bill T. Hardman Hospitality Highway.

BE IT FURTHER RESOLVED AND ENACTED that the bridge on State Route 16 over Rooty Creek in Putnam County is dedicated as the William Love Walton Bridge.

BE IT FURTHER RESOLVED AND ENACTED that State Route 302 in Decatur County from its intersection with State Route 97 to the Florida state line is dedicated as the Pauline Spearman Brinkley Highway.

BE IT FURTHER RESOLVED AND ENACTED that the bridge on U.S. 78/State Route 10 Business over the Middle Oconee River in Clarke County is dedicated as the Officer Buddy Christian Memorial Bridge.

BE IT FURTHER RESOLVED AND ENACTED that the bridge on State Route 76 at milepost 3.19 in Berrien County is dedicated as the 1st LT James H. Perry "Uncle Jim" Memorial Bridge.

BE IT FURTHER RESOLVED AND ENACTED that the bridge on Lee Road over Interstate 20 in Douglas County is dedicated as the Captain Herb Emory Memorial Bridge.

BE IT FURTHER RESOLVED AND ENACTED that the bridge on State Route 79 over Soap Creek in Lincoln County is dedicated as the Wayne J. Hawes Memorial Bridge.

BE IT FURTHER RESOLVED AND ENACTED that the intersection of State Route 515 and Loving Road in Fannin County is dedicated as the Roy William Beaver Intersection.

BE IT FURTHER RESOLVED AND ENACTED that the members of this body recognize the outstanding contributions of James C. Moore and dedicate the portion of U.S. 221 North from the city limits of Douglas to the West Green city limits as the James C. Moore Memorial Highway.

BE IT FURTHER RESOLVED AND ENACTED that the portion of Ga. 107 from the eastern city limit of Fitzgerald to the intersection with Eastside Church Road is dedicated as the Trooper James David Young Memorial Highway.

BE IT FURTHER RESOLVED AND ENACTED that the portion of US 441/GA 24 from the northern city limit of Eatonton to the southern city limit of Madison is dedicated as the Trooper John Dixon Morris Memorial Highway.

BE IT FURTHER RESOLVED AND ENACTED that the portion of Ga. 52 from its intersection with Rackley Road to the Dawson County line is dedicated as the Trooper Mack Allen Page Memorial Highway.

BE IT FURTHER RESOLVED AND ENACTED that the intersection of U.S. Route 80 at U.S. 441 Bypass in Laurens County is dedicated as the Tuskegee Airmen Major Herndon Cummings, Colonel John Whitehead, and Colonel Marion Rodgers Interchange.

BE IT FURTHER RESOLVED AND ENACTED that the southbound bridge on State Route 3 over Cedar Creek in Taylor County is dedicated as the MSG Reginald S. Carter, Sr., Memorial Bridge.

BE IT FURTHER RESOLVED AND ENACTED that the portion of U.S. Route 441/State Route 117 in Laurens County from State Route 19 to U.S. Route 80 is dedicated as the Lieutenant Kelso Horne Memorial Highway.

BE IT FURTHER RESOLVED that the Department of Transportation is authorized and directed to erect and maintain appropriate signs dedicating the road facilities named in this resolution.

BE IT FURTHER RESOLVED that the Clerk of the House of is authorized and directed to make appropriate copies of this resolution available for distribution to the Department of Transportation and to the families of Staff Sergeant Shaun J. Whitehead; Mr. Bill T. Hardman; Mr. William Love Walton; Mrs. Pauline Spearman Brinkley; Officer Elmer B. "Buddy" Christian; Mr. James Henning Perry; Captain Herb Emory; Mr. Wayne J. Hawes; Mr. Roy William Beaver; James C. Moore; Trooper James David Young; Trooper John Dixon Morris; Trooper Mack Allen Page; Tuskegee Airmen Major Herndon Cummings, Colonel John Whitehead, and Colonel Marion Rodgers; MSG Reginald S. Carter, Sr.; and Lieutenant Kelso C. Horne.

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

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

Y Abrams	Y Coomer	Y Harbin	E Meadows	Y Smith, E
Y 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
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E 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
E Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
Y Brockway	Y Efstration	Y Jones, J.B.	Y 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	Y Evans	Y Kaiser	E 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	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 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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the adoption of the Resolution, by substitute, the ayes were 172, nays 0.

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

The Speaker Pro Tem assumed the Chair.

HR 519. By Representatives Roberts of the 155th, Houston of the 170th, Carter of the 175th, England of the 116th and LaRiccia of the 169th:

A RESOLUTION recognizing Mr. Harry Mixon and Mr. Brad Dorminy and naming a building in their honor; and for other purposes.

The following Committee substitute was read and adopted:

A RESOLUTION

Recognizing Mr. Harry Mixon and Mr. Brad Dorminy and naming a building in their honor; and for other purposes.

WHEREAS, a building on the campus of Wiregrass Georgia Technical College is currently named Irwin Hall; and

WHEREAS, the members of this body desire to rename this building as Dorminy-Mixon Hall in honor of Mr. Harry Mixon and Mr. Brad Dorminy.

NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA that the building currently named Irwin Hall on the campus of Wiregrass Georgia Technical College is renamed Dorminy-Mixon Hall.

BE IT FURTHER RESOLVED that the Technical College System of Georgia is authorized to erect and maintain appropriate signs naming Dorminy-Mixon Hall on the Wiregrass Georgia Technical College campus.

BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized and directed to make appropriate copies of this resolution available for distribution to Mr. Paul V. Liles, Jr., and to the Technical College System of Georgia.

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

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

Y Abrams	Y Coomer	Y Harbin	E Meadows	Y Smith, E
Y 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
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E 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
E Broadrick	Y Ealum	Jones, J	Y Prince	Y Taylor, T
Y Brockway	Y Efrstration	Y Jones, J.B.	Y 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	Y Evans	Y Kaiser	E 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	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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the adoption of the Resolution, by substitute, the ayes were 171, nays 0.

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

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

Mr. Speaker:

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

SB 185. By Senators Tippins of the 37th, Unterman of the 45th, Millar of the 40th, Thompson of the 14th, Miller of the 49th and others:

A BILL to be entitled an Act to amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to provide for a program of clinical trials of cannabidiol or cannabidiol-containing products for use in treating certain residents of this state under 18 years of age who have medication-resistant epilepsies; to provide for immunity from criminal prosecution; to provide for related matters; to provide effective dates; to provide for automatic repeal; to repeal conflicting laws; and for other purposes.

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

SR 26. By Senator Ligon, Jr. of the 3rd:

A RESOLUTION creating the Joint House and Senate Coastal Greenway Study Committee; and for other purposes.

SR 441. By Senator James of the 35th:

A RESOLUTION recognizing Ms. Gladys Maria Knight and dedicating a road in her honor; and for other purposes.

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

HR 215. By Representative Ralston of the 7th:

A RESOLUTION honoring the life and memory of the Honorable Ronald Lee Newton and dedicating a road in his honor; and for other purposes.

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

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

Y Abrams	Y Coomer	Y Harbin	E Meadows	Y Smith, E
Y 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	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
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E 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
E Broadrick	Y Ealum	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	Y Evans	Y Kaiser	E Ramsey	E 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 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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the adoption of the Resolution, the ayes were 170, nays 0.

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

The Speaker assumed the Chair.

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

HOUSE SUPPLEMENTAL RULES CALENDAR
FRIDAY, MARCH 13, 2015

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 30th Legislative Day as enumerated below:

DEBATE CALENDAR

Open Rule

- HB 180 War Veterans' Home; residency requirements to qualify for admission; revise (D&VA-Kidd-145th)
- HB 245 Condominiums; amount permissible as a special assessment fee; change (Judy-Dollar-45th)

Modified Open Rule

- HB 209 Georgia Special Needs Scholarship Act; prior school year attendance requirement to prior semester; revise (Substitute)(Ed-Cantrell-22nd)
- HB 531 Nonresidents; grounds for exercising personal jurisdiction over nonresidents; change provisions (Judy-Mabra-63rd)
- HB 552 Insurance; provide changes to the captive insurance company provisions; add definitions (Substitute)(Ins-Williamson-115th)

Modified Structured Rule

- HB 17 Hidden Predator Act; enact (Substitute)(Judy-Spencer-180th)
- HB 84 Insurance; denial of an aircraft claim unless the insured's action or failure to act had a direct causal connection to loss upon which claim is based; prohibit (Substitute)(Ins-Cheokas-138th)(AM 37 0271)
- HB 152 Alcoholic beverages; holders of certain alcohol licenses and those who issue such licenses; impose certain requirements (Substitute) (RegI-Duncan-26th)
- HB 153 Courts; civil action for damages; provide (Substitute)(RegI-Weldon-3rd)
- HB 201 Public utilities; telephone system for the physically impaired; provisions (Substitute)(EU&T-Parsons-44th)
- HB 230 Claims Advisory Board; compensation of persons wrongfully convicted and imprisoned; provide (Substitute)(JudyNC-Hugley-136th)
- HB 299 Contracts; provide for definitions; provisions (Substitute) (B&B-Dunahoo-30th)
- HB 370 Elections; provide for waivers of certain civil penalties and fees incurred by candidates for local elected office; provisions (Substitute) (GAff-Fleming-121st)
- HB 401 Early care and learning; revise terminology relating to restrictions on persons with criminal records with regard to child, family or group-care facilities; provisions (Ed-Efstration-104th)
- HB 409 Insurance; reimbursement for treatment of burns for skin substitutes utilizing cadaver derived skin tissue or nonhuman xenographic derived skin tissue; provide (Substitute)(Ins-Taylor-173rd)
- HB 416 Consumer Information and Awareness Act; enact (Substitute) (H&HS-Rogers-29th)
- HB 418 Grand jurors; prohibit certain individuals from serving; provisions (Substitute)(Judy-Reeves-34th)
- HB 429 Insurance; no health benefit plan shall restrict coverage for prescribed treatment based upon insured's diagnosis with a terminal condition; provide (Ins-Stephens-164th)(AM 25 1344)
- HB 432 Annexation of territory; local Acts providing for deannexation of property from a municipality and annexation of same property to another municipality which are effective on the same day do not create a prohibited unincorporated island; provide (GAff-Raffensperger-50th)
- HB 452 Protective Order Registry Act; enact (Judy-Ballinger-23rd)
- HB 470 The Pharmacy Audit Bill of Rights; change certain provisions (Substitute)(Ins-Knight-130th)
- HB 475 Game and fish; hunting of feral hogs; revise provisions (Substitute) (GF&P-McCall-33rd)

- HB 505 Physical therapists; licensure and regulations of therapists and therapy assistants; revise various provisions (Substitute)(H&HS-Cooper-43rd) (AM 33 1531)
- HB 535 Alcoholic beverages; local authorization of sale of alcohol for consumption on the premises is lawful during a certain time on Sunday; provide (RegI-Harrell-106th)
- HB 537 Medical assistance; provide single administrator for dental services for Medicaid recipients and PeachCare for Kids participants; provisions (H&HS-Rogers-29th)
- HB 565 Agriculture; Georgia Tobacco Community Development Board Overview Committee; eliminate (I&A-Cheokas-138th)
- HB 567 Alimony and child support; jurisdiction of courts that hear contempt proceedings; expand (Substitute)(Judy-Dempsey-13th)
- HB 568 Paternity; testing in certain cases; revise provisions (Substitute) (JuvJ-Dempsey-13th)(AM 29 2390)

Structured Rule

- HB 221 Ad valorem tax; property; change certain definitions (Substitute) (W&M-Powell-171st)

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

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

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 418. By Representatives Reeves of the 34th, Tanner of the 9th, Efstoration of the 104th, Ramsey of the 72nd and Strickland of the 111th:

A BILL to be entitled an Act to amend Code Section 15-12-60 of the Official Code of Georgia Annotated, relating to the qualifications for grand jurors, so as to prohibit certain individuals from serving as grand jurors; to prohibit quashing of indictments when ineligible grand jurors serve on a grand jury; 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 Code Section 15-12-60 of the Official Code of Georgia Annotated, relating to the qualifications for grand jurors, so as to prohibit certain individuals from serving as grand jurors; to prohibit quashing of indictments when ineligible grand jurors serve on a grand jury; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 15-12-60 of the Official Code of Georgia Annotated, relating to the qualifications for grand jurors, is amended by revising subsection (c) and adding a new subsection to read as follows:

"(c) The following individuals shall not be eligible to serve as a grand juror:

(1) Any ~~person~~ individual who has been convicted of a felony in a state or federal court who has not had his or her civil rights restored; and any person

(2) Any individual who has been judicially determined to be mentally incompetent shall not be eligible to serve as a grand juror;

(3) Any individual in a pretrial release program, a pretrial release and diversion program, or a pretrial intervention and diversion program, as provided for in Article 4 of Chapter 18 of Title 15 or Article 5 of Chapter 8 of Title 42 or pursuant to Uniform Superior Court Rule 27, a similar diversion program from another state, or a similar federal court diversion program;

(4) Any individual sentenced pursuant to Code Section 16-13-2 who has not completed the terms of his or her sentence;

(5) Any individual serving a sentence pursuant to Article 3 of Chapter 8 of Title 42 or serving a first offender sentence pursuant to another state's law; and

(6) Any individual who is participating in a drug court division, mental health court division, veterans court division, a similar court program from another state, or a similar federal court program.

(d) If an indictment is returned, and a grand juror was ineligible to serve as a grand juror pursuant to subsection (c) of this Code section, such indictment shall not be quashed solely as a result of such ineligibility."

SECTION 2.

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

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

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

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

On the passage of the Bill, by substitute, the ayes were 129, nays 40.

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

HB 535. By Representatives Harrell of the 106th, Powell of the 32nd, Kaiser of the 59th, Frye of the 118th, Peake of the 141st and others:

A BILL to be entitled an Act to amend Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, so as to provide that governing authorities of counties and municipalities in which the sale of

alcoholic beverages for consumption on the premises is lawful may authorize sales of such alcoholic beverages during a certain time on Sundays; to change the time on Sunday during which farm wineries may sell certain wine for consumption on the premises; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

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

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

On the passage of the Bill, the ayes were 121, nays 47.

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

HB 565. By Representatives Cheokas of the 138th, Williams of the 119th and Dunahoo of the 30th:

A BILL to be entitled an Act to amend Chapter 18 of Title 2 of the Official Code of Georgia Annotated, relating to the Tobacco Community Development Board, so as to eliminate the Georgia Tobacco Community Development Board Overview Committee; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

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

Y Abrams	Y Coomer	Y Harbin	E Meadows	Y Smith, E
Y Alexander	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
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E Pak	Y Stephenson
Y Bell	Y Dollar	Y Holmes	Y Parrish	Y Stovall
Y Belton	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
E Broadrick	Y Ealum	Jones, J	Y Prince	Y Taylor, T
Y Brockway	Y Efrstration	Y Jones, J.B.	Y Pruet	Y 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	Y Evans	Y Kaiser	E 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	Rogers, T	Y Wilkinson
Y Chandler	Y Geisinger	Y Mabra	Y Rutledge	Y Willard
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, the ayes were 168, nays 0.

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

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

Mr. Speaker:

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

SR 114. By Senators Hill of the 32nd, Shafer of the 48th, Cowsert of the 46th, Hill of the 6th, Harper of the 7th and others:

A RESOLUTION creating the Joint Entrepreneur in Residence Study Committee; and for other purposes.

SR 282. By Senators Albers of the 56th and Mullis of the 53rd:

A RESOLUTION creating the Joint Peace Officer and Firefighter Occupational Disease Study Committee; and for other purposes.

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

HB 370. By Representatives Fleming of the 121st, Wilkerson of the 38th, Fludd of the 64th, England of the 116th, Powell of the 32nd and others:

A BILL to be entitled an Act to amend Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to ethics in government, so as to provide for waivers of certain civil penalties and fees incurred by candidates for local elected office; to provide for exceptions; to provide for refunds of certain civil penalties and fees; to provide for legislative findings; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Title 21 of the Official Code of Georgia Annotated, relating to elections, so as to provide that no person shall be eligible for or shall qualify for party nomination for or election to public office if such person or such person's campaign committee from a previous primary or election has certain outstanding late fees, fines, or penalties under the Ethics in Government Act; to provide for exceptions; to provide definitions; to provide for waivers of certain civil penalties and fees incurred by candidates for local elected office; to provide for exceptions; to provide for refunds of certain civil penalties and fees; to provide for an exception from contribution limitations for contributions or expenditures made by a party caucus of the House of Representatives or the Senate in support of a party ticket or a group of named candidates; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 21 of the Official Code of Georgia Annotated, relating to primaries and elections, is amended in Code Section 21-2-8, relating to eligibility for party nomination, public office, or performance of certain official acts of persons convicted and sentenced for certain crimes, illegally holding any public funds, and effect of disqualification of superintendent, by designating the existing text as subsection (a) and adding a new subsection to read as follows:

"(b) No person shall be eligible for or shall qualify for party nomination for or election to public office if such person or such person's campaign committee from any previous primary or election has outstanding late fees, fines, or penalties pursuant to paragraph (14) of subsection (b) of Code Section 21-5-6, Code Section 21-5-7.1, or subsection (k) of Code Section 21-5-34; provided, however, that, if such person or person's campaign committee has a pending request for a waiver under Code Section 21-5-7.2 or if such waiver or any late fee, fine, or penalty has been appealed and such appeal is pending, such person shall be permitted to qualify."

SECTION 2.

Said title is further amended in Code Section 21-5-3, relating to definitions, by revising paragraph (12) and adding new paragraphs (5.1), (10.1), and (12.1) to read as follows:

"(5.1) 'Communication' means:

- (A) A paid advertisement broadcast over radio, television, cable, or satellite;
- (B) A paid placement of content on the Internet or other electronic communication networks;
- (C) A paid advertisement published in a periodical or on a billboard;
- (D) Paid telephone communications that are directed to 100 or more households;
- (E) Mailings that are sent or distributed to 100 or more households; or
- (F) Printed materials that exceed 1,000 copies."

"(10.1) 'Election targeted issue advocacy' means any communication other than express election advocacy made within 180 days of an election that:

- (A) Refers to one or more clearly identified candidates in such election;
- (B) Depicts the name, image, likeness, or voice of one or more clearly identified candidates in such election;
- (C) Refers to a political party or body having candidates on the ballot at such election; or
- (D) Refers to a constitutional amendment, referendum, or other question being submitted to the voters in such election."

"(12) 'Expenditure' means a purchase, payment, distribution, loan, advance, deposit, or any transfer of money or anything of value made for the purpose of influencing the nomination for election or election of any person, bringing about the recall of a public officer holding elective office or opposing the recall of a public officer holding elective office, or the influencing of voter approval or rejection of a proposed constitutional amendment, a state-wide referendum, or a proposed question which is to appear on the ballot in this state or in a county or a municipal election in this state. The term specifically shall not include the value of personal services performed by persons who serve without compensation from any source and on a voluntary basis. The term 'expenditure' shall also include the payment of a qualifying fee for and on behalf of a candidate. The term shall include the purchase of or payment for communications for express election advocacy and election targeted issue advocacy.

(12.1) 'Express election advocacy' means any communication made at any time that:

- (A) Contains express words, such as 'vote,' 'oppose,' 'support,' 'elect,' 'defeat,' or 'reject,' which call for the nomination, election, or defeat of one or more clearly identified candidates, the election or defeat of one or more political parties or bodies, or the passage or defeat of one or more constitutional amendments, referenda, or other questions submitted to the voters in any election; or
- (B) Otherwise refers to or depicts one or more clearly identified candidates, political parties or bodies, or constitutional amendments, referenda, or other questions submitted to the voters in a manner that is susceptible to no reasonable interpretation other than as a call for the nomination, election, or defeat of such candidates in an election, the election or defeat of such political parties or bodies, or the passage or defeat of constitutional amendments, referenda, or other questions submitted to the voters in any election."

SECTION 3.

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

"21-5-7.2.

(a) Upon written request of a candidate or in a response by the candidate to any notification from the commission alleging noncompliance with the provisions of this chapter for filings required between January 1, 2010, and January 10, 2014, the commission shall be authorized to waive late fees, fines, and civil penalties incurred by candidates for public office for those offices defined in subparagraphs (F) and (G) of paragraph (22) of Code Section 21-5-3 regarding the late, incomplete, or nonfiling of

campaign disclosure reports and personal financial disclosure reports. Such request or response shall be filed not later than December 31, 2015.

(b) For candidates who paid late fees, fines, or civil penalties between January 1, 2014, and the effective date of this Code section based upon alleged noncompliance with the provisions of this chapter for filings required between January 1, 2010, and January 10, 2014, such candidates may make a written request to the commission for a waiver under this Code section, and, if granted, the commission may refund such late fees, fines, and civil penalties to the candidate and shall expunge all of the alleged violations which were the basis of such late fees, fines, or civil penalties from the candidate's records. Such request shall be filed not later than December 31, 2015.

(c) With regard to filings which were required under this chapter during the period between January 1, 2010, and January 10, 2014, there shall be a rebuttable presumption that all candidates for a public office for those offices defined in subparagraphs (F) and (G) of paragraph (22) of Code Section 21-5-3 timely filed or attempted to file the required reports but were unable to do so as a result of the problems with the commission's computer system during such time period. Such rebuttable presumption may be overcome by proof that such candidate knowingly and willfully refused to file the required report during such period.

(d) The commission shall approve or deny each request for waiver within 12 months after receipt of the request by the commission. If such request for a waiver is denied, the candidate may, within 30 days following the candidate's receipt of notice of the denial, demand a hearing on such request for a waiver before the Office of State Administrative Hearings.

(e) In the event that the commission grants a waiver under this Code section and within two years following the effective date of this Code section discovers evidence that the person to whom such waiver was granted was guilty of knowingly and willfully refusing to file the report or reports for which such waiver was granted, the commission may revoke such waiver, reimpose all such late fees, fines, and penalties, and take such further actions as the commission is authorized to do as if such waiver had never been granted."

SECTION 4.

Said title is further amended in Code Section 21-5-41, relating to maximum allowable contributions, by revising subsection (j) as follows:

"(j) The contribution limitations provided for in this Code section shall not include contributions or expenditures made by a political party or party caucus of the House of Representatives or the Senate in support of a party ticket or a group of named candidates."

SECTION 5.

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

SECTION 6.

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

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

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

Y Abrams	Y Coomer	Y Harbin	E Meadows	Y Smith, E
Y 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
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	N Holcomb	E Pak	Y Stephenson
Y Bell	Y Dollar	Y Holmes	Y Parrish	Y Stovall
Y Belton	Y Douglas	Y Houston	Y Parsons	N 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
E Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
Y Brockway	Y Efstration	Y Jones, J.B.	Y 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, S
Y Bryant	Y Epps	Y Jordan	Y Rakestraw	Y Trammell
Y Buckner	Y Evans	Y Kaiser	E Ramsey	N Turner
Y Burns	Y Fleming	Y Kelley	Y Randall	Y Waites
Y Caldwell, J	Floyd	Y Kendrick	Y Reeves	Y Watson
N 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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	Y Golick	Y Martin	Y Scott	Y Williams, C
N Clark, H	Y Gordon	Y Maxwell	Y Setzler	Y Williams, E
Y Clark, V	Y Gravley	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
N Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 166, nays 6.

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

HB 180. By Representatives Kidd of the 145th, Epps of the 144th, Yates of the 73rd, Sharper of the 177th and Peake of the 141st:

A BILL to be entitled an Act to amend Part 2 of Article 2 of Chapter 4 of Title 38 of the Official Code of Georgia Annotated, relating to the War Veterans' Home, so as to revise residency requirements to qualify for admission to the War Veterans' Home; to repeal conflicting laws; and for other purposes.

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

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

Y Abrams	Y Coomer	Y Harbin	E Meadows	Y Smith, E
Y 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	Y Stephens, M
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E 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
E Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
Y Brockway	Y Efrstration	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	Y Evans	Y Kaiser	E 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 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
Y Cheokas	E Glanton	Y Marin	Rynders	Y Williams, A
E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, the ayes were 171, nays 0.

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

HB 245. By Representatives Dollar of the 45th, Kelley of the 16th, Powell of the 171st, Atwood of the 179th and Evans of the 42nd:

A BILL to be entitled an Act to amend Article 3 of Chapter 3 of Title 44 of the Official Code of Georgia Annotated, relating to condominiums, so as to change the amount permissible as a special assessment fee; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

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

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

Y Abrams	Y Coomer	Y Harbin	E Meadows	N Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	N 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
N Barr	N Dickerson	Y Hightower	Y Oliver	Y Stephens, M
Y Battles	N Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E Pak	Y Stephenson
Y Bell	Y Dollar	Y Holmes	Y Parrish	Stovall
Y Belton	Y Douglas	Y Houston	Y Parsons	N Stover
N Bennett	Y Drenner	Y Howard	Y Peake	Y Strickland
Y Bentley	Y Dudgeon	Y Hugley	Y Petrea	Y Tankersley
N Benton	Y Dukes	Y Jackson	N Pezold	Y Tanner
Y Beskin	Y Dunahoo	N Jacobs	Y Powell, A	N Tarvin
Y Beverly	Y Duncan	Y Jasperse	Y Powell, J	Y Taylor, D
E Broadrick	Y Ealum	Y Jones, J	Y Prince	N Taylor, T
N Brockway	Y Efrstration	Y Jones, J.B.	N 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	Y Thomas, E
Y Bryant	Y Epps	Y Jordan	N Rakestraw	Y Trammell
Y Buckner	Y Evans	Y Kaiser	E Ramsey	N Turner
N Burns	Y Fleming	Y Kelley	Y Randall	Y Waites
N Caldwell, J	Floyd	Y Kendrick	Y Reeves	Y Watson
N Caldwell, M	Y Fludd	Y Kidd	N Rhodes	N Welch
Y Cantrell	Y Frazier	N Kirby	Y Rice	Y Weldon
N Carson	Y Frye	Y Knight	Y Roberts	N Werkheiser
Y Carter	Y Gardner	Y LaRiccica	Y Rogers, C	Y Wilkerson
N Casas	Y Gasaway	Y Lumsden	Y Rogers, T	Y Wilkinson
Y Chandler	Y Geisinger	Y Mabra	N Rutledge	Y Willard
Y Cheokas	E Glanton	Y Marin	N Rynders	Y Williams, A
E Clark, D	N Golick	Martin	Y Scott	N Williams, C

N Clark, H	Y Gordon	Y Maxwell	Y Setzler	Y Williams, E
Y Clark, V	N Gravley	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, the ayes were 131, nays 39.

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

HB 552. By Representatives Williamson of the 115th, Shaw of the 176th, Smith of the 134th, Efstoration of the 104th and Golick of the 40th:

A BILL to be entitled an Act to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to provide for changes to the captive insurance company provisions; to add certain definitions; to change prerequisites to transacting insurance; to amend provisions relating to directors; to revise the required amounts of capital or surplus for each captive insurance company; to provide for application of certain provisions to the examination of a captive insurance company and add confidentiality of certain information and documents provided to the Commissioner; to change the taxation 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 Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to provide for changes to the captive insurance company provisions; to add certain definitions; to change prerequisites to transacting insurance; to amend provisions relating to directors; to revise the required amounts of capital or surplus for each captive insurance company; to provide for application of certain provisions to the examination of a captive insurance company and add confidentiality of certain information and documents provided to the Commissioner; to change the taxation requirements; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended by revising Code Section 33-41-2, relating to definitions, as follows:

"33-41-2.

Terms not otherwise defined in this chapter shall have the same meaning ascribed to them in this title. As used in this chapter, unless the context otherwise requires, the term:

(1) 'Affiliate' means an individual, partnership, corporation, trust, or estate that directly, or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with one or more of the shareholders or members of a captive insurance company. Affiliates shall also include employees of any shareholder or member, or any affiliate thereof, of a captive insurance company. For the purpose of the foregoing definition of affiliate, 'control' means:

(A) Ownership of shares of a corporation possessing 50 percent or more of the total voting power of all classes of shares entitled to vote or possessing 50 percent or more of the total value of the outstanding shares of the corporation; and

(B) Ownership of 50 percent or more by value of the beneficial interests in a partnership, trust, or estate.

(2) 'Association' means any membership organization whose members consist of a group of individuals, corporations, partnerships, or other associations who engage in similar or related professional, trade, or business activities and who collectively own, control, or hold with power to vote all of the outstanding voting interests of an association captive insurance company or of a corporation that is the sole shareholder of an association captive insurance company.

(3) 'Association captive insurance company' means any domestic insurance company granted a certificate of authority under this chapter to insure or reinsure the similar or related risks of members and affiliates of members of its association.

(4) 'Captive insurance company' means any pure captive insurance company, association captive insurance company, industrial insured captive insurance company, or risk retention group captive insurance company.

(5) 'Controlled unaffiliated business' means:

(A) A person:

(i) That is not an affiliate;

(ii) That has an existing contractual relationship with an affiliate under which the affiliate bears a potential financial loss; and

(iii) The risks of which are managed by a captive insurance company under an arrangement approved by the Commissioner; or

(B) A reinsurance pooling arrangement with other captive insurance companies that is approved by the Commissioner.

~~(5)~~(6) 'Industrial insured' means an insured:

(A) Who procures the insurance of any risk or risks through the use of the services of a full-time employee who acts as an insurance manager, risk manager, or insurance buyer or through the services of a person licensed as a property and casualty agent, broker, or counselor in such person's state of domicile;

(B) Whose aggregate annual premiums for insurance on all risks total at least \$25,000.00; and

(C) Who either:

- (i) Has at least 25 full-time employees;
- (ii) Has gross assets in excess of \$3 million; or
- (iii) Has annual gross revenues in excess of \$5 million.

~~(6)~~(7) 'Industrial insured captive insurance company' means any domestic insurance company granted a certificate of authority under this chapter to insure or reinsure the risks of industrial insureds and their affiliates and which has as its shareholders or members only industrial insureds that are insured or reinsured by the industrial insured captive insurance company or which has as its sole shareholder or sole member a corporation whose only shareholders are industrial insureds that are insured or reinsured by the industrial insured captive insurance company.

~~(7)~~(8) 'Parent' means a corporation which directly owns shares representing more than 50 percent of the total outstanding voting power and value of a pure captive insurance company.

~~(8)~~(9) 'Pure captive insurance company' means any domestic insurance company granted a certificate of authority under this chapter to insure or reinsure the risks of its parent and affiliates of its parent, and controlled unaffiliated business.

~~(9)~~(10) 'Risk retention group captive insurance company' is any pure, association, or industrial insured captive insurance company which has been granted a certificate of authority under this chapter and determined by the Commissioner to be established and maintained as a 'risk retention group' as defined under the federal Liability Risk Retention Act of 1986, as amended. A risk retention group may be chartered and licensed either under this chapter or under Chapter 40 of this title.

~~(10)~~(11) 'Transact,' as used in this chapter, shall not include the organizational activities associated with the preliminary formation, incorporation, petitioning for a certificate of authority, and initial capitalization of a captive insurance company."

SECTION 2.

Said title is further amended by revising Code Section 33-41-4, relating to prerequisites to transacting insurance, as follows:

"33-41-4.

No captive insurance company may transact any insurance in this state unless:

- (1) It first obtains from the Commissioner a certificate of authority authorizing it to transact insurance in this state;
- (2) It maintains its principal place of business in this state; ~~and~~
- (3) Any organization providing the principal administrative or management services to such captive insurance company shall maintain its principal place of business in this state and shall be approved by the Commissioner; and
- (4) Its board of directors holds at least one meeting each year in this state."

SECTION 3.

Said title is further amended by revising Code Section 33-41-7, relating to directors, as follows:

"33-41-7.

(a) The affairs of every captive insurance company shall be managed by not less than three directors.

(b) At least ~~one-third~~ one of the directors of every captive insurance company ~~must~~ shall be a resident of this state, ~~except that no more than three directors shall be required to be residents of this state.~~ A and a majority of the directors ~~must~~ shall be citizens of the United States.

(c) Every captive insurance company ~~must~~ shall report to the Commissioner within 30 days after any change in its directors including in its report a statement of the business and professional background and affiliations of any new director."

SECTION 4.

Said title is further amended by revising subsection (a) of Code Section 33-41-8, relating to amount of capital or surplus, as follows:

"(a) The amount of minimum capital or surplus required for each captive insurance company shall be determined on an individual basis, however:

(1) ~~No~~ A pure captive insurance company ~~incorporated as a stock insurer shall be issued a certificate of authority unless it shall possess and thereafter maintain a minimum of \$500,000.00 in capital~~ maintain at least \$250,000.00 in surplus; or

(2) ~~No~~ An association captive insurance company ~~incorporated as a mutual insurer shall be issued a certificate of authority unless it shall possess and thereafter maintain a minimum of \$500,000.00 in surplus.~~ maintain at least \$500,000.00 in surplus;

(3) An industrial insured captive insurance company shall maintain at least \$500,000.00 in surplus; and

(4) A risk retention group shall maintain at least \$500,000.00 in surplus.

The Commissioner may require additional capital or surplus of any captive insurance company in an amount he or she deems appropriate under the circumstances based on the captive insurance company's business plan as described in paragraph (2) of subsection (a) of Code Section 33-41-10. Additional capital or surplus may be required if the captive insurance company's business plan indicates that an increase is required in order for the captive insurance company to meet its contractual obligations to its policyholders or to maintain its solvency."

SECTION 5.

Said title is further amended by revising Code Section 33-41-16, relating to examination by the Commissioner or agent, as follows:

"33-41-16.

(a) The Commissioner or his or her designated agent may visit each captive insurance company at any time and examine its affairs in order to ascertain its financial condition, its ability to fulfill its contractual obligations, and its compliance with this chapter. For these purposes, the Commissioner or his or her designated agent shall have free access to all of the books and records relating to the business of the captive insurance

company. The expenses and charges of any examination conducted pursuant to this Code section shall be paid directly by the captive insurance company examined.

(b) When necessary or desirable to assist in any examination under this Code section, the Commissioner may retain such independent agents as described in subsection (b) of Code Section 33-41-10, as the Commissioner deems appropriate, in order to facilitate his or her examination under this Code section. The expenses and charges of such persons so retained or designated shall be paid directly by the captive insurance company. The provision of subsection (g) of Code Section 33-2-14 shall apply to examinations of any captive insurance company.

(c) All portions of license applications reasonably designated confidential by or on behalf of an applicant pure captive insurance company, all information and documents, and any copies of the foregoing, produced or obtained by or submitted or disclosed to the Commissioner pursuant to this chapter that are reasonably designated confidential by a pure captive insurance company, and all examination reports, preliminary examination reports, working papers, recorded information, other documents, and any copies of any of the foregoing, produced or obtained by or submitted or disclosed to the Commissioner pursuant to this chapter shall be given confidential treatment, except as to disclosures consented to by the pure captive insurance company, and shall not be subject to subpoena, shall not be made public by the Commissioner, and shall not be provided or disclosed to any other person at any time except to:

(1) Insurance commissioners of any state or of any foreign country or jurisdiction, provided that:

(A) Such receiving party shall agree in writing to maintain the confidentiality of such information; and

(B) The laws of the receiving party require such information to be and to remain confidential; or

(2) A law enforcement official or agency of this state, any other state, or the United States of America so long as such official or agency agrees in writing to hold it confidential and in a manner consistent with this Code section."

SECTION 6.

Said title is further amended by revising Code Section 33-41-22, relating to taxation, as follows:

"33-41-22.

In lieu of any other taxes imposed by this title, all captive insurance companies licensed under this chapter shall pay the following taxes:

(1) All captive insurance companies chartered and licensed under this chapter, except pure captive insurance companies, shall be taxed under the provisions of Chapter 8 of this title and any other provisions of law in the same manner as other domestic insurance companies; and

(2) A pure captive insurance company shall pay a tax at the rate of four-tenths of 1 percent on the first \$20 million and three-tenths of 1 percent on each dollar thereafter

on the direct premiums collected and the annual maximum aggregate tax shall be \$100,000.00."

SECTION 7.

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

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

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

Y Abrams	Y Coomer	Y Harbin	E Meadows	Y Smith, E
Y 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	Y Stephens, M
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E Pak	Y Stephenson
Y Bell	Y Dollar	Y Holmes	Y Parrish	Y Stovall
Y Belton	Y Douglas	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
E Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
Y Brockway	Y Efrstration	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	Y Evans	Y Kaiser	E 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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 171, nays 0.

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

HB 152. By Representatives Duncan of the 26th, Dudgeon of the 25th, Tankersley of the 160th, Martin of the 49th, Frye of the 118th and others:

A BILL to be entitled an Act to amend Chapter 3 of Title 3 of the O.C.G.A., relating to the regulation of alcoholic beverages generally, so as to impose certain requirements upon holders of certain alcohol licenses and those who issue such licenses; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, so as to impose certain requirements upon holders of certain alcohol licenses and those who issue such licenses; to provide for definitions; to change certain provisions relating to notice to the Department of Revenue of violations relating to the sale of alcoholic beverages to underage persons; to require self-reporting of disciplinary actions to the department by persons licensed to manufacture, distribute, or sell alcoholic beverages; to provide for fines and penalties; to provide for the reporting of certain disciplinary actions by counties and municipalities which issue licenses or permits for the manufacture, distribution, or sale of alcoholic beverages; to provide for the state revenue commissioner to promulgate certain rules and regulations; to prohibit individuals under a certain age from being bouncers for or entering certain establishments; to provide for related matters; to provide for effective dates and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, is amended by adding a new paragraph to Code Section 3-1-2, relating to definitions, to read as follows:

"(2.1) 'Bar' means any premises at which a retailer licensed pursuant to this title to sell alcoholic beverages derives 75 percent or more total annual gross revenue from the sale of alcoholic beverages for consumption on the premises."

SECTION 2.

Said title is further amended by revising Code Section 3-3-2.1, relating to notice to the Department of Revenue of violations relating to the sale of alcoholic beverages to underage persons, as follows:

"3-3-2.1.

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

(1) 'Disciplinary action' means any citation or arrest arising out of the violation of any law, rule, regulation, resolution, or ordinance of a governmental entity relating to the manufacture, distribution, sale, or possession of alcoholic beverages against a licensee, an employee of a licensee, or any person holding a financial interest in the license of the licensee on the premises or place of business of any licensee.

(2) 'Governmental entity' means the United States government, any state governmental, any local government, and any department, agency, or instrumentality thereof.

(3) 'Licensee' means any person issued a license pursuant to this title by a governmental entity to operate a bar.

(b)(1) Within 45 days of any disciplinary action, the licensee shall notify the department of the details of such disciplinary action, including the date such action was taken, the nature of such action, and any other information required by the department, using a format to be determined by the department.

(2) The commissioner may impose a fine not to exceed \$750.00 for each violation of paragraph (1) of this subsection. A second or subsequent violation of paragraph (1) of this subsection which occurs within three years from the date of the first violation may constitute grounds for the suspension, revocation, or cancellation of such person's license.

(c) ~~Every Whenever any county or municipality which issues permits or licenses authorizing the manufacture, distribution, or sale of alcoholic beverages is made aware of the fact that the holder of any such permit or license has been convicted of violating paragraph (1) of subsection (a) of Code Section 3-3-23, prohibiting the furnishing of alcoholic beverages to underage persons, or takes any shall by resolution or ordinance adopt a policy and implement a process by which any disciplinary action against the holder of any such permit or license for violating any state law or local ordinance relating to the sale of alcoholic beverages to underage persons, the county or municipality shall notify a licensee shall be reported to the department of such violation within 45 days of any officer, department, agency, or instrumentality of such county or municipality taking such disciplinary action.~~

(d) The commissioner shall determine and make available the format for the reporting of disciplinary actions and shall promulgate rules and regulations as to the implementation and use of such reporting method."

SECTION 2.

Said chapter is further amended by revising Code Section 3-3-24.1, relating to definition and penalty, as follows:

"3-3-24.1.

~~Reserved.~~ (a) As used in this Code section, the term 'bouncer' means an individual primarily performing duties related to verifying age for admittance, security, maintaining order, or safety, or a combination thereof.

(b) No person shall allow or require an individual under the age of 21 to serve as a bouncer on a premises or in an establishment where alcoholic beverages are dispensed, served, or sold pursuant to a license issued under this title.

(c) No individual under the age of 21 shall enter or be allowed to enter a bar unless he or she is accompanied by his or her parent, guardian, or spouse who is 21 years of age or older."

SECTION 3.

(a) Except as provided in subsection (b) of this section, this Act shall become effective on July 1, 2015.

(b) Section 2 of this Act shall become effective on July 1, 2016, and shall be applicable to any disciplinary action which occurs on or after such date.

SECTION 4.

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

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

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

Y Abrams	Y Coomer	Y Harbin	E Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
N Allison	Y Corbett	Y Harrell	Y Morris	N 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	N Hightower	Y Oliver	Y Stephens, M
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E Pak	Y Stephenson
Y Bell	Y Dollar	Y Holmes	Y Parrish	Y Stovall
Y Belton	Y Douglas	Y Houston	Y Parsons	N Stover
Y Bennett	Y Drenner	Howard	Y Peake	Y Strickland
Y Bentley	Y Dudgeon	Y Hugley	Y Petrea	Y Tankersley
Y Benton	Y Dukes	Y Jackson	N Pezold	Y Tanner
N Beskin	Y Dunahoo	Y Jacobs	Y Powell, A	N Tarvin
Y Beverly	Y Duncan	Y Jasperse	Y Powell, J	Y Taylor, D
E Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
Y Brockway	Efstration	Y Jones, J.B.	Y Pruett	Y Teasley
Y Brooks	Y Ehrhart	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	Y Evans	Y Kaiser	E Ramsey	N Turner

Y Burns	Y Fleming	Y Kelley	Y Randall	Y Waites
Y Caldwell, J	Y Floyd	Y Kendrick	Y Reeves	Y Watson
N 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 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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	Y Golick	Y Martin	Y Scott	Y Williams, C
N Clark, H	Y Gordon	Y Maxwell	Setzler	Y Williams, E
Y Clark, V	Y Gravley	N Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
N Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 157, nays 12.

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

HB 221. By Representatives Powell of the 171st, Knight of the 130th, Harbin of the 122nd, Harrell of the 106th and Stephens of the 164th:

A BILL to be entitled an Act to amend Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of property, so as to change certain definitions regarding such taxation; to provide an effective date; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding ad valorem taxation of property, so as to change the definition of fair market value of property; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding ad valorem taxation of property, is amended by revising subparagraph (B) of paragraph (3) of Code Section 48-5-2, relating to definitions regarding ad valorem taxation, as follows:

"(B) The tax assessor shall apply the following criteria in determining the fair market value of real property:

- (i) Existing zoning of property;
- (ii) Existing use of property, including any restrictions or limitations on the use of property resulting from state or federal law or rules or regulations adopted pursuant to the authority of state or federal law;
- (iii) Existing covenants or restrictions in deed dedicating the property to a particular use;
- (iv) Bank sales, other financial institution owned sales, or distressed sales, or any combination thereof, of comparable real property;
- (v) Decreased value of the property based on limitations and restrictions resulting from the property being in a conservation easement;
- (vi) Rent limitations, operational requirements, and any other restrictions or covenants imposed upon the property in connection with the property being eligible for any income tax credits described in subparagraph (B.1) of this paragraph or receiving any other state or federal loans or subsidies provided with respect to the use of the property as residential rental property; provided, however, that such properties described in subparagraph (B.1) of this paragraph shall not be considered comparable real property for assessment or appeal of assessment of other properties which are not subject to such restrictions or covenants; and
- (vii) Any other existing factors provided by law or by rule and regulation of the commissioner deemed pertinent in arriving at fair market value."

SECTION 2.

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

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

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

Y Abrams	Y Coomer	Y Harbin	E Meadows	Y Smith, E
Y 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	Stephens, M
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E 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
E Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
Y Brockway	Y Efstoration	Y Jones, J.B.	Y Pruett	Y Teasley
Y Brooks	Y Ehrhart	Jones, L	Y Quick	Y Thomas, A.M.
Y Bruce	Y England	Y Jones, S	Y Raffensperger	Y Thomas, E
Bryant	Y Epps	Y Jordan	Y Rakestraw	Y Trammell
Y Buckner	Y Evans	Y Kaiser	E 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 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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y 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 531. By Representatives Mabra of the 63rd, Fleming of the 121st, Willard of the 51st, Strickland of the 111th, Reeves of the 34th and others:

A BILL to be entitled an Act to amend Article 4 of Chapter 10 of Title 9 of the Official Code of Georgia Annotated, relating to personal jurisdiction over nonresidents, so as to change provisions relating to the grounds for exercising personal jurisdiction over nonresidents; to change provisions relating to effect of appearance; to change provisions relating to venue; to amend Code Sections 19-13-2 and 34-1-7 of the Official Code of Georgia Annotated, relating to jurisdiction of superior court and application for temporary restraining order and injunction, respectively, so as to correct cross-references; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

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

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

Y Abrams	Y Coomer	Y Harbin	E Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
N Allison	Y Corbett	Harrell	N 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	Nix	N Spencer
N Barr	Y Dickerson	Y Hightower	Y Oliver	Y Stephens, M
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E Pak	Y Stephenson
Y Bell	Y Dollar	Y Holmes	Y Parrish	Y Stovall
Y Belton	Y Douglas	Y Houston	Y Parsons	N 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	N Pezold	Y Tanner
Y Beskin	N Dunahoo	Y Jacobs	Y Powell, A	N Tarvin
Y Beverly	Y Duncan	N Jasperse	Y Powell, J	Y Taylor, D
E Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
N Brockway	Y Efrstration	Y Jones, J.B.	Y Pruet	N Teasley
Y Brooks	Y Ehrhart	Jones, L	N Quick	Y Thomas, A.M.
Y Bruce	Y England	Y Jones, S	N Raffensperger	Y Thomas, E
Bryant	Y Epps	Y Jordan	N Rakestraw	Y Trammell
Y Buckner	Y Evans	Y Kaiser	E Ramsey	N Turner
Y Burns	Y Fleming	N Kelley	Y Randall	Y Waites
Y Caldwell, J	Floyd	Y Kendrick	Y Reeves	Y Watson
N Caldwell, M	Y Fludd	Y Kidd	Y Rhodes	Y Welch
N Cantrell	Y Frazier	N 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	N Rutledge	Y Willard
Y Cheokas	E Glanton	Y Marin	N Rynders	Y Williams, A
E Clark, D	Y Golick	N Martin	Y Scott	Y Williams, C
N Clark, H	Y Gordon	Y Maxwell	Y Setzler	Y Williams, E
Y Clark, V	N Gravley	Y Mayo	Y Sharper	N Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
N Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, the ayes were 142, nays 26.

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

HB 153. By Representatives Weldon of the 3rd, Willard of the 51st, Reeves of the 34th, Kelley of the 16th, Oliver of the 82nd and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 19 of Title 15 of the Official Code of Georgia Annotated, relating to the regulation of the practice of law, so as to provide for a civil action for damages; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Article 3 of Chapter 19 of Title 15 of the Official Code of Georgia Annotated, relating to the regulation of the practice of law, so as to authorize certain activities involving real estate transactions; to provide for a civil action for damages; to provide for exceptions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 3 of Chapter 19 of Title 15 of the Official Code of Georgia Annotated, relating to the regulation of the practice of law, is amended by adding two new Code sections to read as follows:

"15-19-59.

(a) As used in this Code section, the terms 'associate broker,' 'broker,' and 'salesperson' shall have the same meanings as set forth in Code Section 43-40-1.

(b) A broker, associate broker, or salesperson licensed pursuant to Chapter 40 of Title 43, a seller of real property, or an employee of a property management company engaged in the leasing or management of commercial or multifamily properties may:

(1) Provide information and advice to their principals, clients, and customers in matters involving the listing, management, sale, purchase, exchange, renting, lease, option, or other conveyance of any real estate or the improvements thereon;

(2) Prepare special stipulations to forms that were prepared by an attorney that are necessary for the listing, sale, purchase, exchange, renting, lease, or option for any real estate or the improvements thereon;

(3) Provide legal forms prepared by an attorney to their principals, clients, and customers; and

(4) Complete legal instruments prepared by an attorney for their principals, clients, and customers.

(c) This Code section shall not authorize a broker, associate broker, or salesperson to close a real estate transaction or to express, render, or issue a legal opinion as to the status of the title to real or personal property. No person or voluntary association, other than an attorney, shall close a real estate transaction or express, render, or issue a legal opinion as to the status of the title to real or personal property.

15-19-60.

Any consumer who is a party to a one-to-four family residential real estate transaction or a party to a bankruptcy proceeding that involves a one-to-four family residential real property who is damaged by a violation of this article or a violation of the Supreme Court's rules or opinions governing the unlicensed practice of law shall be entitled to maintain a civil action to recover damages, treble damages, reasonable attorney's fees,

and expenses of litigation. A claim for a violation of this Code section shall be asserted in an individual action only and shall not be the subject of a class action under Code Section 9-11-23. This Code section shall not prevent the activities authorized by Code Section 15-19-52, 15-19-53, 15-19-54, 15-19-59, or 43-40-25.1."

SECTION 2.

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

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

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

Y Abrams	Y Coomer	Y Harbin	E Meadows	Y Smith, E
Y 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
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E Pak	Y Stephenson
Y Bell	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
E Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
Y Brockway	Y Efrstration	Y Jones, J.B.	N Pruet	Y Teasley
Y Brooks	Y Ehrhart	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	Y Evans	Y Kaiser	E Ramsey	Y Turner
N 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	N Welch
Y Cantrell	Y Frazier	Y Kirby	Rice	Y Weldon
Y Carson	Y Frye	Y Knight	N Roberts	Y Werkheiser
Y Carter	Y Gardner	Y LaRiccia	Y Rogers, C	Y Wilkerson
Casas	Y Gasaway	Y Lumsden	Y Rogers, T	Y Wilkinson
Y Chandler	Y Geisinger	Y Mabra	Y Rutledge	Y Willard
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	Y Golick	Y Martin	Y Scott	Y Williams, C
Y Clark, H	Y Gordon	Y Maxwell	N Setzler	Y Williams, E
Y Clark, V	Y Gravley	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 164, nays 5.

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

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

Mr. Speaker:

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

SB 130. By Senators Thompson of the 14th, Unterman of the 45th, Stone of the 23rd, Henson of the 41st, Seay of the 34th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to general provisions relative to the uniform rules of the road, so as to provide that any person in control of a motor vehicle who smokes or permits another occupant to smoke when a person under the age of 15 is in the vehicle shall be guilty of a misdemeanor; to provide for secondary enforcement; to define a certain term; to provide a penalty; to provide a short title; to repeal conflicting laws; and for other purposes.

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

HB 537. By Representatives Rogers of the 29th, Hawkins of the 27th, Cooper of the 43rd and Hatchett of the 150th:

A BILL to be entitled an Act to amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to medical assistance generally, so as to provide for a single administrator for dental services for Medicaid recipients and PeachCare for Kids participants; to require the Department of Community Health to competitively bid out and contract with such single administrator; to provide for requirements for the single administrator; to provide for applicability; to provide for an amendment to the state plan if necessary; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

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

Y Abrams	Y Coomer	Y Harbin	E Meadows	Y Smith, E
Y 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
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E Pak	Y Stephenson
Y Bell	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
E 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	Ehrhart	Jones, L	Y Quick	Y Thomas, A.M.
Y Bruce	Y England	Y Jones, S	Y Raffensperger	Y Thomas, E
Y Bryant	Y Epps	Jordan	Y Rakestraw	Y Trammell
Y Buckner	Y Evans	Y Kaiser	E 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 Wilkinson
Y Casas	Y Gasaway	Y Lumsden	Y Rogers, T	Y Willard
Y Chandler	Y Geisinger	Y Mabra	Y Rutledge	Y Willard
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	Y Golick	Y Martin	Y Scott	Y Williams, C
Y Clark, H	Y Gordon	Y Maxwell	N Setzler	Y Williams, E
Clark, V	Y Gravley	Y Mayo	Y Sharper	Y Williamson
Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, the ayes were 166, nays 1.

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

HB 429. By Representatives Stephens of the 164th, Wilkinson of the 52nd, Shaw of the 176th, Dollar of the 45th, Rogers of the 29th and others:

A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to provide that no health benefit plan shall restrict coverage for prescribed treatment based upon the insured's diagnosis with a terminal condition; to provide for

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

The following amendment was read:

Representatives Setzler of the 35th and Stephens of the 164th offer the following amendment:

Amend HB 429 by inserting between lines 20 and 21 the following:

(3) 'Treatment' does not include any medication or medical procedure, regardless of where actually prescribed, dispensed, or administered, which if prescribed, dispensed, or administered in this state would constitute assisted suicide in violation of Code Section 16-5-5.

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

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

Y Coleman	Y Greene	Y McCall	Y Shaw	N Yates
Cooke	Y Hamilton	N McClain	Y Sims	Ralston, Speaker

On the adoption of the amendment, the ayes were 105, nays 61.

The amendment was adopted.

House of Representatives
18 Capitol Square, SW
Coverdell Legislative Office Building, Suite 612
Atlanta, Georgia 30334

Mr. Clerk,

Please allow this notice serve as my desire to request a change in the vote cast on Rep. Ed Setzler's amendment, AM 25 1344.

I did not intend to vote no as I was off the floor and did not have full knowledge of amendment. I wish to change my vote to a "yes" for the record.

/s/ Micah Gravley

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

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

Y Abrams	Y Coomer	Y Harbin	E Meadows	Y Smith, E
Y 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	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
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E Pak	Y Stephenson
Y Bell	Y Dollar	Y Holmes	Y Parrish	Y Stovall
Y Belton	Y Douglas	Y Houston	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
E 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	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	Y Evans	Y Kaiser	E 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	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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, as amended, the ayes were 170, nays 0.

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

HB 470. By Representatives Knight of the 130th, Carter of the 175th, Shaw of the 176th, Taylor of the 173rd, Parrish of the 158th and others:

A BILL to be entitled an Act to amend Article 6 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to pharmacies, so as to change certain provisions relating to "The Pharmacy Audit Bill of Rights"; to amend Chapter 64 of Title 33 of the Official Code of Georgia Annotated, relating to regulation and licensure of pharmacy benefits managers, so as to define certain terms; to impose certain requirements for the use of maximum allowable cost pricing by pharmacy benefits managers; to provide for enforcement of such requirements; to provide for requirements relating to in-person pharmacies; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Article 6 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to pharmacies, so as to change certain provisions relating to "The Pharmacy Audit Bill of Rights"; to amend Chapter 64 of Title 33 of the Official Code of Georgia Annotated, relating to regulation and licensure of pharmacy benefits managers, so as to define certain terms; to impose certain requirements for the use of maximum allowable cost pricing by pharmacy benefits managers; to provide for enforcement of such

requirements; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 6 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to pharmacies, is amended by revising Code Section 26-4-118, relating to "The Pharmacy Audit Bill of Rights," as follows:

"26-4-118.

(a) This Code section shall be known and may be cited as 'The Pharmacy Audit Bill of Rights.'

(b) Notwithstanding any other law, when an audit of the records of a pharmacy is conducted by a managed care company, insurance company, third-party payor, pharmacy benefits manager, any entity licensed by the Department of Insurance, the Department of Community Health under Article 7 of Chapter 4 of Title 49, or any entity that represents such companies, groups, or department, or a private person bringing a claim pursuant to Article 7B of Chapter 4 of Title 49, it shall be conducted in accordance with the following bill of rights:

(1) The entity conducting the initial on-site audit must give the pharmacy notice at least ~~one week~~ 14 days prior to conducting the initial on-site audit for each audit cycle and include in such notice a comprehensive list of claims by prescription number to be audited, although the final two digits may be omitted;

(2) Any audit which involves clinical or professional judgment must be conducted by or in consultation with a pharmacist;

(3) Any clerical or record-keeping error, including but not limited to a typographical error, scrivener's error, or computer error, regarding a required document or record ~~may shall~~ not in and of itself constitute fraud. No such claim shall be subject to criminal penalties without proof of intent to commit fraud. No recoupment of the cost of drugs or medicinal supplies properly dispensed shall be allowed if such error has occurred and been resolved in accordance with paragraph (4) of this subsection; provided, however, that recoupment shall be allowed to the extent that such error resulted in an overpayment, ~~underpayment, or improper dispensing of drugs or medicinal supplies.~~ though recoupment shall be limited to the amount overpaid;

(4) A pharmacy shall be allowed at least 30 days following the conclusion of an on-site audit or receipt of the preliminary audit report in which to correct a clerical or record-keeping error or produce documentation to address any discrepancy found during an audit, including to secure and remit an appropriate copy of the record from a hospital, physician, or other authorized practitioner of the healing arts for drugs or medicinal supplies written or transmitted by any means of communication if the lack of such a record or an error in such a record is identified in the course of an on-site audit or noticed within the preliminary audit report;

- (5) A pharmacy may use the records of a hospital, physician, or other authorized practitioner of the healing arts for drugs or medicinal supplies written or transmitted by any means of communication for purposes of validating the pharmacy record with respect to orders or refills of a legend or narcotic drug;
 - (6) A finding of an overpayment or underpayment may be a projection based on the number of patients served having a similar diagnosis or on the number of similar orders or refills for similar drugs; however, recoupment of claims must be based on the actual overpayment or underpayment unless the projection for overpayment or underpayment is part of a settlement as agreed to by the pharmacy;
 - (7) Each pharmacy shall be audited under the same standards and parameters as other similarly situated pharmacies audited by the entity;
 - (8) The period covered by an audit may not exceed two years from the date the claim was submitted to or adjudicated by a managed care company, insurance company, third-party payor, pharmacy benefits manager, any entity licensed by the Department of Insurance, the Department of Community Health under Article 7 of Chapter 4 of Title 49, ~~or~~ any entity that represents such companies, groups, or department;
 - (9) An audit may not be initiated or scheduled during the first seven calendar days of any month due to the high volume of prescriptions filled during that time unless otherwise consented to by the pharmacy;
 - (10) The preliminary audit report must be delivered to the pharmacy within 120 days after conclusion of the audit. A final audit report shall be delivered to the pharmacy within six months after receipt of the preliminary audit report or final appeal, as provided for in subsection (c) of this Code section, whichever is later; and
 - (11) The audit criteria set forth in this subsection shall apply only to audits of claims submitted for payment after July 1, 2006. Notwithstanding any other provision in this subsection, the agency conducting the audit shall not use the accounting practice of extrapolation in calculating recoupments or penalties for audits.
- (c) Recoupments of any disputed funds shall only occur after final internal disposition of the audit, including the appeals process as set forth in subsection (d) of this Code section.
- (d) Each entity conducting an audit shall establish an internal appeals process under which a pharmacy shall have at least 30 days from the delivery of the preliminary audit report to appeal an unfavorable preliminary audit report to the entity. If, following the appeal, the entity finds that an unfavorable audit report or any portion thereof is unsubstantiated, the entity shall dismiss the audit report or such portion without the necessity of any further proceedings.
- (e) Each entity conducting an audit shall provide a copy of the final audit report, after completion of any review process, to the plan sponsor at its request or in an alternate format.
- (f) This Code section shall not apply to any investigative audit which involves fraud, willful misrepresentation, or abuse, including without limitation investigative audits under Article 7 of Chapter 4 of Title 49, Code Section 33-1-16, or any other statutory provision which authorizes investigations relating to insurance fraud.

(g) The provisions of paragraph (3) of subsection (b) of this Code section shall not apply to the Department of Community Health conducting audits under Article 7 of Chapter 4 of Title 49.

(h) The entity conducting the audit may not pay the agent or employee who is conducting the audit based on a percentage of the amount recovered.

(i) The Commissioner of Insurance shall have enforcement authority over this Code section and shall have the authority granted pursuant to Chapter 64 of Title 33, relating to the regulation and licensure of pharmacy benefits managers."

SECTION 2.

Chapter 64 of Title 33 of the Official Code of Georgia Annotated, relating to regulation and licensure of pharmacy benefits managers, is amended by revising Code Section 33-64-1, relating to definitions, as follows:

"33-64-1.

As used in this chapter, the term:

(1) 'Business entity' means a corporation, association, partnership, sole proprietorship, limited liability company, limited liability partnership, or other legal entity.

(2) 'Commissioner' means the Commissioner of Insurance.

(3) 'Covered entity' means an employer, labor union, or other group of persons organized in this state that provides health coverage to covered individuals who are employed or reside in this state.

(4) 'Covered individual' means a member, participant, enrollee, contract holder, policy holder, or beneficiary of a covered entity who is provided health coverage by a covered entity.

(5) 'Health system' means a hospital or any other facility or entity owned, operated, or leased by a hospital and a long-term care home.

(6) 'Maximum allowable cost' means the per unit amount that a pharmacy benefits manager reimburses a pharmacist for a prescription drug, excluding dispensing fees and copayments, coinsurance, or other cost-sharing charges, if any.

(7) 'Pharmacy' means a pharmacy or pharmacist licensed pursuant to Chapter 4 of Title 26 or another dispensing provider.

~~(6)~~(8) 'Pharmacy benefits management' means the service provided to a health plan or covered entity, directly or through another entity, including the procurement of prescription drugs to be dispensed to patients, or the administration or management of prescription drug benefits, including, but not limited to, any of the following:

(A) Mail ~~service~~ order pharmacy;

(B) Claims processing, retail network management, or payment of claims to pharmacies for dispensing prescription drugs;

(C) Clinical or other formulary or preferred drug list development or management;

(D) Negotiation or administration of rebates, discounts, payment differentials, or other incentives for the inclusion of particular prescription drugs in a particular category or to promote the purchase of particular prescription drugs;

(E) Patient compliance, therapeutic intervention, or generic substitution programs;
and

(F) Disease management.

~~(7)~~(9) 'Pharmacy benefits manager' means a person, business entity, or other entity that performs pharmacy benefits management. The term includes a person or entity acting for a pharmacy benefits manager in a contractual or employment relationship in the performance of pharmacy benefits management for a covered entity. The term does not include services provided by pharmacies operating under a hospital pharmacy license. The term also does not include health systems while providing pharmacy services for their patients, employees, or beneficiaries, for indigent care, or for the provision of drugs for outpatient procedures. The term also does not include a licensed group model health maintenance organization with an exclusive medical group contract and which operates its own pharmacies which are licensed under Code Section 26-4-110."

SECTION 3.

Said chapter is further amended by revising Code Section 33-64-7, relating to a limitation on the Commissioner to extend rules and regulations, as follows:

"33-64-7.

The Commissioner may not enlarge upon or extend the provisions of this chapter through any act, rule, or regulation; provided, however, that the Commissioner is authorized to enforce any provision of this chapter."

SECTION 4.

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

"33-64-9.

(a) Upon each contract execution or renewal between a pharmacy benefits manager and a pharmacy or between a pharmacy benefits manager and a pharmacy's contracting representative or agent, such as a pharmacy services administrative organization, a pharmacy benefits manager shall, with respect to such contract or renewal:

(1) Include in such contract or renewal the sources utilized to determine multi-source generic drug pricing, such as maximum allowable cost or any successive benchmark pricing formula, and update such pricing information at least every five business days, provided that such pricing information update shall be at least every 14 business days for those contracts pursuant to Article 7 of Chapter 4 of Title 49; and

(2) Maintain a procedure to eliminate products from the multi-source generic list of drugs subject to such pricing or modify multi-source generic drug pricing within five business days when such drugs do not meet the standards and requirements of this Code section in order to remain consistent with pricing changes in the marketplace.

(b) A pharmacy benefits manager shall reimburse pharmacies for drugs subject to multi-source generic drug pricing based upon pricing information which has been updated within five business days as set forth in paragraph (1) of subsection (a) of this Code section.

(c) A pharmacy benefits manager may not place a drug on a multi-source generic list unless there are at least two therapeutically equivalent, multi-source generic drugs, or at least one generic drug available from only one manufacturer, generally available for purchase by network pharmacies from national or regional wholesalers.

(d) All contracts between a pharmacy benefits manager and a contracted pharmacy or between a pharmacy benefits manager and a pharmacy's contracting representative or agent, such as a pharmacy services administrative organization, shall include a process to internally appeal, investigate, and resolve disputes regarding multi-source generic drug pricing. The process shall include the following:

(1) The right to appeal shall be limited to 14 calendar days following reimbursement of the initial claim; and

(2) A requirement that the health benefit plan issuer or pharmacy benefits manager shall respond to an appeal described in subsection (a) of this Code section no later than 14 calendar days after the date the appeal was received by such health benefit plan issuer or pharmacy benefits manager.

(e) For appeals that are denied, the pharmacy benefits manager shall provide the reason for the denial and identify the national drug code of a drug product that may be purchased by contracted pharmacies at a price at or below the maximum allowable cost.

(f) If the appeal is successful, the health benefit plan issuer or pharmacy benefits manager shall:

(1) Adjust the maximum allowable cost price that is the subject of the appeal effective on the day after the date the appeal is decided;

(2) Apply the adjusted maximum allowable cost price to all similarly situated pharmacists and pharmacies as determined by the health plan issuer or pharmacy benefits manager; and

(3) Allow the pharmacist or pharmacy that succeeded in the appeal to reverse and rebill the pharmacy benefits claim giving rise to the appeal.

(g) Appeals shall be upheld if:

(1) The pharmacy being reimbursed for the drug subject to the multi-source generic drug pricing in question was not reimbursed as required in subsection (b) of this Code section; or

(2) The drug subject to the multi-source generic drug pricing in question does not meet the requirements set forth in subsection (c) of this Code section.

(h) The Commissioner shall have enforcement authority over this Code section."

SECTION 5.

Sections 1 and 6 and this section of this Act shall become effective on July 1, 2015. Sections 2, 3, and 4 of this Act shall become effective on January 1, 2016.

SECTION 6.

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

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

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

Y Abrams	Y Coomer	Y Harbin	E Meadows	Y Smith, E
Y 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	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	Dickerson	Y Hightower	Y Oliver	Y Stephens, M
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E 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
E 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	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	Y Evans	Y Kaiser	E Ramsey	Y Turner
Y Burns	Y Fleming	Y Kelley	Y Randall	Y Waites
Y Caldwell, J	Y Floyd	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
Y Cheokas	E Glanton	Y Marin	Rynders	Y Williams, A
E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	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 505. By Representatives Cooper of the 43rd, Ramsey of the 72nd, Bennett of the 94th, Gasaway of the 28th, Cheokas of the 138th and others:

A BILL to be entitled an Act to amend Chapter 33 of Title 43 of the Official Code of Georgia Annotated, relating to physical therapists, so as to revise various provisions regarding the licensure and regulation of physical therapists and physical therapy assistants; to revise definitions; to include additional powers of the State Board of Physical Therapy; to revise provisions regarding use of titles; to revise provisions regarding granting licenses and discipline of licensees; 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 33 of Title 43 of the Official Code of Georgia Annotated, relating to physical therapists, so as to revise various provisions regarding the licensure and regulation of physical therapists and physical therapy assistants; to revise definitions; to include additional powers of the State Board of Physical Therapy; to revise provisions regarding use of titles; to revise provisions regarding granting licenses and discipline of licensees; 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 33 of Title 43 of the Official Code of Georgia Annotated, relating to physical therapists, is amended by revising Code Section 43-33-3, relating to definitions, as follows:

"43-33-3.

As used in this chapter, the term:

- (1) 'Board' means the State Board of Physical Therapy.
- (2) 'License' means a valid and current certificate of registration issued by the board, which shall give the person to whom it is issued authority to engage in the practice prescribed thereon.
- (3) 'Licensee' means any person holding a license under this chapter.
- (4) 'Person' means a human being only, not a legal entity.
- (5) 'Physical therapist' means a person licensed to practice physical therapy as defined in this chapter and whose license is in good standing. ~~A physical therapist shall be designated by the initials 'P.T.'~~
- (6) 'Physical therapist assistant' or 'physical therapy assistant' means a person who is licensed by the board to assist a physical therapist, whose activities are supervised and directed by a physical therapist, and whose license is in good standing. ~~A physical therapist assistant shall be designated by the initials 'P.T.A.'~~

(7) 'Physical therapy' means the care and services provided by or under the direction and supervision of a physical therapist who is licensed pursuant to this chapter. The term 'physiotherapist' shall be synonymous with 'physical therapy' pursuant to this chapter. The practice of physical therapy means:

(A) Examining, evaluating, and testing patients and clients with mechanical, physiological, and developmental impairments, activity limitations, participation restrictions, and disabilities or other movement related conditions in order to determine a physical therapy diagnosis, prognosis, and plan of intervention and to assess the ongoing effects of intervention;

(B) Alleviating impairments of body structure or function by designing, implementing, and modifying interventions to improve activity limitations or participation restrictions for the purpose of preventing or reducing the incidence and severity of physical disability, bodily malfunction, and pain;

(C) Reducing the risk of injury, impairment, activity limitations, participation restrictions, and disability, including the promotion and maintenance of health, fitness, and wellness in populations of all ages;

(D) Planning, administering, evaluating, and modifying intervention and instruction, including the use of physical measures, activities, and devices, including but not limited to dry needling for preventative and therapeutic purposes; and

(E) Engaging in administration, consultation, education, teaching, research, telehealth, and the provision of instructional, consultative, educational, and other advisory services.

~~the examination, treatment, and instruction of human beings to detect, assess, prevent, correct, alleviate, and limit physical disability, bodily malfunction and pain from injury, disease, and any other bodily and mental conditions and includes the administration, interpretation, documentation, and evaluation of tests and measurements of bodily functions and structures; the planning, administration, evaluation, and modification of treatment and instruction, including the use of physical measures, activities, and devices, for preventative and therapeutic purposes, including but not limited to dry needling; and the provision of consultative, educational, and other advisory services for the purpose of preventing or reducing the incidence and severity of physical disability, bodily malfunction, and pain.~~

(8) 'Physical therapy aide' means a person who only performs designated and supervised physical therapy tasks. The physical therapy aide must receive direct supervision and must be directed on the premises at all times by a licensee. Physical therapy aides are not licensed under this chapter.

(9) 'Trainee' means an individual who is approved for a traineeship.

(10) 'Traineeship' means a period of activity during which a trainee works under the direct supervision of a licensed physical therapist who has practiced for not less than one year prior to assuming the supervisory role.

(11) 'Training permit' means a valid and current certificate of registration issued by the board, which gives the person to whom it is issued authority to engage in practice through a traineeship prescribed thereon."

SECTION 2.

Said chapter is further amended by revising Code Section 43-33-7, relating to conduct of business by telephone, as follows:

"43-33-7.

With the exception of hearings in contested cases, the board may conduct business in conference by telephone or other digital means, provided that members of the board shall not receive compensation for business conducted in conference by telephone or other digital means."

SECTION 3.

Said chapter is further amended by revising Code Section 43-33-11, relating to license required for physical therapists or physical therapy assistants, use of titles, and limitation on scope of Code section, as follows:

"43-33-11.

~~A physical therapist shall display either the title 'physical therapist' or the abbreviation 'P.T.' on a name tag or other similar form of identification during times when such person is providing direct patient care. A physical therapist assistant shall display either the title 'physical therapist assistant' or the abbreviation 'P.T.A.' on a name tag or other similar form of identification during times when such person is providing direct patient care. A physical therapy aide shall be required to display the title 'physical therapy aide' on a name tag or other similar form of identification during times when such person is assisting a licensee. No person shall practice as a physical therapist or as a physical therapist assistant nor hold himself or herself out as being able to practice as a physical therapist or as a physical therapist assistant or as providing physical therapy or use the initials P.T. or P.T.A. in conjunction therewith or use any word or title to induce the belief that he or she is engaged in the practice of physical therapy unless he or she holds a license and otherwise complies with the provisions of this chapter and the rules and regulations adopted by the board.~~

(a) A physical therapist shall clearly inform the public of his or her professional credential as a physical therapist. A physical therapist shall use the appropriate regulatory designator as identified by the board.

(b) A physical therapist assistant shall use the letters 'PTA' immediately following his or her name to designate licensure under this chapter. A person shall not use the title 'physical therapist assistant,' the letters 'PTA,' or any other words, abbreviations, or insignia in connection with that person's name to indicate or imply, directly or indirectly, that the person is a physical therapist assistant unless that person is licensed as a physical therapist assistant pursuant to this chapter.

(c) A person or business entity and its employees, agents, or representatives shall not use in connection with that person's name or the name or activity of the business entity the words 'physical therapy,' 'physical therapist,' 'physiotherapist,' or 'doctor of physical therapy,' the letters 'PT,' 'CPT,' 'DPT,' 'LPT,' 'RPT,' or 'MPT,' or any other words, abbreviations, or insignia indicating or implying, directly or indirectly, that physical therapy is provided or supplied, unless such services are provided by or under the

direction of a physical therapist licensed pursuant to this chapter. A person or business entity shall not advertise or otherwise promote another person as being a physical therapist or physiotherapist unless the individual so advertised or promoted is licensed as a physical therapist under this chapter. A person or business entity that offers, provides, or bills any other person for services shall not characterize those services as physical therapy unless the individual directing and supervising those services is a person licensed under this chapter.

(d) Nothing in this Code section shall be construed as preventing or restricting the practice, services, or activities of:

(1) Any person licensed under any other law of this state who is engaged in the professional or trade practices properly conducted under the authority of such other licensing laws;

(2) Any person pursuing a course of study leading to a degree or certificate as a physical therapist or as a physical therapist assistant in an entry level educational program approved by the board, if such person is designated by a title indicating student status, is fulfilling work experiences required for the attainment of the degree or certificate, and is under the supervision of a licensed physical therapist;

(3) Any person enrolled in a course of study designed to develop advanced physical therapy skills when the physical therapy activities are required as part of an educational program sponsored by an educational institution approved by the board and are conducted under the supervision of a physical therapist licensed under this chapter. If such person provides physical therapy services outside the scope of the educational program, he or she shall then be required to be licensed in accordance with this chapter;

(4) A physical therapist licensed in another state or country or employed by the United States government conducting a teaching or clinical demonstration in connection with an academic or continuing education program;

(5) Any person employed as a physical therapist or as a physical therapist assistant by the United States government if such person provides physical therapy services solely under the direction or control of the employing organization. If such person shall engage in the practice of physical therapy or as a physical therapist assistant outside the course and scope of such employment, he or she shall then be required to be licensed in accordance with this chapter; ~~or~~

(6) A person currently licensed in another state who is present in this state for treatment of a temporary sojourner only, ~~said such~~ such treatment in this state not to exceed a total of 60 days during any 12 month period; or

(7) A person currently licensed in another state who is present in this state providing physical therapy services during a declared local, jurisdictional, or national disaster or emergency, such services not to exceed a total of 60 days during any 12 month period."

SECTION 4.

Said chapter is further amended by revising Code Section 43-33-12, relating to requirements for license to practice physical therapy, as follows:

"43-33-12.

A license to practice physical therapy shall be issued to any person who:

- (1) Is a graduate of an educational program that prepares physical therapists and which is accredited by a recognized accrediting agency and approved by the board or, in the case of an applicant who has graduated from an educational program which prepares physical therapists conducted in a foreign country, has submitted, in a manner prescribed by the board, credentials approved by the board and who has further demonstrated the ability to speak, write, and understand the English language and has satisfactorily completed a three-month board approved traineeship under the supervision of a physical therapist licensed under this chapter;
- (2) Has satisfactorily passed an examination prepared or approved by the board and has acquired any additional education and training required by the board; and
- (3) Is not disqualified to receive a license under the provisions of Code Section 43-33-18 or subsection (a) or (c) of Code Section 43-1-19."

SECTION 5.

Said chapter is further amended by revising Code Section 43-33-13, relating to requirements for license to practice as physical therapy assistant, as follows:

"43-33-13.

A license to practice as a physical therapist assistant shall be issued to any person who:

- (1) Is a graduate of an educational program that prepares physical therapist assistants and which is accredited by a recognized accrediting agency and approved by the board or, in the case of an applicant who has graduated from an educational program which prepares physical therapist assistants conducted in a foreign country, has submitted, in a manner prescribed by the board, credentials approved by the board and who has further demonstrated the ability to speak, write, and understand the English language and has satisfactorily completed a three-month board approved traineeship under the supervision of a physical therapist licensed under this chapter;
- (2) Has satisfactorily passed an examination prepared or approved by the board; and
- (3) Is not disqualified to receive a license under the provisions of Code Section 43-33-18 or subsection ~~(a)~~ (b) or (c) of Code Section 43-1-19."

SECTION 6.

Said chapter is further amended by revising Code Section 43-33-18, relating to refusal to grant or restore licenses, discipline of licensees, suspension, revocation, or restriction of licenses, and immunity for violation reporters, as follows:

"43-33-18.

(a) The board shall have authority to refuse to grant or restore a license to an applicant or to discipline a physical therapist licensed under this chapter upon a finding by the board that the licensee or applicant has:

(1) Identified himself or herself as a doctor without also clearly informing the public of his or her professional credential as a physical therapist;

(2) Performed physical therapy care and services without examination and evaluation of patients or clients in order to determine a physical therapy diagnosis, prognosis, and plan of intervention, which, in the case of patients who have self-referred, means the physical therapist has:

(A) Failed to refer the patient to an individual licensed pursuant to Article 2 of Chapter 11 of Title 43 or Article 2 of Chapter 34 of Title 43 if at any time the physical therapist has reason to believe that the patient has symptoms or conditions that require treatment beyond the scope of practice of the physical therapist or, regardless of the patient's condition, if after 21 days or eight visits from the initiation of a physical therapy plan of intervention, the physical therapist has not received a referral from the patient's provider who is licensed pursuant to Article 2 of Chapter 11 of Title 43 or Article 2 of Chapter 34 of Title 43. The day and visit limitations contained in this subparagraph shall not apply:

(i) In the case of services provided for health promotion, wellness, fitness, or maintenance purposes, in which case the physical therapist shall refer a client seen for health promotion, wellness, fitness, or maintenance purposes to an appropriate individual licensed pursuant to Article 2 or 4 of Chapter 34 of Title 43 if the client exhibits or develops signs and symptoms beyond the scope of practice of the physical therapist;

(ii) In the case of a patient diagnosed within the previous nine months with a neuromuscular or developmental condition when the evaluation, treatment, or services are being provided for problems or symptoms associated with that previously diagnosed condition; or

(iii) In the case of a patient diagnosed within the previous 90 days with a chronic musculoskeletal condition and noted by a current relevant document from an appropriate licensed health care provider;

(B) Ordered radiology, performed surgery, ordered laboratory or body fluid testing, diagnosed disease, or practiced medicine;

(C) Failed to provide each self-referred patient with a written disclosure that a physical therapy diagnosis is not a medical diagnosis by a physician or based on radiological imaging;

(D) Not satisfied the additional requirements for seeing a patient who has self-referred, which shall include:

(i) A doctorate in physical therapy or equivalent degree plus two years of clinical practice experience;

(ii) A doctorate in physical therapy or equivalent and:

(I) Post graduate certification;

(II) American Board of Physical Therapy Specialties Board Certification; or

(III) Residency or fellowship training; or

(iii) Five years of clinical practice experience; or

- (E) Performed dry needling treatment interventions without consulting an individual licensed pursuant to Article 2 or 4 of Chapter 34 of Title 43; or
- (3) Acted in a manner inconsistent with generally accepted standards of physical therapy practice, regardless of whether actual injury to a patient occurs, or failed to provide the expected minimal standard of patient or client management, which shall include that:
- (A) A physical therapist is fully responsible for managing all aspects of the physical therapy care of each patient. A physical therapist shall provide:
- (i) The initial evaluation, determination of physical therapy diagnosis, prognosis, and plan of intervention and documentation of the initial evaluation;
- (ii) Periodic reevaluation and documentation of findings for each patient; and
- (iii) The documented episode of care for each patient, including the patient's response to the plan of intervention at the time of completion of the episode of care;
- (B) A physical therapist shall assure the qualifications of all physical therapist assistants and physical therapy aides under his or her direction and supervision;
- (C) For each patient on each date of service, a physical therapist shall provide all of the intervention that requires the education, skills, knowledge, and abilities of a physical therapist;
- (D) A physical therapist shall determine the use of physical therapist assistants and physical therapy aides to ensure the delivery of care that is safe, effective, and efficient. A physical therapist may use physical therapy aides for designated routine tasks. A physical therapy aide shall work under the supervision of a physical therapist;
- (E) A physical therapist shall communicate the overall plan of care with the patient or the patient's legally authorized representative;
- (F) A physical therapist's responsibility shall include accurate documentation and billing of the services provided;
- (G) A physical therapist shall adhere to the recognized standards for professional conduct and code of ethics of the physical therapy profession as established by rule; and
- (H) A physical therapist shall ensure that he or she has liability coverage either independently or provided by the entity by which he or she is employed.
- (b) The board shall have authority to refuse to grant or restore a license to an applicant or to discipline a physical therapist assistant licensed under this chapter upon a finding by the board that the licensee or applicant has:
- (1) Worked outside the supervision of a physical therapist;
- (2) Failed to provide accurate documentation or billing of services provided;
- (3) Failed to adhere to the recognized standards of ethical conduct and code of ethics as established by rule; or
- (4) Acted in a manner inconsistent with generally accepted standards of the physical therapist assistant's scope of work, regardless of whether actual injury to the patient occurs.

~~(a)(c)~~ The board shall have authority to refuse to grant or restore a license to an applicant or to discipline a physical therapist or physical therapist assistant licensed under this chapter or any antecedent law upon a finding by the board that the licensee or applicant has:

~~(1)(A) Implemented or continued a program of physical therapy treatment without consultation with an appropriate licensed practitioner of the healing arts; except that a physical therapist may implement a program of physical therapy treatment without consultation with an appropriately licensed practitioner of the healing arts when:~~

~~(i) Services are provided for the purpose of fitness, wellness, or prevention that is not related to the treatment of an injury or ailment; or~~

~~(ii)(I) The patient was previously diagnosed and received treatment or services for that diagnosis and the patient returns to physical therapy within 60 days of discharge from physical therapy for problems and symptoms that are related to the initial referral to the physical therapist. In such a situation the physical therapist shall notify the original referral source of the return to physical therapy within five business days; and~~

~~(II) The physical therapist holds a master's or doctorate degree from a professional physical therapy program that is accredited by a national accreditation agency recognized by the United States Department of Education and approved by the Georgia State Board of Physical Therapy or the physical therapist has completed at least two years of practical experience as a licensed physical therapist.~~

~~If after 90 days of initiating physical therapy services the physical therapist determines that no substantial progress has been made with respect to the primary complaints of the patient, the physical therapist shall refer the patient to an appropriately licensed practitioner of the healing arts. If at any time the physical therapist has reason to believe that the patient has symptoms or conditions that require treatment or services beyond the scope of practice of the physical therapist, the physical therapist shall refer the patient to an appropriately licensed practitioner of the healing arts; or~~

~~(B) In the case of practice as a physical therapist assistant, practiced other than under the supervision and direction of a licensed physical therapist;~~

~~(2)(1)~~ Displayed an inability or has become unable to practice as a physical therapist or as a physical therapist assistant with reasonable skill and safety to patients by reason of illness, use of alcohol, drugs, narcotics, chemicals, or any other type of material, or as a result of any mental or physical condition:

(A) In enforcing this paragraph the board may, upon reasonable grounds, require a licensee or applicant to submit to a mental or physical examination by an appropriate ~~practitioner of the healing arts~~ licensed health care provider designated by the board. The expense of such mental or physical examination shall be borne by the licensee or applicant. The results of such examination shall be admissible in any hearing before the board, notwithstanding any claim of privilege under a contrary rule of law or statute, including, but not limited to, Code Section 24-5-501. Every

person who shall accept the privilege of practicing physical therapy in this state or who shall file an application for a license to practice physical therapy in this state shall be deemed to have given his or her consent to submit to such mental or physical examination and to have waived all objections to the admissibility of the results in any hearing before the board upon the grounds that the same constitutes a privileged communication. If a licensee or applicant fails to submit to such an examination when properly directed to do so by the board, unless such failure was due to circumstances beyond his or her control, the board may enter a final order upon proper notice, hearing, and proof of such refusal. Any licensee or applicant who is prohibited from practicing physical therapy under this paragraph shall at reasonable intervals be afforded an opportunity to demonstrate to the board that he or she can resume or begin the practice of physical therapy with reasonable skill and safety to patients;

(B) For the purposes of this paragraph, the board may, upon reasonable grounds, obtain any and all records relating to the mental or physical condition of a licensee or applicant, including psychiatric records; and such records shall be admissible in any hearing before the board, notwithstanding any privilege under a contrary rule of law or statute, including, but not limited to, Code Section 24-5-501. Every person who shall accept the privilege of practicing physical therapy in this state or who shall file an application to practice physical therapy in this state shall be deemed to have given his or her consent to the board's obtaining any such records and to have waived all objections to the admissibility of such records in any hearing before the board upon the grounds that the same constitute a privileged communication; and

(C) If any licensee or applicant could, in the absence of this paragraph, invoke a privilege to prevent the disclosure of the results of the examination provided for in subparagraph (A) of this paragraph or the records relating to the mental or physical condition of such licensee or applicant obtained pursuant to subparagraph (B) of this paragraph, all such information shall be received by the board in camera and shall not be disclosed to the public, nor shall any part of the record containing such information be used against any licensee or applicant in any other type of proceeding;

~~(3)~~(2) Been convicted of a felony or crime involving moral turpitude in the courts of this state, or the United States; or the conviction of an offense in another jurisdiction which if committed in this state would be deemed a felony. For the purpose of this Code section, a 'conviction' shall include a finding or verdict of guilty, a plea of guilty, or a plea of nolo contendere in a criminal proceeding regardless of whether the adjudication of guilt or sentence is withheld or not entered thereon pursuant to the provisions of Code Sections 42-8-60 through 42-8-64, relating to first offenders, or any comparable rule or statute;

~~(4)~~(3) Knowingly made misleading, deceptive, untrue, or fraudulent representations to a patient, consumer, or other person or entity in connection with the practice of physical therapy or in any document connected therewith; practiced fraud or deceit or intentionally made any false statement in obtaining or attempting to obtain a license to

practice physical therapy or as a physical therapist assistant; or made a false or deceptive biennial registration with the board;

~~(5)~~(4) Practiced physical therapy contrary to this Code section or to the rules and regulations of the board; knowingly aided, assisted, procured, or advised any person to practice physical therapy contrary to this Code section or to the rules and regulations of the board; or knowingly performed any act which in any way aids, assists, procures, advises, or encourages any unlicensed person to practice physical therapy;

~~(6)~~(5) Engaged in any unprofessional, unethical, deceptive, or deleterious conduct or practice harmful to the public, which conduct or practice need not have resulted in actual injury to any person; unprofessional conduct shall also include any departure from, or the failure to conform to, the minimal standards of acceptable and prevailing physical therapy practice or the failure to comply with the code of ethics of the board;

~~(7)~~(6) Failed to report to the board any act or omission of a licensee or applicant or any other person which violates the provisions of this subsection; or

~~(8)~~(7) Divided fees or agreed to divide fees received for professional services with any person, firm, association, corporation, or other entity for bringing or referring a patient.

~~(b)~~(d)(1) When the board finds that any person is unqualified to be granted a license or finds that any person should be disciplined pursuant to subsection (a), (b), or (c) of this Code section, the board may take any one or more of the following actions:

(A) Refuse to grant or restore a license to an applicant;

(B) Administer a public or private reprimand, but a private reprimand shall not be disclosed to any person except the licensee;

(C) Suspend any license for a definite period;

(D) Limit or restrict any license;

(E) Revoke any license;

(F) Condition the penalty or withhold formal disposition, upon the physical therapist's, physical therapist assistant's, or other person's submission to the care, counseling, or treatment of physicians or other professional persons, and the completion of such care, counseling, or treatment, as directed by the board; or

(G) Impose a fine not to exceed \$500.00 for each violation of law, rule, or regulation of the board.

(2) In addition to or in conjunction with the actions enumerated pursuant to paragraph (1) of this subsection, the board may make a finding adverse to the licensee or applicant but withhold imposition of judgment and penalty, or it may impose the judgment and penalty but suspend enforcement thereof and place the licensee or applicant on probation, which ~~probation~~ may be vacated upon noncompliance with such reasonable terms as the board may impose.

~~(e)~~(e) In its discretion, the board may restore and reissue a license issued under this chapter or any antecedent law and, as a condition thereof, it may impose any disciplinary or corrective measure provided in this chapter.

~~(d)~~(f) A person, firm, corporation, association, authority, or other entity shall be immune from civil and criminal liability for reporting the acts or omissions of a licensee or applicant which violate the provisions of subsection (a), (b), or (c) of this Code section or any other provision of law relating to a licensee's or applicant's fitness to practice as a physical therapist or as a physical therapist assistant, if such report is made in good faith without fraud or malice. Any person who testifies without fraud or malice before the board in any proceeding involving a violation of the provisions of subsection (a), (b), or (c) of this Code section or any other law relating to a licensee's or applicant's fitness to practice as a physical therapist or as a physical therapist assistant shall be immune from civil and criminal liability for so testifying."

SECTION 7.

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

The following amendment was read and adopted:

Representatives Cooper of the 43rd, Ramsey of the 72nd, and Jasperse of the 11th offer the following amendment:

Amend the House Committee on Health and Human Services substitute to HB 505 (LC 33 6101S) by inserting between "imaging" and the semicolon at the end of line 220 the following:

and that such services might not be covered by the patient's health plan or insurer

The Committee substitute, as amended, was adopted.

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

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

Y Abrams	Y Coomer	Y Harbin	E Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	N 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
Ballinger	Y Dempsey	N Henson	Y Nix	Y Spencer
Y Barr	Y Dickerson	Y Hightower	Y Oliver	Y Stephens, M
N Battles	Y Dickey	N Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E Pak	Y Stephenson
Y Bell	N Dollar	Y Holmes	Y Parrish	Y Stovall
Y Belton	Y Douglas	Y Houston	Y Parsons	Y Stover
Y Bennett	N 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
Beverly	Y Duncan	Y Jasperse	Y Powell, J	Y Taylor, D
E Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
Y Brockway	Y Efrstration	Y Jones, J.B.	Y Pruett	N Teasley
Y Brooks	Y Ehrhart	Y Jones, L	Y Quick	N Thomas, A.M.
N Bruce	Y England	Y Jones, S	Y Raffensperger	Y Thomas, E
Y Bryant	Y Epps	Y Jordan	Y Rakestraw	Y Trammell
Y Buckner	Y Evans	Y Kaiser	E Ramsey	Y Turner
Y Burns	Y Fleming	Y Kelley	Y Randall	Waites
N Caldwell, J	Y Floyd	Y Kendrick	Y Reeves	N 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
N Carter	Y Gardner	N LaRicca	Y Rogers, C	Y Wilkerson
Y Casas	Y Gasaway	Y Lumsden	Rogers, T	N Wilkinson
Y Chandler	Y Geisinger	N Mabra	Y Rutledge	Y Willard
Y Cheokas	E Glanton	Y Marin	N Rynders	Y Williams, A
E 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	N Gravley	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	N Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, as amended, the ayes were 151, nays 18.

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

The following messages were received from the Senate through Mr. Cook, the Secretary thereof:

Mr. Speaker:

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

SB 203. By Senator Hill of the 6th:

A BILL to be entitled an Act to amend Chapter 13 of Title 45 of the Official Code of Georgia Annotated, relating to the Secretary of State, so as create the Georgia World War I Centennial Commission; to provide for the membership, powers and duties, expense reimbursement, and operations of the commission; to provide for administrative assignment of the commission to the office of the Secretary of State and legal services by the Attorney General; to provide for the purpose of the commission; to authorize the solicitation, receipt, and expenditure of appropriations and donations; to provide for reports; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

SR 126. By Senator Gooch of the 51st:

A RESOLUTION honoring the life of Mr. Bill T. Hardman and dedicating a road in his memory; and for other purposes.

Mr. Speaker:

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

SB 138. By Senators Miller of the 49th, Dugan of the 30th, Hill of the 32nd, Kennedy of the 18th, Jackson of the 24th and others:

A BILL to be entitled an Act to amend Title 49 of the Official Code of Georgia Annotated, relating to social service; to repeal a provision relating to the Council for Welfare Administration; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 145. By Senator McKoon of the 29th:

A BILL to be entitled an Act to amend Code Section 31-2-3 of the Official Code of Georgia Annotated, relating to the Board of Community Health, so as to provide that at least one member of the board is also a member of the state health benefit plan; to provide that current members carry out their respective terms; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

SB 154. By Senators Stone of the 23rd, Watson of the 1st, Harper of the 7th, Jones II of the 22nd and Rhett of the 33rd:

A BILL to be entitled an Act to amend Part 1 of Article 3 of Chapter 11 of Title 16 and Code Section 17-5-21 of the Official Code of Georgia Annotated, relating to wiretapping, eavesdropping, surveillance, and related offenses and grounds for issuance of search warrant and scope of search pursuant to a search warrant, respectively, so as to provide for law enforcement officials to record matters occurring in private places or during the execution of a search warrant; to revise a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 194. By Senators Jeffares of the 17th, Millar of the 40th, Watson of the 1st, Burke of the 11th, Mullis of the 53rd and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to general provisions regarding pharmacists and pharmacies, so as to provide that certain provisions of law regarding pharmacists and pharmacies shall not apply to a facility engaged solely in the distribution of dialysate, drugs, or devices necessary to perform home kidney dialysis to patients with end stage renal disease, provided that certain criteria are met; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

HB 17. By Representatives Spencer of the 180th, Oliver of the 82nd, Rakestraw of the 19th, Brockway of the 102nd, Morris of the 156th and others:

A BILL to be entitled an Act to amend Chapter 3 of Title 9 and Article 2 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to limitations of actions and child abuse and deprivation records, respectively, so as to extend the statute of limitations for actions for childhood sexual abuse; to provide for a short title; to provide for limitations of liability for certain legal entities; to change provisions relating to tolling of limitations for a minor's cause of action; to change provisions relating to the tolling of limitations for tort actions while criminal prosecution is pending; to change provisions relating to the confidentiality and use of certain records; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 3 of Title 9 and Article 2 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to limitations of actions and child abuse and deprivation records, respectively, so as to extend the statute of limitations for actions for childhood sexual abuse under certain circumstances; to provide for retroactive claims for childhood sexual abuse under certain circumstances; to provide for limitations of liability for certain legal entities; to change provisions relating to tolling of limitations for a minor's cause of action; to change provisions relating to the tolling of limitations for tort actions while criminal prosecution is pending; to change provisions relating to the confidentiality and

use of certain records; to provide for a short title; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be cited as the "Hidden Predator Act."

SECTION 2.

Chapter 3 of Title 9 of the Official Code of Georgia Annotated, relating to limitations of actions, is amended by revising Code Section 9-3-33.1, relating to limitations for actions for childhood sexual abuse, as follows:

"9-3-33.1.

(a)(1) As used in this ~~Code section~~ subsection, the term 'childhood sexual abuse' means any act committed by the defendant against the plaintiff which act occurred when the plaintiff was under ~~the age of 18 years~~ of age and which act would ~~have been proscribed by Code Section 16-6-1, relating to rape; Code Section 16-6-2, relating to sodomy and aggravated sodomy; Code Section 16-6-3, relating to statutory rape; Code Section 16-6-4, relating to child molestation and aggravated child molestation; Code Section 16-6-5, relating to enticing a child for indecent purposes; Code Section 16-6-12, relating to pandering; Code Section 16-6-14, relating to pandering by compulsion; Code Section 16-6-15, relating to solicitation of sodomy; Code Section 16-6-22, relating to incest; Code Section 16-6-22.1, relating to sexual battery; or Code Section 16-6-22.2, relating to aggravated sexual battery, or any prior laws of this state of similar effect which were in effect at the time the act was committed~~ be in violation of:

(A) Rape, as prohibited in Code Section 16-6-1;

(B) Sodomy or aggravated sodomy, as prohibited in Code Section 16-6-2;

(C) Statutory rape, as prohibited in Code Section 16-6-3;

(D) Child molestation or aggravated child molestation, as prohibited in Code Section 16-6-4;

(E) Enticing a child for indecent purposes, as prohibited in Code Section 16-6-5;

(F) Pandering, as prohibited in Code Section 16-6-12;

(G) Pandering by compulsion, as prohibited in Code Section 16-6-14;

(H) Solicitation of sodomy, as prohibited in Code Section 16-6-15;

(I) Incest, as prohibited in Code Section 16-6-22;

(J) Sexual battery, as prohibited in Code Section 16-6-22.1; or

(K) Aggravated sexual battery, as prohibited in Code Section 16-6-22.2.

~~(b)(2)~~ Notwithstanding Code Section 9-3-33 and except as provided in subsection (d) of this Code section, any ~~Any~~ civil action for recovery of damages suffered as a result of childhood sexual abuse committed before July 1, 2015, shall be commenced ~~within five years of~~ on or before the date the plaintiff attains the age of majority ~~23 years.~~

(b)(1) As used in this subsection, the term 'childhood sexual abuse' means any act committed by the defendant against the plaintiff which act occurred when the plaintiff was under 18 years of age and which act would be in violation of:

(A) Trafficking a person for sexual servitude, as prohibited in Code Section 16-5-46;

(B) Rape, as prohibited in Code Section 16-6-1;

(C) Statutory rape, as prohibited in Code Section 16-6-3, if the defendant was 21 years of age or older at the time of the act;

(D) Aggravated sodomy, as prohibited in Code Section 16-6-2;

(E) Child molestation or aggravated child molestation, as prohibited in Code Section 16-6-4, unless the violation would be subject to punishment as provided in paragraph (2) of subsection (b) of Code Section 16-6-4 or paragraph (2) of subsection (d) of Code Section 16-6-4;

(F) Enticing a child for indecent purposes, as prohibited in Code Section 16-6-5, unless the violation would be subject to punishment as provided in subsection (c) of Code Section 16-6-5;

(G) Incest, as prohibited in Code Section 16-6-22;

(H) Aggravated sexual battery, as prohibited in Code Section 16-6-22.2; or

(I) Part 2 of Article 3 of Chapter 12 of Title 16.

(2)(A) Notwithstanding Code Section 9-3-33, any civil action for recovery of damages suffered as a result of childhood sexual abuse committed on or after July 1, 2015, shall be commenced:

(i) On or before the date the plaintiff attains the age of 23 years; or

(ii) Within two years from the date that the plaintiff knew or had reason to know of such abuse and that such abuse resulted in injury to the plaintiff as established by competent medical or psychological evidence.

(B) When a plaintiff's civil action is filed after the plaintiff attains the age of 23 years but within two years from the date that the plaintiff knew or had reason to know of such abuse and that such abuse resulted in injury to the plaintiff, the court shall determine from admissible evidence in a pretrial finding when the discovery of the alleged childhood sexual abuse occurred. The pretrial finding required under this subparagraph shall be made within six months of the filing of the civil action.

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

(A) 'Clear and convincing evidence' means proof that will produce in the mind of the trier of facts a firm belief or conviction as to the allegations sought to be established; it is intermediate, being more than a mere preponderance, but does not require the degree of certainty as does the standard of beyond a reasonable doubt.

(B) 'Entity' means an institution, agency, firm, business, corporation, or other public or private legal entity.

(C) 'Person' means the individual alleged to have committed the act of childhood sexual abuse.

(2) If the person was a volunteer or employee of an entity that owed a duty of care to the plaintiff, or the person and the plaintiff were engaged in some activity over which

such entity had control, damages against such entity shall be awarded under this Code section only if there is a finding of negligence by clear and convincing evidence on the part of such entity.

(d)(1) It is the express intent of the General Assembly that for a period of two years following July 1, 2015, plaintiffs of any age who were time barred from filing a civil action for injuries resulting from childhood sexual abuse due to the expiration of the statute of limitations in effect on June 30, 2015, shall be permitted to file such actions against the individual alleged to have committed such abuse before July 1, 2017, thereby reviving those civil actions which had lapsed or technically expired under the law in effect on June 30, 2015.

(2) The revival of a claim as provided in paragraph (1) of this subsection shall not apply to:

(A) Any claim that has been litigated to finality on the merits in a court of competent jurisdiction prior to July 1, 2015. Termination of a prior civil action on the basis of the expiration of the statute of limitations shall not constitute a claim that has been litigated to finality on the merits;

(B) Any written settlement agreement which has been entered into between a plaintiff and a defendant when the plaintiff was represented by an attorney who was admitted to practice law in this state at the time of the settlement, and the plaintiff signed such agreement; and

(C) Any claim against an entity, as such term is defined in subsection (c) of this Code section.

(e) On and after July 1, 2017, this Code section shall be applied only prospectively."

SECTION 3.

Said chapter is further amended by revising Code Section 9-3-90, relating to persons under disability or imprisoned when cause of actions accrues, as follows:

"9-3-90.

(a) ~~Individuals~~ ~~Minors and persons~~ who are legally incompetent because of mental retardation or mental illness, who are such when the cause of action accrues, shall be entitled to the same time after their disability is removed to bring an action as is prescribed for other persons.

(b) Except as otherwise provided in Code Section 9-3-33.1, individuals who are less than 18 years of age when a cause of action accrues shall be entitled to the same time after he or she reaches the age of 18 years to bring an action as is prescribed for other persons.

~~(b)(c)~~ (c) No action accruing to a person an individual imprisoned at the time of its accrual which, prior:

(1) Prior to July 1, 1984, has been barred by the provisions of this chapter relating to limitations of actions shall be revived by this chapter, as amended. No action accruing to a person imprisoned at the time of its accrual which would; or

(2) Would be barred before July 1, 1984, by the provisions of this chapter, as amended, but which would not be so barred by the provisions of this chapter in force immediately prior to July 1, 1984, shall be barred until July 1, 1985."

SECTION 4.

Said chapter is further amended by revising Code Section 9-3-99, relating to tolling of limitations for tort actions while criminal prosecution is pending, as follows:

"9-3-99.

The running of the period of limitations with respect to any cause of action in tort that may be brought by the victim of an alleged crime which arises out of the facts and circumstances relating to the commission of such alleged crime committed in this state shall be tolled from the date of the commission of the alleged crime or the act giving rise to such action in tort until the prosecution of such crime or act has become final or otherwise terminated, provided that such time does not exceed six years, except as otherwise provided in Code Section 9-3-33.1."

SECTION 5.

Article 2 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to child abuse and deprivation records, is amended in Code Section 49-5-41, relating to persons and agencies permitted access to records, by adding a new subsection to read as follows:

"(f) Notwithstanding Code Section 49-5-40, a child who alleges that he or she was abused shall be permitted access to records concerning a report of child abuse allegedly committed against him or her which are in the custody of the department or other state or local agency when he or she reaches 18 years of age; provided, however, that prior to such child reaching 18 years of age, if the requestor is not the subject of such report, such reports shall be made available to such child's parent or legal guardian or a deceased child's duly appointed representative when the requestor or his or her attorney submits a sworn affidavit that attests that such information is relevant to a pending or proposed civil action; and provided, further, that such reports shall still be subject to confidentiality pursuant to paragraph (4) of subsection (a) of Code Section 50-18-72."

SECTION 6.

Said article is further amended by revising subsection (c) of Code Section 49-5-44, relating to penalties for unauthorized access to records and use of records in public and criminal proceedings, as follows:

"(c) Records made confidential by Code Section 49-5-40 and information obtained from such records ~~may~~ shall not be made a part of any record which is open to the public except that:

(1) A a district attorney may use and make public that record or information in the course of any criminal prosecution for any offense which constitutes or results from child abuse; and

(2) The parties in a civil action may use and make public that record or information in the course of a civil action for childhood sexual abuse, as such term is defined in Code Section 9-3-33.1."

SECTION 7.

This Act shall become effective on July 1, 2015.

SECTION 8.

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

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

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

Y Abrams	Coomer	Y Harbin	Y Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
N 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
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E 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	N Pezold	Y Tanner
Y Beskin	Y Dunahoo	Y Jacobs	Y Powell, A	Y Tarvin
Y Beverly	Y Duncan	Y Jasperse	Powell, J	Y Taylor, D
E Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
Y Brockway	Y Efrstration	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	Y Evans	Y Kaiser	E 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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

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

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

HB 84. By Representatives Cheokas of the 138th, Meadows of the 5th, Duncan of the 26th and Smith of the 134th:

A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to prohibit denial of an aircraft claim unless the insured's action or failure to act had a direct causal connection to the loss upon which the claim is based; to provide for applicability; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read:

**A BILL TO BE ENTITLED
AN ACT**

To amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to prohibit denial of an aircraft claim based upon certain losses pursuant to special flight provisions; to provide for conspicuous notice and clear exclusion notices and guidance; to provide for applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, is amended by revising Code Section 33-24-30, relating to excluding or denying coverage on basis of violation of civil air regulations, as follows:

"33-24-30.

(a) No policy of insurance issued or delivered in this state covering any loss, expense, or liability arising out of the ownership, maintenance, or use of an aircraft shall exclude or deny coverage because the aircraft is operated in violation of civil air regulations pursuant to federal, state, or local laws or ordinances.

(b) This Code section does not prohibit the use of specific exclusions or conditions in any such policy which relates to any of the following:

- (1) Certification of an aircraft in a stated category by the Federal Aviation Administration;
- (2) Certification of a pilot in a stated category by the Federal Aviation Administration;
- (3) Establishing requirements for pilot experience; or

(4) Establishing limitations on the use of the aircraft.

(c) An insurer shall not deny payment of a claim or otherwise deny coverage or cancel or not renew a policy as a result of any loss that occurs while an aircraft is being operated pursuant to and in compliance with Federal Aviation Regulations' (14 C.F.R. 21.197) special flight permit provisions and based upon the fact that the aircraft was being operated pursuant to such regulations. Provided, further, an insured shall not be required to give any notice to his or her insurer prior to operating the aircraft pursuant to Federal Aviation Regulations (14 C.F.R. 21.197) or otherwise penalized.

(d) Any policy of insurance containing one, all, or any combination of the specific exclusions or conditions in the categories permitted in subsection (b) of this Code section shall include conspicuous notice advising the insured that the policy contains such exclusions or conditions and provide specific instructions as to what actions the insured shall undertake in order to protect and preserve his or her rights and coverages under the policy."

SECTION 2.

This Act shall be applicable to policies issued on or renewed after July 1, 2015.

SECTION 3.

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

The following amendment was read and adopted:

Representatives Burns of the 159th and Cheokas of the 138th offer the following amendment:

Amend the House Committee on Insurance substitute to HB 84 (LC 37 1981S) by deleting lines 2 and 3 and inserting in lieu thereof the following:

insurance generally, so as to provide for conspicuous notice and clear exclusion

By deleting lines 23 through 30 and inserting in lieu thereof the following:

(c) Any policy of insurance containing one, all, or any combination of the specific

The Committee substitute, as amended, was adopted.

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y 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
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E Pak	Y Stephenson
Y Bell	Y Dollar	Y Holmes	Y Parrish	Y Stovall
Y Belton	Y Douglas	Y Houston	Y Parsons	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
E Broadrick	Y Ealum	Y Jones, J	Y Prince	Taylor, T
Y Brockway	Y Efstration	Y Jones, J.B.	Y 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	Jordan	Y Rakestraw	Y Trammell
Y Buckner	Y Evans	Y Kaiser	E 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	Gasaway	Y Lumsden	Y Rogers, T	Y Wilkinson
Y Chandler	Y Geisinger	Mabra	Y Rutledge	Y Willard
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, as amended, the ayes were 169, nays 0.

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

HB 201. By Representatives Parsons of the 44th, Drenner of the 85th, Hugley of the 136th and Houston of the 170th:

A BILL to be entitled an Act to amend Part 1A of Article 2 of Chapter 5 of Title 46 of the O.C.G.A., relating to telephone system for the physically impaired, so as to change certain provisions relating to the establishment, administration, and operation of the state-wide dual party relay service and audible universal information access service; to change certain legislative findings and declarations; to eliminate the prohibition as to the distribution of telecommunications equipment under telecommunications equipment distribution program based on a certain income level; to provide that wireless

devices and applications may be distributed as part of the telecommunications equipment distribution program; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Part 1A of Article 2 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated, relating to telephone system for the physically impaired, so as to change certain provisions relating to the establishment, administration, and operation of the state-wide dual party relay service and audible universal information access service; to change certain legislative findings and declarations; to modify the prohibition as to the distribution of telecommunications equipment under telecommunications equipment distribution program based on a certain income level; to provide that wireless devices and applications may be distributed as part of the telecommunications equipment distribution program; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 1A of Article 2 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated, relating to telephone system for the physically impaired, is amended by revising Code Section 46-5-30, relating to the establishment, administration, and operation of the state-wide dual party relay service and audible universal information access service, as follows:

"46-5-30.

(a) The General Assembly finds and declares that it is in the public interest to provide basic telecommunications services to all citizens of this state who, because of physical impairments, particularly hearing and speech impairments, cannot otherwise communicate over the telephone. It is further in the public interest to take advantage of innovative technological uses of basic telecommunications services to allow for universal access to information by blind and otherwise print disabled citizens of this state.

(b) The commission shall establish, implement, administer, and promote a state-wide single provider dual party relay service operating seven days per week, 24 hours per day, and contract for the administration and operation of such relay service. The commission shall also establish, implement, administer, and promote a state-wide audible universal information access service operating seven days per week and 24 hours per day and shall contract for the administration and operation of such information access service. The commission shall further establish, implement,

administer, and promote a telecommunications equipment distribution program and contract for the administration and operation of such program.

(c) The commission shall require all local exchange telephone companies in this state, except those operated by telephone membership corporations, to impose a monthly maintenance surcharge on all residential and business local exchange access facilities. For the purpose of this subsection, 'exchange access facility' means the access from a particular telephone subscriber's premise to the telephone system of a local exchange telephone company. 'Exchange access facility' includes local exchange company provided access lines, private branch exchange trunks, and centrex network access registers, all as defined by tariffs of telephone companies as approved by the commission. The amount of the surcharge shall be determined by the commission based upon the amount of funding necessary to accomplish the purposes of this Code section and provide the services on an ongoing basis; however, in no case shall the amount exceed 20¢ per month. A maximum of 5¢ of this monthly surcharge per access line shall be utilized for a telecommunications equipment distribution program and a maximum of 1¢ of this monthly surcharge per access line shall be utilized to fund an audible universal information access service. If the projected cost of the operation of the relay service exceeds a monthly surcharge of 15¢ at any time, funding for the telecommunications equipment distribution program and the audible universal information access service will be reduced by the amount required to fully fund the relay service, under the existing cap of 20¢ for the period of time necessary. No additional fees other than the surcharge authorized by this subsection, if applicable, shall be imposed on any user of such relay or information access service. The local exchange companies shall collect the surcharge from their customers and transfer the moneys collected to a special fund to be held separate from all other funds. The fund shall be used solely for the administration and operation of the relay service, the information access service, and the telecommunications equipment distribution program and for other hearing technology and shall not be imposed, collected, or expended for any other purpose.

(d) The dual party relay system shall protect the privacy of persons to whom relay services are provided and shall require all operators to maintain the confidentiality of all telephone messages. The confidentiality and privacy of persons to whom relay services are provided will be protected by means of the following:

- (1) The relay center shall not maintain any form of permanent copies of messages relayed by their operators or allow the content of telephone messages to be communicated to, or accessible to, nonstaff members;
- (2) Persons using the relay services shall not be required to provide any personal identifying information until the party they are calling is on the line, and shall only be required to identify themselves to the extent necessary to fulfill the purpose of their call;
- (3) Relay operators shall not leave messages with third parties unless instructed to do so by the person making the call;
- (4) Relay operators shall not intentionally alter a relayed conversation; and

(5) Relay operators shall not refuse calls or limit the length of calls.

(e) Neither the commission nor the providers of the dual party relay system service or the audible universal information access service nor, except in cases of willful misconduct, gross negligence, or bad faith, the employees of the providers of the dual party relay system service or the audible universal information access service shall be liable for any claims, actions, damages, or causes of action arising out of or resulting from the establishment, participation in, or operation of the dual party relay system service or the audible universal information access service.

(f) The commission shall select the telecommunications carrier which will provide the relay system service and award the contract for this service to the offerer whose proposal is the most advantageous to the state, considering price, the interests of the hearing impaired and speech impaired community in having access to a high quality and technologically advanced telecommunications system, and all other factors listed in the commission's request for proposals.

~~(f-1)~~(g) The commission shall select the service provider which will provide and manage the audible universal information access service and shall award the contract for this service to the offerer whose proposal is the most advantageous to the state, considering price, the interests of the blind and print disabled community in having access to a high quality and technologically advanced interactive audible universal information access system, the maintenance of such system, the training provided on the use of such service, outreach efforts, and all other factors listed in the commission's request for proposals.

~~(g)~~(h) The commission shall select a distribution agency to manage the telecommunications equipment distribution program and award the contract for this service to the offerer whose proposal is the most advantageous to the state, considering price, the interests of the hearing impaired and speech impaired community in obtaining appropriate and effective telecommunications equipment, the training of recipients on the use of telecommunications devices, outreach efforts, and all other factors listed in the commission's request for proposals. The telecommunications equipment distributed as part of the telecommunications equipment distribution program may include wireless devices and applications.

~~(h)~~(i) The commission shall establish guidelines for eligibility for participation in the telecommunications equipment distribution program, taking into consideration a person's certified medical need and prohibiting distribution of telecommunications equipment to any person whose income exceeds ~~200~~ 300 percent of the federal poverty level. The commission shall utilize appropriate external expertise, as necessary, to establish these guidelines, including contracting with public agencies or private entities. Funding for any such contracts will be covered by the \$0.05 portion of the monthly surcharge utilized for the telecommunications equipment distribution program.

~~(i)~~(j) The commission shall establish eligibility guidelines for participation in the audible universal information access service, taking into account a person's certified medical need. The commission shall utilize appropriate external expertise, as necessary, to establish these guidelines, including contracting with public agencies or

private entities. Funding for such contracts will be covered by the 1¢ portion of the monthly surcharge utilized for the audible universal information access service.

~~(j)(k)~~ The commission shall establish a telecommunications equipment distribution program advisory committee to provide input on program operation and the types of equipment to be, and being, distributed by the program. The commission shall select the equipment to be distributed by the program and shall incorporate this selection into the commission's request for proposals for a distribution agency.

~~(k) The commission shall provide that the dual party telephone relay telephone system shall be operational no later than July 1, 1991, that the telecommunications equipment distribution program shall be operational no later than March 31, 2003, and the audible universal information access service shall be operational no later than July 1, 2006."~~

SECTION 2.

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

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y Alexander	Y Cooper	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
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E 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	E Petrea	Y Tankersley
Y Benton	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
E Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
Y Brockway	Y Efstration	Y Jones, J.B.	Y 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	Y Evans	Y Kaiser	E 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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	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 230. By Representatives Hugley of the 136th, Abrams of the 89th, Allison of the 8th, Harbin of the 122nd, Mayo of the 84th and others:

A BILL to be entitled an Act to amend Article 4 of Chapter 5 of Title 28 and Code Section 35-3-37 of the O.C.G.A., relating to the Claims Advisory Board and review of individual's criminal history record information, definitions, privacy considerations, and inspections, respectively, so as to provide for compensation of persons wrongfully convicted and imprisoned; 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 4 of Chapter 5 of Title 28 and Code Section 35-3-37 of the Official Code of Georgia Annotated, relating to the Claims Advisory Board and review of individual's criminal history record information, definitions, privacy considerations, and inspections, respectively, so as to provide for compensation of persons wrongfully convicted and imprisoned; to provide for legislative findings; to provide for definitions; to provide for applicability; to provide for a short title; to provide for recommendations by the board as to payment of compensation; to provide for procedural rules; to provide for claims for compensation; to provide for standards for compensation; to provide for limitations of claims; to provide for exceptions; to provide for reports on claims being transmitted to the executive and legislative branch; to provide for record restriction; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

The General Assembly finds that due to advancements in science and technology, wrongfully convicted persons are being discovered with a higher frequency than in the past. The General Assembly is sympathetic to the tremendous burden a wrongfully convicted person faces and further finds that there is a need to create a uniform method for fairly and reasonably compensating wrongfully convicted persons.

SECTION 2.

Article 4 of Chapter 5 of Title 28 of the Official Code of Georgia Annotated, relating to the

Claims Advisory Board, is amended by revising Code Section 28-5-60, relating to the creation, membership, and representation of members by deputies or other designated employees, as follows:

"28-5-60.

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

(1) 'Board' means the Claims Advisory Board.

(2) 'The state or any of its departments or agencies' includes any department, agency, bureau, or commission of state government but does not include state authorities or any county or municipal department, agency, bureau, commission, or authority.

(a)(b) There is created the Claims Advisory Board, hereinafter called the board, to which shall be composed of the Secretary of State, who shall be the chairman chairperson, the commissioner of human services, the commissioner of corrections, and the commissioner of transportation. Whenever the board takes any official action authorized under the law or duly promulgated rules and regulations, three of the members shall constitute a quorum; however, any of those individuals named above may be represented by a deputy or other designated employee; and any such action shall be valid if any two of the remaining three individuals members are present during such action. Any board member may be represented by a deputy or other designated employee, and such individual's actions shall have the same effect as a board member's actions.

(b)(c) The Claims Advisory Board is board shall be assigned to the Secretary of State for administrative purposes only as prescribed in Code Section 50-4-3."

SECTION 3.

Said article is further amended by repealing in its entirety Code Section 28-5-60.1, relating to "the state or any of its departments or agencies" defined.

SECTION 4.

Said article is further amended by adding a new Code section to Part 2, relating to claims against the state or departments or agencies, to read as follows:

"28-5-87.

The provisions of this part shall not apply to a claim against the state or any of its departments or agencies that may be made pursuant to Part 4 of this article."

SECTION 5.

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

"Part 4

28-5-110.

This part shall be known and may be cited as the 'Innocent Persons' Compensation Act.'

28-5-111.

The Claims Advisory Board shall have authority to consider and make recommendations to the General Assembly concerning payment of compensation to any individual who has been convicted of and imprisoned for one or more crimes which he or she did not commit. The board may appoint a special master to take testimony, supervise or conduct necessary investigations, and report to the board, but the ultimate recommendation on any claim to the General Assembly shall be made only by the board.

28-5-112.

In order to be eligible for compensation under this part, the claimant shall establish beyond a reasonable doubt to the board that:

- (1) The claimant was convicted of one or more crimes and was sentenced to a term of imprisonment;
- (2) The claimant has served all or part of the sentence of imprisonment;
- (3) The claimant proclaims his or her innocence; and
- (4) The claimant's wrongful conviction has been established by verifiable and substantial evidence that the claimant is actually innocent.

28-5-113.

(a) No claim for the payment of compensation under this part shall be considered by the board unless a notice of claim has been filed with the board within three years after the date the claimant's eligibility has been established as set forth in Code Section 28-5-112 or within three years of July 1, 2015, whichever occurs later.

(b) The board shall provide forms to be used in filing a notice of claim and shall make them available for such purpose. When a notice of claim is filed, the board shall inform the individual filing the notice, in writing, of the information it will require in order to take action on the claim. Such information shall include documentation supporting the claimant's eligibility for compensation. The board may request the claimant submit any other supporting information that it deems is necessary. The claimant may request a hearing before the board.

(c) Once a claimant has submitted a notice of claim and any information deemed necessary by the board, the chairperson, after consultation with the other members of the board, shall set a time for acting on the claim and shall set a date for a hearing. The claimant, the district attorney for the circuit in which the conviction occurred, and the

Attorney General shall be notified of the date, time, and place of the hearing and may present evidence at such hearing. Such other persons as the board deems necessary shall likewise be notified and allowed to present evidence.

(d) Proceedings before the board shall be governed by rules established by the board, and such rules shall emphasize, to the greatest extent possible, the informality of proceedings. A claimant shall not be required to be represented or accompanied by an attorney.

28-5-114.

(a) In making its recommendation to the General Assembly, the board shall:

(1) Formulate standards for uniform application in recommending compensation;

(2) If the claimant was imprisoned for four years or less, include \$50,000.00 per year for each year of imprisonment; such compensation shall be payable in a lump sum award;

(3) If the claimant was imprisoned for more than four years, include \$50,000.00 per year for each year of imprisonment; such compensation shall be payable in an initial lump sum of at least \$50,000.00, and the remaining balance shall be in the form of annuity contract funded by the board on behalf of the claimant, provided that:

(A) Such annuity contract shall be secured from an insurance company licensed under the laws of this state and whose claims-paying ability is rated as superior or excellent by at least two nationally recognized rating services; and

(B) Such annuity contract, by its terms, cannot be sold, transferred, assigned, discounted, or used as security for a loan;

(4) If requested by the claimant, provide a voucher for tuition for up to 120 hours and any ancillary student fees for any undergraduate program of any Georgia public postsecondary institution, including all four-year and two-year colleges and universities and institutions of the University System of Georgia and the Technical College System of Georgia; provided, however, that this shall not be construed to guarantee acceptance of the claimant into any such public postsecondary institution nor prohibit the claimant from participating in any other program of financial assistance for postsecondary education. The board shall coordinate with the Board of Regents of the University System of Georgia and the State Board of the Technical College System of Georgia to develop the form of the voucher; and

(5) Include reasonable attorney's fees and other expenses incurred by the claimant in connection with all associated criminal proceedings and appeals and, if applicable, in connection with obtaining the claimant's discharge from confinement.

(b) In calculating time of imprisonment, the board shall include any time a claimant spent in custody awaiting trial, during trial, and after conviction; provided, however, that a claimant shall not be entitled to compensation under this part for any portion of a sentence spent incarcerated during which the claimant was also serving a concurrent sentence for another crime committed in this state or in any other jurisdiction to which this part does not apply. A pro rata amount for any portion of each year of imprisonment shall be awarded.

(c) In making its recommendation to the General Assembly, the board may recommend payment of compensation:

(1) To or for the benefit of the claimant; or

(2) In the case of death of the claimant, to or for the benefit of any one or more of the heirs at law of the claimant who, at the time of the claimant's demise, were dependent upon the claimant for more than one-half of their support.

(d) The board shall prepare a statement including its findings, its determination of the merits of the claim, its recommendation as to the payment of the claim, and such other information as the board deems advisable; and transmit such statement to the chairperson of the House Committee on Appropriations. Such chairperson shall present such information to the full committee if a resolution seeking compensation is filed. The board's recommendation shall be advisory only. The General Assembly shall act on such recommendation in accordance with law and the rules of the House of Representatives and Senate for action upon compensation resolutions.

(e) When a notice of claim is filed on or before the fifteenth day of October, the board shall make its recommendation on such claim on or before the fifth day of the subsequent year's legislative session. If the notice of claim is filed after the fifteenth day of October, the board shall make its recommendation on or before the thirty-first day of December of the following year.

28-5-115.

(a) The General Assembly may by resolution appropriate money for payment of a claim for compensation upon the recommendation of the board.

(b) Any resolution relative to a claim made pursuant to this part must be introduced in the House of Representatives on or before the tenth day of any regular session. Such resolution shall not be filed until the board has made a recommendation on a claim. If the board's recommendation occurs subsequent to the fifth day of a regular session, a resolution shall be filed at the next regular session.

(c) Any resolution filed pursuant to this part shall be referred by the Speaker of the House to the House Committee on Appropriations.

(d) Any award of compensation made by the General Assembly shall not be:

(1) Subject to state income taxes; provided, however, that the award of attorney's fees shall be subject to taxation; or

(2) Offset by any expense incurred by this state or any political subdivision thereof for expenses related to the claimant's incarceration.

(e) The General Assembly waives the sovereign immunity of this state for the purpose of authorizing the payment of claims against this state pursuant to the authority of this part.

28-5-116.

Not later than January 5 of each year, the board shall prepare and transmit to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the chairperson of the Senate Appropriations Committee, and the chairperson of the House

Committee on Appropriations a report including the name of each claimant with a claim pending pursuant to this part, a brief description of the facts surrounding such claim, the amount of compensation recommended, and the board's reasons for its recommendation.

28-5-117.

(a) Any claimant who receives compensation under this part shall not bring any action involving the same subject matter, including an action involving the claimant's arrest, conviction, or length of confinement, against this state.

(b) This part shall not affect any liability of this state or of its employees to a claimant's cause of action that is not based on the wrongful conviction, including, but not limited to, a cause of action that arises out of circumstances occurring during the claimant's incarceration."

SECTION 6.

Code Section 35-3-37 of the Official Code of Georgia Annotated, relating to review of individual's criminal history record information, definitions, privacy considerations, and inspections, by revising subparagraph (h)(2)(A) as follows:

"(A) Except as provided in subsection (i) of this Code section, all charges were dismissed or nolle prossed including offenses occurring before July 1, 2013;"

SECTION 7.

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

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y 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	N Hightower	Y Oliver	Y Stephens, M
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E Pak	Y Stephenson
Y Bell	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	E 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	Taylor, D
E Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T

Y Brockway	Y Efstoration	Y Jones, J.B.	Y 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	Y Evans	Y Kaiser	E Ramsey	Y Turner
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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E 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	Y Mayo	Y Sharper	Williamson
Y Coleman	Y Greene	McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 166, nays 1.

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

HB 409. By Representatives Taylor of the 173rd, Sims of the 123rd, Harbin of the 122nd, Cooper of the 43rd, Carter of the 175th and others:

A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance general provisions, so as to provide reimbursement for the treatment of burns for skin substitutes utilizing cadaver derived skin tissue or nonhuman xenographic derived skin tissue; 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 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance general provisions, so as to provide reimbursement for the treatment of burns for skin substitutes utilizing cryopreserved cadaver derived skin tissue; 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 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance general provisions, is amended by adding a new Code section to read as follows:

"33-24-59.18.

No health benefit policy issued, delivered, or renewed in this state that, as a provision of hospital, medical, or surgical services, directly or indirectly covers the treatment and management of burns shall limit or exclude coverage for such treatment on the basis that the use of cryopreserved cadaver derived skin tissue is an experimental or investigational medical treatment."

SECTION 2.

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

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y 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	Y Stephens, M
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E 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
E 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	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	Y Evans	Y Kaiser	E 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 LaRiccia	Y Rogers, C	Y Wilkerson
Y Casas	Y Gasaway	Y Lumsden	Y Rogers, T	Y Wilkinson
Y Chandler	Y Geisinger	Mabra	Y Rutledge	Y Willard
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A

E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 173, nays 0.

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

HB 416. By Representatives Rogers of the 29th, Cooper of the 43rd, Rynders of the 152nd, Kidd of the 145th, Hatchett of the 150th and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 43 of the Official Code of Georgia Annotated, relating to general provisions relative to professions and businesses, so as to provide for certain identification by health care practitioners to patients with regard to their license; to provide for a short title; to provide for legislative findings; to provide for definitions; to require that advertisements identify a health care practitioner's license; to require identifiers and signage; to provide for applicability; to provide for violations; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

**A BILL TO BE ENTITLED
AN ACT**

To amend Chapter 1 of Title 43 of the Official Code of Georgia Annotated, relating to general provisions relative to professions and businesses, so as to provide for certain identification by health care practitioners to patients with regard to their license; to provide for a short title; to provide for legislative findings; to provide for definitions; to require that advertisements identify a health care practitioner's license; to require identifiers and signage; to provide for applicability; to provide for violations; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 1 of Title 43 of the Official Code of Georgia Annotated, relating to general provisions relative to professions and businesses, is amended by adding a new Code section to read as follows:

"43-1-33.

(a) This Act shall be known and may be cited as the 'Consumer Information and Awareness Act.'

(b) The General Assembly hereby finds and declares that:

- (1) There are numerous professional degrees that include the term 'doctor,' such as Doctor of Medicine (M.D.); Doctor of Osteopathy (D.O.); Doctor of Dental Surgery (D.D.S.); Doctor of Dental Medicine (D.M.D.); Doctor of Podiatric Medicine (D.P.M.); Doctor of Optometry (O.D.); Doctor of Chiropractic (D.C.); registered professional nurses or advanced practice registered nurses (nurse practitioners, clinical nurse specialists, certified nurse midwives, and certified nurse anesthetists) with doctorate degrees (D.N.P., D.N.S., Ph.D., or Ed.D.); audiologists with doctorate degrees (A.U.D.); speech-language pathologists with doctorate degrees (S.L.P.D. or Ph.D.); and other designations, which may be used by health care practitioners; and
- (2) Each health care professional receives education and training that qualifies them to provide general and specialized services respectively. This training is necessary to correctly detect, diagnose, prevent, and treat serious health conditions.

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

(1) 'Advertisement' means any communication or statement, whether printed, electronic, or verbal, that names a health care practitioner in relation to his or her practice, profession, or institution in which the practitioner is employed, volunteers, or otherwise provides health care services. This term includes business cards, letterhead, patient brochures, e-mail, Internet, audio, and video.

(2) 'Health care practice or facility' means a hospital, physician practice setting, nursing home, assisted living community, or personal care home.

(3) 'Health care practitioner' means a:

(A) Chiropractor licensed pursuant to Chapter 9 of this title;

(B) Professional counselor, social worker, or marriage and family therapist licensed pursuant to Chapter 10A of this title;

(C) Dentist licensed pursuant to Chapter 11 of this title;

(D) Dietitian licensed or registered pursuant to Chapter 11A of this title;

(E) Advanced practice registered nurse, including nurse practitioner, certified registered nurse anesthetist, certified nurse midwife, clinical nurse specialist, registered professional nurse, and licensed practical nurse, licensed or registered pursuant to Chapter 26 of this title;

(F) Occupational therapist licensed pursuant to Chapter 28 of this title;

(G) Optometrist licensed pursuant to Chapter 30 of this title;

(H) Physical therapist licensed pursuant to Chapter 33 of this title;

(I) Physician or osteopath licensed pursuant to Chapter 34 of this title;

(J) Physician assistant licensed pursuant to Chapter 34 of this title;

(K) Acupuncturist licensed pursuant to Chapter 34 of this title;

(L) Podiatrist licensed pursuant to Chapter 35 of this title;

(M) Psychologist licensed pursuant to Chapter 39 of this title;

(N) Audiologist or speech-language pathologist licensed pursuant to Chapter 44 of this title;

(O) Pharmacist licensed pursuant to Chapter 4 of Title 26;

(P) Ophthalmic technician;

(Q) Medical assistant or certified nursing assistant; and

(R) Respiratory care professional certified pursuant to Article 6 of Chapter 34 of this title.

(d)(1) An advertisement by a health care practitioner shall identify the type of license the health care practitioner holds.

(2) This subsection shall not apply to an advertisement by a health care practice or facility and shall not be construed to require any such practice or facility in which multiple health care practitioners are employed to list in an advertisement the name of every health care practitioner so employed by such practice or facility.

(e)(1) A health care practitioner providing services in this state in a health care practice or facility shall conspicuously post and affirmatively communicate the practitioner's specific licensure to all current and prospective patients as follows:

(A)(i) The health care practitioner shall wear an identifier during all patient encounters that shall include:

(I) The health care practitioner's name; and

(II) The type of license or educational degree the health care practitioner holds.

(ii) The identifier shall be of sufficient size and be worn in a conspicuous manner so as to be visible and apparent. A lab coat or similar distinguishing clothing or uniform indicating the practitioner's specific licensure may be considered an identifier if such clothing or uniform meets the requirements of division (i) of this subparagraph.

(iii) An identifier shall not be required in an operating room or other setting where surgical or other invasive procedures are performed or in any other setting where maintaining a sterile environment is medically necessary.

(iv) An identifier shall not be required in any mental health setting where it would impede the psychotherapeutic relationship.

(v) If a safety or health risk to the health care practitioner or a patient would be created as a result of the practitioner wearing such identifier in a specified practice setting, an identifier shall not be required or may be modified by omitting or concealing the last name of the practitioner in accordance with the requirements of the health care practice or facility; and

(B) A health care practitioner in a health care practice or facility other than a hospital shall display in the reception area of such practice or facility a notice that clearly identifies the type of health care practitioners employed in such practice or facility and the right of a patient to inquire as to the type of license of the health care practitioner treating such patient. The notice shall be of sufficient size so as to be visible and apparent to all current and prospective patients.

(2) A health care practitioner who practices in more than one office shall place the identifier information conspicuously on such practitioner's website if he or she maintains a website.

(3) A health care practitioner who practices in a nonpatient care setting and who does not have any direct patient care interactions shall not be subject to the provisions of this subsection.

(4) A health care practice or facility which requires, as of the effective date of this Code section, its health care practitioners to wear an identification badge shall not be required to replace such badges to conform to the requirements of subparagraph (A) of paragraph (1) of this subsection.

(5) Except as otherwise provided by paragraph (6) of this subsection, this subsection shall only apply to health care practices and facilities where more than one type of health care practitioner interacts with patients in exam settings. This subsection shall not apply to health care practices or facilities in which only one type of health care practitioner practices.

(6) This subsection shall only apply to a dentist if such dentist is practicing in a hospital. This subsection shall only apply to a chiropractor or optometrist if such chiropractor or optometrist is practicing in a hospital, nursing home, assisted living community, or personal care home.

(f) A health care practitioner who intentionally violates any provision of this Code section may be subject to disciplinary action by the health care practitioner's professional licensing board. Notwithstanding the imposition of any sanction, the health care practitioner's professional licensing board may seek an injunction or other legal means as appropriate against such health care practitioner violating this Code section.

(g) A violation of this Code section shall not constitute a private cause of action."

SECTION 2.

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

SECTION 3.

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

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

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

Y Abrams	Y Coomer	Y Harbin	Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
N 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	N Nix	N Spencer
Y Barr	Y Dickerson	N Hightower	Y Oliver	Y Stephens, M
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E Pak	Y Stephenson
Y Bell	Y Dollar	Y Holmes	Y Parrish	Y Stovall
N Belton	Y Douglas	Y Houston	Y Parsons	N Stover
Y Bennett	Y Drenner	Y Howard	Y Peake	N Strickland
Y Bentley	Y Dudgeon	Y Hugley	Y Petrea	Y Tankersley
Y Benton	Y Dukes	Y Jackson	N Pezold	Y Tanner
Y Beskin	Y Dunahoo	Y Jacobs	Y Powell, A	N Tarvin
Y Beverly	Y Duncan	Y Jasperse	Y Powell, J	Y Taylor, D
E Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
N Brockway	Y Efrstration	Y Jones, J.B.	Y Pruett	N 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	N Rakestraw	Y Trammell
Y Buckner	Y Evans	Y Kaiser	E Ramsey	N Turner
Y Burns	Y Fleming	N Kelley	Y Randall	Y Waites
N Caldwell, J	Y Floyd	Y Kendrick	Y Reeves	Y Watson
N Caldwell, M	Fludd	Y Kidd	Y Rhodes	Y Welch
Y Cantrell	Y Frazier	N 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	N Rutledge	Y Willard
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	Y Golick	N Martin	Y Scott	Y Williams, C
N Clark, H	Y Gordon	Y Maxwell	Y Setzler	Y Williams, E
Y Clark, V	Y Gravley	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
N Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 151, nays 21.

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

HB 209. By Representatives Cantrell of the 22nd, Teasley of the 37th, Casas of the 107th, Evans of the 42nd, Stovall of the 74th and others:

A BILL to be entitled an Act to amend Article 33 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Georgia Special Needs Scholarship Act," so as to revise the prior school year attendance requirement to the prior semester; to revise provisions relating to notification of parents of eligible students as to scholarship options; 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 33 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Georgia Special Needs Scholarship Act," so as to revise provisions relating to notification of parents of eligible students as to scholarship options; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 33 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Georgia Special Needs Scholarship Act," is amended revising subsection (a) of Code Section 20-2-2113, relating to annual notification of options available to parents of special needs students, as follows:

"(a) The resident school system shall provide specific written notice of the options available under this article to the parent at the initial Individualized Education Program (IEP) meeting in which a disability of the parent's child is identified. Thereafter, the resident school system shall annually notify prior to the beginning of each school year the parent of a student with a disability by letter, electronic means, or by such other reasonable means in a timely manner of the options available to the parent under this article provide notice of the options available under this article to the parents at all subsequent Individualized Education Program meetings. "

SECTION 2.

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

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	Y Harrell	Y Morris	N 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
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	N Holcomb	E 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

N 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
E 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	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	Y Evans	Y Kaiser	E 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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 168, nays 4.

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

HB 452. By Representatives Ballinger of the 23rd, Efrstration of the 104th, Fleming of the 121st, Powell of the 32nd, Golick of the 40th and others:

A BILL to be entitled an Act to amend Article 4 of Chapter 13 of Title 19 of the Official Code of Georgia Annotated, relating to the Family Violence and Stalking Protective Order Registry, so as to provide for registration of pretrial release orders that prohibit contact with others issued in this state and in foreign courts; to revise the short title; to revise definitions; to provide for conforming references to the defined terms; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y 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	Dickerson	Y Hightower	Y Oliver	Y Stephens, M
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	E 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
E Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
Y Brockway	Y Efstration	Y Jones, J.B.	Y 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	Y Evans	Y Kaiser	E 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 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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, the ayes were 173, nays 0.

The Bill, having received the requisite constitutional majority, was 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 bill of the Senate:

SB 160. By Senators Williams of the 27th, Cowsert of the 46th, Harper of the 7th, Mullis of the 53rd, Jones of the 25th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 3 of Title 3 of the Official Code of Georgia Annotated, relating to prohibited acts regarding

alcoholic beverages, so as to revise penalties for a violation of Code Section 3-3-23; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Speaker announced the House in recess until 6:45 o'clock, this afternoon.

The Speaker called the House to order.

The following messages were received from the Senate through Mr. Cook, the Secretary thereof:

Mr. Speaker:

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

SB 190. By Senators Miller of the 49th, Unterman of the 45th, Orrock of the 36th, Dugan of the 30th, Ligon, Jr. of the 3rd and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 27 of Title 50 of the Official Code of Georgia Annotated, relating to bona fide coin operated amusement machines, so as to provide for certain definitions; to provide for license fees and requirements for manufacturers and distributors; to provide for certain fees upon the transfer of a master license; to provide for an auction of certain licenses; to provide a procedure for dispute resolution; to provide for related matters; to repeal conflicting laws; and for other purposes.

Mr. Speaker:

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

SB 191. By Senators Tippins of the 37th, Jeffares of the 17th, Gooch of the 51st, McKoon of the 29th, Thompson of the 5th and others:

A BILL to be entitled an Act to amend Chapter 9 of Title 25 of the Official Code of Georgia Annotated, relating to blasting or excavating near utility facilities, so as to prohibit local governing authorities from adopting or enforcing ordinances which mandate marking requirements or standards which are different from those contained in state law or the rules and regulations of certain departments of this state; to provide for related matters; to repeal conflicting laws; and for other purposes.

Mr. Speaker:

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

SB 126. By Senators Hufstetler of the 52nd and Orrock of the 36th:

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; to amend Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Public Health; to amend Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to physicians, physician assistants, and others, so as to provide for emergency public access stations to allow a lay rescuer to consult with a medical professional to administer or make available auto-injectable epinephrine under certain circumstances; to provide for immunity; to provide for related matters; to repeal conflicting laws; and for other purposes.

Mr. Speaker:

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

SB 127. By Senators Jeffares of the 17th, Harbison of the 15th, Harper of the 7th, Williams of the 19th, Stone of the 23rd and others:

A BILL to be entitled an Act to amend Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to ethics in government, so as to provide for waivers of certain civil penalties and fees incurred by candidates for local elected office; to provide for exceptions; to provide for refunds of certain civil penalties and fees; to provide for legislative findings; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The following Resolution of the House was read and adopted:

HR 684. By Representatives Geisinger of the 48th, Wilkinson of the 52nd, Willard of the 51st, Jones of the 47th, Beskin of the 54th and others:

A RESOLUTION honoring the life and memory of Tom Lowe; and for other purposes.

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

HB 567. By Representatives Dempsey of the 13th, Ramsey of the 72nd, Willard of the 51st, Oliver of the 82nd, Weldon of the 3rd and others:

A BILL to be entitled an Act to amend Code Section 19-6-26 of the Official Code of Georgia Annotated, relating to jurisdiction in cases relating to alimony and child support, so as to expand the jurisdiction of courts that may hear contempt proceedings; 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 19-6-26 of the Official Code of Georgia Annotated, relating to jurisdiction in cases relating to alimony and child support, so as to expand the jurisdiction of courts that may hear contempt proceedings; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 19-6-26 of the Official Code of Georgia Annotated, relating to jurisdiction in cases relating to alimony and child support, is amended by revising subsection (e) as follows:

"(e) Jurisdiction within this state to enforce, by a contempt proceeding or otherwise, a child support order entered by or registered with a court of this state shall be vested concurrently in the court issuing such order, in the court in the county where the person owing the duty of support may be found or is employed, and for in rem proceedings only, in the court in the county where property may be found which is subject to seizure, sale, foreclosure, or other process for application toward the support obligation."

SECTION 2.

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

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	Harrell	Y Morris	Y Smith, M
Y Anderson	Dawkins-Haigler	Y Hatcher	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
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	Y Pak	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	Jacobs	Y Powell, A	Y Tarvin
Y Beverly	Y Duncan	Y Jasperse	Y Powell, J	Y Taylor, D
E 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	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	Y Evans	Y Kaiser	E 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	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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Yates
Y 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.

HB 568. By Representatives Dempsey of the 13th, Weldon of the 3rd, Oliver of the 82nd, Willard of the 51st, Atwood of the 179th and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 7 of Title 19 of the Official Code of Georgia Annotated, relating to determination of paternity, so as to revise provisions relative to paternity testing in certain

cases; to provide for reimbursement of paternity testing costs incurred by the Department of Human Services; 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 Article 3 of Chapter 7 of Title 19 of the Official Code of Georgia Annotated, relating to determination of paternity, so as to revise provisions relative to paternity testing in certain cases; to provide for reimbursement of paternity testing costs incurred by the Department of Human Services; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 3 of Chapter 7 of Title 19 of the Official Code of Georgia Annotated, relating to determination of paternity, is amended by revising Code Section 19-7-43, relating to petitions for determination of paternity, as follows:

"19-7-43.

(a) A petition to establish the paternity of a child may be brought by:

(1) The child;

(2) The mother of the child;

(3) Any relative in whose care the child has been placed;

(4) The Department of Human Services in the name of and for the benefit of a child for whom public assistance is received or in the name of and for the benefit of a child not the recipient of public services whose custodian has applied for services for the child; or

(5) One who is alleged to be the father.

(b) Regardless of its terms, an agreement, other than an agreement approved by the court in accordance with this article, between an alleged or presumed father and the mother or child does not bar a petition under this Code section.

(c) If a petition under this article is brought before the birth of the child, all proceedings shall be stayed until after the birth except service of process, discovery, and the taking of depositions.

(d) In any case in which the paternity of a child or children has not been established, any party may make a motion for the court to order the mother, the alleged father, and the child or children to submit to genetic tests as specified in Code Section 19-7-45. Such motion shall be supported by a sworn statement (1) alleging paternity and setting forth facts establishing a reasonable possibility of the requisite sexual contact between the parties; or (2) denying paternity and setting forth facts establishing a reasonable

possibility of the nonexistence of sexual contact between the parties. Appropriate orders shall be issued in accordance with the provisions of this article. The court shall grant the motion unless it finds good cause as defined by the federal Social Security Act or if other good excuse for noncooperation is established.

(e) In any case for the collection of child support involving the Department of Human Services in which the paternity of a child or children has not been established or in which the individual receiving services alleges that paternity rests in a person other than the previously established father, the Department of Human Services ~~may~~ shall order genetic testing of the mother, the alleged father, and the child or children to submit to genetic tests as specified in Code Section 19-7-45. No genetic testing shall be undertaken by the Department of Human Services if the child was adopted either by the applicant for services or other alleged parent or if the child was conceived by means of artificial insemination. The ~~request for the order~~ need for genetic testing shall be supported by a sworn statement alleging paternity and setting forth facts establishing a reasonable possibility of the requisite sexual contact between the parties. The parties shall be given notice and an opportunity to contest the order before the ~~department~~ Department of Human Services prior to the testing or the imposition of any noncooperation sanction.

(f) In any case in which the court or the ~~department~~ Department of Human Services orders genetic testing and one or both of the parties to the action is receiving child support services pursuant to Code Section 19-11-6, the ~~department~~ Department of Human Services shall pay the costs of such tests subject to recoupment from the alleged father if paternity is established. A If the genetic test excludes the possibility of the alleged father being the biological father, then the applicant for services who named the alleged father shall be liable to the Department of Human Services for reimbursement of the paternity testing fee. Upon completion of the first test, but prior to the entry of any order, a second genetic test shall be ordered by the department if an order for paternity has not been issued and if the person making the request tenders payment in full of the cost of the initial test as well as the cost of the second test at the time of the request. Any party who, after notice sent by mail to their last known address, fail to cooperate with paternity testing or fail to make any child available for paternity testing may be sanctioned by the Department of Human Services. Such sanctions may include but shall not be limited to loss of the opportunity for paternity testing, loss of state benefits, denial of services, and administrative case closure. The Department of Human Services may bring a petition for contempt in the event of such noncooperation in violation of any court order."

SECTION 2.

Said article is further amended by revising Code Section 19-7-45, relating to genetic tests, as follows:

"19-7-45.

(a) All orders requiring parties to submit to genetic tests shall be issued in conformance with Code Sections 19-7-43, ~~and~~ 19-7-46, and 19-7-54. In all cases such tests ~~must~~

shall be conducted by a laboratory certified by the American Association of Blood Banks and shall be conducted so that the results meet the standards the American Association of Blood Banks requires in order for such results to be admitted as evidence in a court of law.

(b) When an action to determine paternity is initiated prior to the birth of a child, the court shall order that the genetic tests be made as soon as medically feasible after the birth. The tests shall be performed by a duly qualified licensed practicing physician, duly qualified immunologist, or other qualified person. In all cases, however, the court shall determine the number and qualifications of the experts. In all cases the results shall be made known to all parties at interest as soon as available.

(c) An order issued under this Code section is enforceable by contempt, provided that, if the petitioner refuses to submit to an order for a genetic test, the court may dismiss the action upon motion of the respondent."

SECTION 3.

Said article is further amended by revising Code Section 19-7-54, relating to motions to set aside determinations of paternity, as follows:

"19-7-54.

(a) ~~In~~ Unless otherwise specified in this Code section, in any action in which a male is required to pay child support as the father of a child, a motion to set aside a determination of paternity may be made at any time upon the grounds set forth in this Code section. Any such motion shall be filed in the superior or state court that entered the order and shall include:

(1) An affidavit executed by the movant that the newly discovered evidence has come to movant's knowledge since the entry of judgment; and

(2) The results from scientifically credible parentage-determination genetic testing, as authorized under Code Section 19-7-46 and administered within 90 days prior to the filing of such motion, that finds that there is a 0 percent probability that the male ordered to pay such child support is the father of the child for whom support is required.

(b) The court shall grant relief on a motion filed in accordance with subsection (a) of this Code section upon a finding by the court of all of the following:

(1) The genetic test required in paragraph (2) of subsection (a) of this Code section was properly conducted;

(2) The male ordered to pay child support has not adopted the child;

(3) The child was not conceived by artificial insemination while the male ordered to pay child support and the child's mother were in wedlock;

(4) The male ordered to pay child support did not act to prevent the biological father of the child from asserting his paternal rights with respect to the child; and

(5) The male ordered to pay child support with knowledge that he is not the biological father of the child has not:

(A) Married the mother of the child and voluntarily assumed the parental obligation and duty to pay child support;

- (B) Acknowledged his paternity of the child in a sworn statement;
 - (C) Been named as the child's biological father on the child's birth certificate with his consent;
 - (D) Been required to support the child because of a written voluntary promise;
 - (E) Received written notice from the Department of Human Services, any other state agency, or any court directing him to submit to genetic testing which he disregarded;
 - (F) Signed a voluntary acknowledgment of paternity as provided in Code Section 19-7-46.1; or
 - (G) Proclaimed himself to be the child's biological father.
- (c) In the event movant fails to make the requisite showing provided in subsection (b) of this Code section, the court may grant the motion or enter an order as to paternity, duty to support, custody, and visitation privileges as otherwise provided by law.
- (d) In any case when the underlying child support order was issued by a court of this state or by the Department of Human Services and is being enforced by the Department of Human Services, a movant may request a genetic test from the Department of Human Services, contingent upon advance payment of the genetic test fee by such movant. In any case when the custodian of the child does not consent to testing, a movant may petition the court to ask for testing of the other parent and the child or children.
- ~~(d)~~(e) In the event relief is granted pursuant to subsection (b) of this Code section, relief shall be limited to the issues of prospective child support payments, past due child support payments, termination of parental rights, custody, and visitation rights. In any case when the underlying order was obtained by the Department of Human Services, a court granting the motion to set aside a determination of paternity may relieve the obligor of responsibility for any future or past due amounts, or both, owed to the state. The court may also relieve the obligor of the same that is owed to any other person or entity so long as the obligor adds that person or entity to the underlying motion and provides that person or entity with notice of the action. In all motions brought under this Code section when there is any amount owed to the state, the state shall be made a party. Failure to include the Department of Human Services as a party shall prevent the waiver of any amount owed to the state.
- ~~(e)~~(f) The duty to pay child support and other legal obligations for the child shall not be suspended while the motion is pending except for good cause shown; however, the court may order the child support be held in the registry of the court until final determination of paternity has been made.
- ~~(f)~~(g)(1) In any action brought pursuant to this Code section, if the genetic test results submitted in accordance with paragraph (2) of subsection (a) of this Code section are provided solely by the male ordered to pay child support, the court on its own motion may, and on the motion of any party shall, order the child's mother, the child, and the male ordered to pay child support to submit to genetic tests. The court shall provide that such genetic testing be done no more than 30 days after the court issues its order.

(2) If the mother of the child or the male ordered to pay child support willfully fails to submit to genetic testing, or if either such party is the custodian of the child and willfully fails to submit the child for testing, the court shall issue an order determining the relief on the motion against the party so failing to submit to genetic testing. If a party shows good cause for failing to submit to genetic testing, such failure shall not be considered willful.

(3) The party requesting genetic testing shall pay any fees charged for the tests. If the custodian of the child is receiving services from an administrative agency in its role as an agency providing enforcement of child support orders, such agency shall pay the cost of genetic testing if it requests the test and may seek reimbursement for the fees from the person against whom the court assesses the costs of the action.

~~(g)~~(h) If relief on a motion filed in accordance with this Code section is not granted, the court shall assess the costs of the action and attorney's fees against the movant."

SECTION 4.

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

The following amendment was read and adopted:

Representatives Weldon of the 3rd and Welch of the 110 offer the following amendment:

Amend the House Committee on Juvenile Justice substitute to HB 568 (LC 29 6562S) by replacing line 60 with the following:

mail to his or her last known address, fails to cooperate with paternity testing or fails to make any

By replacing lines 76 and 77 with the following:

shall order that the genetic tests be made as soon as medically feasible after the birth.

(c) Genetic ~~The~~ tests shall be performed by a duly qualified licensed practicing physician, duly qualified

By replacing "(c)" with "(d)" on line 81 and deleting the quotation mark on line 83.

By inserting between lines 83 and 84 the following:

(e)(1) The Department of Human Services and any court issuing an order with respect to a determination of paternity shall not, insofar as possible, attach the written results from a genetic test to any pleading or court order.

(2) The genetic material collected for a genetic test shall be destroyed within six months after the entry of a final order relating to child support or a determination regarding paternity; provided, however, that when there is an appeal from a determination regarding paternity, upon motion of an interested party a court may order a delay in such destruction. When the Department of Human Services is a party

in an action under this Code section, it shall be the department's responsibility to provide notice of the entry of an order to the appropriate persons and entities.

(3) No later than 30 days after the destruction required by this subsection, the recipients of the genetic material collected for a genetic test and the written results of such tests shall provide the individuals tested with written notice, by first-class mail, of the date that such material and results were destroyed.

(4) The genetic material collected for a genetic test shall not be shared with any other person or entity.

(5) The individual from whom genetic material was collected may seek injunctive relief, a civil penalty of \$500.00, and reasonable attorney's fees from any person who violates this Code section."

By replacing line 139 with the following:

amount owed to the state, the Department of Human Services shall be made a party. Failure to include the

The Committee substitute, as amended, was adopted.

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y 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	Y Stephens, M
Y 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	E Jacobs	Y Powell, A	Y Tarvin
Y Beverly	Y Duncan	Y Jasperse	Y Powell, J	Y Taylor, D
E 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	Y Evans	Y Kaiser	E 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	Rice	Y Weldon
Y Carson	Y Frye	Y Knight	Y Roberts	Y Werkheiser
Y Carter	Gardner	Y 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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	E Golick	Y Martin	Scott	Y Williams, C
Y Clark, H	Y Gordon	Y Maxwell	Y Setzler	Y Williams, E
Y Clark, V	Y Gravley	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, as amended, the ayes were 169, nays 0.

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

HB 510. By Representative Stephens of the 164th:

A BILL to be entitled an Act to amend Chapter 34 of Title 50 of the Official Code of Georgia Annotated, relating to the OneGeorgia Authority, so as to provide for the creation of the Georgia Sports Commission Fund; to define certain terms; to provide for gifts and contributions; to provide for a committee to manage such fund; to provide for members; to provide conditions for obtaining grants and loans from such fund; to provide for an accounting; to repeal conflicting laws; and for other purposes.

The following amendment was read and adopted:

Representatives Stephens of the 164th and Dempsey of the 13th offer the following amendment:

Amend HB 510 (LC 21 3727ER) by deleting line 20 and inserting in lieu thereof the following:

(4) 'Sports commission' means an organization that is designated with managing

Pursuant to Rule 133, Representative Ehrhart of the 36th was excused from voting on HB 510.

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

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

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

On the passage of the Bill, as amended, the ayes were 147, nays 21.

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

HB 475. By Representatives McCall of the 33rd, Burns of the 159th, Meadows of the 5th, England of the 116th, Harden of the 148th and others:

A BILL to be entitled an Act to amend Title 27 of the Official Code of Georgia Annotated, relating to game and fish, so as to revise provisions relating to the hunting of feral hogs; to revise definitions; to allow for the taking of feral hogs without a hunting license; to remove additional restrictions on the hunting of feral hogs; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Title 27 of the Official Code of Georgia Annotated, relating to game and fish, so as to revise provisions relating to the hunting of feral hogs; to remove certain restrictions on the hunting of feral hogs; to provide for exceptions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 27 of the Official Code of Georgia Annotated, relating to game and fish, is amended by revising subsection (b) of Code Section 27-1-33, relating to the offense of criminal trespass, as follows:

"(b) Any person who enters upon or who hunts, traps, or fishes on any public hunting or fishing area, fish hatchery, or natural area, or any game management area owned or operated, ~~or owned and operated~~, by the department in violation of this Code section commits the offense of criminal trespass."

SECTION 2.

Said title is further amended by revising Code Section 27-2-31, relating to wildlife control permits, as follows:

"27-2-31.

(a) The department is authorized to issue wildlife control permits authorizing the permittee to trap, transport and release, or kill wildlife and feral hogs where such action is otherwise prohibited by law or regulation:

(1) When the department determines that there is a substantial likelihood the presence of such wildlife ~~or feral hogs~~ will endanger or cause injury to persons or will destroy or damage agricultural crops, domestic animals, buildings, structures, or other personal property;

(2) For the control of white-tailed deer on airport property; provided, however, that permits shall be issued under this paragraph for purposes of public safety, and the control of white-tailed deer for other purposes and the removal of black bear shall be as provided in Code Sections 27-2-18 and 27-3-21, respectively;

(3) For fur-bearing animals, as defined in paragraph (31) of Code Section 27-1-2, to implement a bona fide wildlife management plan that has been approved by the department; and

(4) For feral hogs, provided that:

(A) All permitted activities must comply with all rules and regulations of the Department of Agriculture; and

(B)(i) No person shall release any trapped or transported feral hog into any area that is not fenced to prevent the escape of such feral hog onto the land of another.

(ii) Any person who violates division (i) of this subparagraph shall, upon conviction thereof, be guilty of a misdemeanor of a high and aggravated nature and shall be punished as provided by Code Section 17-10-4; provided, however, that if a fine is imposed pursuant to such Code section, such fine shall be not less than \$1,500.00.

(iii) Any license or permit previously issued under this title to any person convicted of violating division (i) of this subparagraph shall by operation of law be revoked and shall not be reissued for a period of three years after the date of such conviction. The licensee or permit holder shall be notified of the revocation personally or by a letter sent by certified mail or statutory overnight delivery to the name and address indicated on the application for the license or permit, or both, or to the Secretary of State as provided in Code Section 27-2-24.

(b)(1) In issuing a wildlife control permit, the department shall prescribe the method, means, species, numbers, time limits, location, and any other conditions it deems necessary to ensure the continued viability of the wildlife population involved and to ensure that the public safety and interest are not compromised.

(2) Notwithstanding the provisions of paragraph (1) of this subsection, a wildlife control permit for feral hogs shall authorize the hunting or trapping of such feral hogs:

(A) At night with a light, except during the season prescribed for hunting deer;

(B) From within a motor vehicle or while on a motor vehicle; and

(C) By a Georgia resident without a hunting or trapping license if such hunting occurs on premises owned by the permittee or his or her immediate family or leased by him or her or his or her immediate family and used primarily for raising or harvesting crops other than timber or for containing livestock or poultry. Nothing in this subparagraph shall be construed to affect or negate the terms of any lease agreement.

(3) A wildlife control permit for feral hogs shall expire not less than five years from the issuing date; provided, however, that if the permittee is leasing the premises upon which the hunting is to occur, such permit shall expire automatically upon the termination of the lease. The department shall provide for the renewal of permits.

(c) Nothing in this Code section shall be construed to authorize the taking of any species which is protected by the federal Endangered Species Act of 1973, Public Law 93-205, as amended, or under any state law or regulation which has as its purpose the protection of endangered or threatened species."

SECTION 3.

Said title is further amended by revising Code Section 27-3-4, relating to legal weapons for hunting, as follows:

"27-3-4.

(a) It shall be unlawful to hunt wildlife with any weapon, except that:

- (1) Longbows, recurve bows, crossbows, and compound bows may be used for taking small game, feral hogs, or big game. Arrows for hunting deer, bear, and feral hogs must be broadhead type;
- (2) During primitive weapon hunts or primitive weapons seasons:
 - (A) Longbows, recurve bows, crossbows, compound bows, muzzleloading firearms of .44 caliber or larger, and muzzleloading shotguns of 20 gauge or larger loaded with single shot may be used; and
 - (B) Youth under 16 years of age may hunt deer with any firearm legal for hunting deer;
- (3) Firearms for hunting deer, and bear, ~~and feral hogs~~ are limited to 20 gauge shotguns or larger shotguns loaded with slugs or buckshot (except that no buckshot is permitted on state wildlife management areas unless otherwise specified), muzzleloading firearms of .44 caliber or larger, and center-fire firearms .22 caliber or larger; provided, however, that firearms for hunting feral hogs, other than those weapons specified in this paragraph, may be authorized by rule or regulation of the board. Bullets used in all center-fire rifles and handguns must be of the expanding type;
- (4) Weapons for hunting small game shall be limited to shotguns with shot shell size of no greater than 3 1/2 inches in length with No. 2 lead shot or smaller or federally approved nontoxic shot size of F or smaller shot, .22 caliber or smaller rimfire firearms, air rifles, muzzleloading firearms, longbows, recurve bows, crossbows, and compound bows; provided, however, that in addition to the weapons listed in this paragraph, any center-fire firearm of .17 caliber or larger may be used for hunting fox and bobcat. Nothing contained in this paragraph shall permit the taking of protected species;
- (5)~~(A) For hunting deer, feral hogs, and bear, shotguns shall be limited to a capacity of not more than five shells in the magazine and chamber combined. If a plug is necessary to so limit the capacity, the plug shall be of one piece, incapable of being removed through the loading end of the magazine.~~
 - ~~(B)~~ For hunting ~~all other~~ game animals other than deer and bear, shotguns shall be limited to a capacity of not more than three shells in the magazine and chamber combined. If a plug is necessary to so limit the capacity, the plug shall be of one piece, incapable of being removed through the loading end of the magazine;
- (6) It shall be unlawful to hunt turkey with any weapons except shotguns using No. 2 shot or smaller, muzzleloading firearms, longbows, crossbows, recurve bows, or compound bows. Any person taking turkey in violation of this paragraph shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as for a misdemeanor, except that a fine imposed for such violation shall not be less than \$250.00;
- (7) Weapons for hunting alligators shall be limited to hand-held ropes or snares, snatch hooks, harpoons, gigs, or arrows with restraining lines attached. Lawfully restrained alligators may be killed with any caliber handgun or bangstick and shall be killed immediately before transporting;

(8) There are no firearms restrictions for taking nongame animals, ~~or~~ nongame birds, or feral hogs; and

(9) The use of silencers or suppressors for hunting within this state is prohibited; provided, however, that a silencer or suppressor may be used for hunting on the private property of the person using such silencer or suppressor, on private property for which the owner of such property has provided verifiable permission to the person using such silencer or suppressor, and on public lands in areas designated by the department.

(b)(1) It shall be illegal to use a silencer or suppressor for hunting in violation of paragraph (9) of subsection (a) of this Code section. A person who violates the provisions of this paragraph shall be guilty of a misdemeanor.

(2) The hunting privileges of any person who has been convicted of violating the provisions of this title or any rule or regulation promulgated pursuant thereto by hunting without landowner permission, hunting in an area that is closed for hunting, or hunting big game out of season or at night with a firearm equipped with a suppressor shall be suspended for three years."

SECTION 4.

Said title is further amended by revising subsection (a) of Code Section 27-3-13, relating to unlawful hunting of certain animals from vehicles, as follows:

"(a) It shall be unlawful to hunt any wildlife or feral hog from an electric, gas, or diesel boat, a steamboat, a sailboat, an airplane, a hydroplane, a hovercraft, or a motor vehicle; except that alligators may be hunted from any boat or watercraft under power and feral hogs may be hunted from motor vehicles in accordance with an applicable wildlife control permit issued by the department."

SECTION 5.

Said title is further amended by revising Code Section 27-3-24, relating to restrictions on hunting feral hogs, as follows:

"27-3-24.

(a) It shall be unlawful to hunt, or engage in the hunting of, feral hogs:

(1) Upon the lands of another or enter upon the lands of another in pursuit of feral hogs without first obtaining permission from the landowner or lessee of such land or the lessee of the game rights of such land;

(2) Upon any land which is posted without having the permission required by paragraph (1) of this subsection in writing and carried upon the person; or

~~(3) Reserved;~~

~~(4) From within a vehicle or while riding on a vehicle at night and with the use of a light;~~

~~(5) At night with a light, except that a light which is carried on the person of a hunter, affixed to a helmet or hat worn by a hunter, or part of a belt system worn by a hunter may be used for locating feral hogs; or~~

~~(6)~~(3) During the firearms deer season unless the hunter and each person accompanying the hunter are wearing a total of at least 500 square inches of daylight fluorescent orange material as an outer garment and such material or garment is worn above the waistline, and may include a head covering.

(a.1)(1) The board may by rule or regulation restrict the feeding, baiting, or hunting of feral hogs upon, over, around, or near feed or bait in any county wherein there is a documented occurrence of a communicable disease in deer and in any county adjoining such county. Such restriction may be imposed in such county and any adjoining county for a period of up to and including one year and may be extended for additional periods of up to and including two years each upon documentation that the communicable disease is still present in deer in such county. No person shall feed, bait, or hunt feral hogs in violation of any restriction imposed pursuant to this paragraph.

(2) The department shall give notice of such restriction by mail or electronic means to each person holding a current license to hunt whose last known address is within a restricted county. The department may place or designate the placement of signs and markers so as to give notice of such restriction.

(a.2) It shall be unlawful for any person to place, expose, deposit, distribute, or scatter any corn, wheat, or other grains, salts, apples, or other feed or bait so as to constitute a lure, attraction, or enticement for feral hogs within 50 yards of any property ownership boundary.

(b) The Board of Natural Resources is authorized by rules or regulations to control and regulate the hunting or taking of feral hogs on wildlife management areas."

SECTION 6.

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

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y 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	Dickerson	Y Hightower	Y Oliver	Y Stephens, M
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	Y Holcomb	Y Pak	Y Stephenson
Y Bell	Dollar	Y Holmes	Y Parrish	Y Stovall
Y Belton	Y Douglas	Y Houston	Y Parsons	Y Stover
Y Bennett	Y Drenner	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
E Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
Y Brockway	Y Efstoration	Y Jones, J.B.	Y 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	Y Evans	Y Kaiser	E 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 Wilkinson
Y Casas	Y Gasaway	Y Lumsden	Y Rogers, T	Y Willkerson
Y Chandler	Y Geisinger	Y Mabra	Y Rutledge	Y Willard
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Sims	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 170, nays 0.

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

HB 401. By Representatives Efstoration of the 104th, Ballinger of the 23rd, Dempsey of the 13th and Broadrick of the 4th:

A BILL to be entitled an Act to amend Chapter 1A of Title 20 of the Official Code of Georgia Annotated, relating to early care and learning; to amend Code Section 16-12-1.1 of the Official Code of Georgia Annotated, relating to restrictions on persons with criminal records with regard to child, family, or group-care facilities, so as to revise terminology; to amend Code Section 25-2-13 of the Official Code of Georgia Annotated, relating to regulation of fire and other hazards in buildings presenting special hazards to persons or property, so as to revise terminology; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
N 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	Y Stephens, M
Y 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
E Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
Y Brockway	Y Efratration	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	Y Evans	Y Kaiser	E 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	N 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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	N McCall	Y Shaw	Y Yates
N Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, the ayes were 170, nays 4.

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

HB 299. By Representatives Dunahoo of the 30th, Williams of the 119th, Rogers of the 29th, Hawkins of the 27th, Williamson of the 115th and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 13 of the Official Code of Georgia Annotated, relating to general provisions for contracts, so as to provide for definitions; to provide for the imposition of convenience fees upon payments for certain loans or purchases when paid by electronic means; to provide for notice of the imposition of convenience fees; to provide for exclusions and applicability; to provide for an effective date; 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 13 of the Official Code of Georgia Annotated, relating to general provisions for contracts, so as to provide for definitions; to provide for the imposition of convenience fees upon payments for certain loans or purchases when paid by electronic means; to provide for notice of the imposition of convenience fees; to provide for exclusions and applicability; to provide for an effective date; 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 13 of the Official Code of Georgia Annotated, relating to general provisions for contracts, is amended by adding a new Code section to read as follows:

"13-1-15.

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

(1) 'Actual cost' means the amount paid by a third party for the processing of a payment made by electronic means. If a lender or merchant is a subsidiary of an entity that processes payments made by electronic means, the parent entity shall be considered a third party.

(2) 'Payment by electronic means' means the remittance of an amount owed through the use of a credit card, debit card, electronic funds transfer, electronic check, or other electronic method.

(b) In addition to any other charges, interest, and fees permitted by law and subject to the terms and conditions of the debit card or credit card acceptance agreement, a lender or merchant may collect a nonrefundable convenience fee from any person electing to utilize an option of payment by electronic means. Such convenience fee shall be in an amount that represents the actual cost to a lender or merchant; provided, however, that in lieu of the actual cost, a lender or merchant may collect a convenience fee which does not exceed the average of the actual cost incurred for a specific type of payment made by electronic means for which such lender or merchant imposes a convenience fee.

(c) No convenience fee shall be charged unless a lender or merchant also provides a direct payment option by check, cash, or money order in which no convenience fee is imposed.

(d) Any lender or merchant imposing a convenience fee as provided for in this Code section shall provide clear disclosure of such fee prior to imposition. Such notice shall include the dollar amount of such fee, a statement that such fee is nonrefundable, and a statement that such fee is charged for payment by electronic means.

(e) This Code section shall apply only to industrial loans made pursuant to Chapter 3 of Title 7, retail installment and home solicitation sales contracts entered into pursuant to Article 1 of Chapter 1 of Title 10, motor vehicle sales financing contracts entered into pursuant to Article 2 of Chapter 1 of Title 10, and insurance premium finance agreements entered into pursuant to Chapter 22 of Title 33; provided, however, that a convenience fee authorized under this Code section shall not constitute interest, an additional charge, a time price differential, a finance charge, or a service charge within the meaning of Code Section 7-3-15, 10-1-4, 10-1-33, or 33-22-9.

(f) Nothing contained in Code Section 7-4-18 shall be construed to amend or modify the provisions of this Code section."

SECTION 2.

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

SECTION 3.

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

Pursuant to Rule 133, Representative Kidd of the 145th was excused from voting on HB 299.

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	N 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	N Spencer
Y Barr	Y Dickerson	Y Hightower	Y Oliver	Y Stephens, M
Y 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
N 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
E Broadrick	Y Ealum	Y Jones, J	Y Prince	N Taylor, T
Y Brockway	Y Efrstration	Y Jones, J.B.	N Pruett	Y Teasley
Y Brooks	N Ehrhart	Y Jones, L	Y Quick	N 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	Y Evans	Y Kaiser	E Ramsey	N 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	Kidd	Y Rhodes	N 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 LaRiccica	Y Rogers, C	Y Wilkerson
N Casas	Y Gasaway	Y Lumsden	Y Rogers, T	Y Wilkinson
Y Chandler	N Geisinger	Y Mabra	Y Rutledge	Y Willard
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	E Golick	Y Martin	Y Scott	Y Williams, C
Y Clark, H	Y Gordon	Y Maxwell	N Setzler	Y Williams, E
Y Clark, V	Y Gravley	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 159, nays 13.

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

HB 432. By Representatives Raffensperger of the 50th, Willard of the 51st, Geisinger of the 48th, Brooks of the 55th, Mitchell of the 88th and others:

A BILL to be entitled an Act to amend Chapter 36 of Title 36 of the Official Code of Georgia Annotated, relating to annexation of territory by municipal corporations, so as to provide that local Acts providing for the deannexation of property from a municipality and the annexation of the same property to another municipality which are effective on the same date do not create a prohibited unincorporated island; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y 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	N Henson	Y Nix	Y Spencer
Y Barr	Y Dickerson	Y Hightower	Y Oliver	Y Stephens, M
Y Battles	Y Dickey	Y Hitchens	Y O'Neal	Y Stephens, R
Y Beasley-Teague	Y Dickson	N 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
N Beverly	Y Duncan	Y Jasperse	Y Powell, J	Y Taylor, D
E Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
Y Brockway	Y Efrstration	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	Y Evans	Y Kaiser	E 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	N Roberts	Y Werkheiser
Y Carter	Y Gardner	Y 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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	N McCall	Y Shaw	Y Yates
Y Cooke	N Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, the ayes were 168, nays 6.

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

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

HOUSE SUPPLEMENTAL RULES CALENDAR #2
FRIDAY, MARCH 13, 2015

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 30th Legislative Day as enumerated below:

DEBATE CALENDAR

Open Rule

None

Modified Open Rule

HB 3 Education; programs; person solicit transaction with student-athlete;
provide sanctions (Substitute)(HEd-Fleming-121st)

- HB 547 Estates; taxes and tax liens; change provisions (Substitute)(Judy-Fleming-121st)
- HB 551 Public officers and employees; authorize political subdivisions to provide for voluntary contributions by employees through payroll deductions to certain not for profit organizations; provisions (Substitute)(GAff-Brockway-102nd)

Modified Structured Rule

- HB 174 Urban Redevelopment Law; include blighted areas; provisions (Substitute)(Trans-Jones-62nd)

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

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 174. By Representatives Jones of the 62nd, Bruce of the 61st, Gravley of the 67th, Hightower of the 68th and Alexander of the 66th:

A BILL to be entitled an Act to amend Chapter 61 of Title 36 of the Official Code of Georgia Annotated, the "Urban Redevelopment Law," so as to include blighted areas; to modernize terminology; to provide for the use of surface transportation projects in urban redevelopment areas; to provide for definitions; 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 61 of Title 36 of the Official Code of Georgia Annotated, the "Urban Redevelopment Law," so as to revise terminology from "slums" to "pockets of blight"; 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 61 of Title 36 of the Official Code of Georgia Annotated, the "Urban Redevelopment Law," is amended by revising Code Section 36-61-2, relating to definitions, as follows:

"36-61-2.

As used in this chapter, the term:

- (1) 'Agency' or 'urban redevelopment agency' means a public agency created by Code Section 36-61-18.
- (2) 'Area of operation' means the area within the corporate limits of the municipality or county and the area within five miles of such limits, except that it shall not include any area which lies within the territorial boundaries of another incorporated municipality or another county unless a resolution is adopted by the governing body of such other municipality or county declaring a need therefor.
- (3) 'Board' or 'commission' means a board, commission, department, division, office, body, or other unit of the municipality or county.
- (4) 'Bonds' means any bonds (including refunding bonds), notes, interim certificates, certificates of indebtedness, debentures, or other obligations.
- (5) 'Clerk' means the clerk or other official of the municipality or county who is the custodian of the official records of such municipality or county.
- (6) 'County' means any county in this state.
- (7) 'Downtown development authority' means an authority created pursuant to Chapter 42 of this title.
- (8) 'Federal government' means the United States of America or any agency or instrumentality, corporate or otherwise, of the United States of America.
- (9) 'Housing authority' means a housing authority created by and established pursuant to Article 1 of Chapter 3 of Title 8, the 'Housing Authorities Law.'
- (10) 'Local governing body' means the council or other legislative body charged with governing the municipality and the board of commissioners or governing authority of the county.
- (11) 'Mayor' means the mayor of a municipality or other officer or body having the duties customarily imposed upon the executive head of a municipality.
- (12) 'Municipality' means any incorporated city or town in ~~the~~ this state.
- (13) 'Obligee' includes any bondholder, agents, or trustees for any bondholders, or any lessor demising to the municipality or county property used in connection with an urban redevelopment project, or any assignee or assignees of such lessor's interest or any part thereof, and the federal government when it is a party to any contract with the municipality or county.

(14) 'Person' means any individual, firm, partnership, corporation, company, association, joint-stock association, or body politic and includes any trustee, receiver, assignee, or other person acting in a similar representative capacity.

(15) 'Pocket of blight' means an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age, or obsolescence; inadequate provision for ventilation, light, air, sanitation, or open spaces; high density of population and overcrowding; existence of conditions which endanger life or property by fire and other causes; or any combination of such factors, are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime and detrimental to the public health, safety, morals, or welfare. 'Pocket of blight' also means an area which by reason of the presence of a substantial number of deteriorated or deteriorating structures; predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness; unsanitary or unsafe conditions; deterioration of site or other improvements; tax or special assessment delinquency exceeding the fair value of the land; the existence of conditions which endanger life or property by fire and other causes; having development impaired by airport or transportation noise or other environmental hazards; or any combination of such factors, substantially impairs or arrests the sound growth of a municipality or county, retards the provisions of housing accommodations, or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use.

(16) 'Pocket of blight clearance and redevelopment' may include:

(A) Acquisition of a pocket of blight or portion thereof;

(B) Rehabilitation or demolition and removal of buildings and improvements;

(C) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the area the urban redevelopment provisions of this chapter in accordance with the urban redevelopment plan; and

(D) Making the land available for development or redevelopment by private enterprise or public agencies, including sale, initial leasing, or retention by the municipality or county itself, at its fair value for uses in accordance with the urban redevelopment plan.

~~(15)~~(17) 'Public body' means the state or any municipality, county, board, commission, authority, district, housing authority, urban redevelopment agency, or other subdivision or public body of the state.

~~(16)~~(18) 'Real property' includes all lands, including improvements and fixtures thereon and property of any nature appurtenant thereto or used in connection therewith, and every estate, interest, right, and use, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage, or otherwise.

~~(17)~~(19) 'Rehabilitation' or 'conservation' may include the restoration and redevelopment of a ~~slum area~~ pocket of blight or portion thereof, in accordance with an urban redevelopment plan, by:

(A) Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements;

(B) Acquisition of real property and rehabilitation or demolition and removal of buildings and improvements thereon where necessary to eliminate unhealthful, unsanitary, or unsafe conditions, to lessen density, to reduce traffic hazards, to eliminate obsolete or other uses detrimental to the public welfare, to otherwise remove or prevent the spread of slums pockets of blight or deterioration, or to provide land for needed public facilities;

(C) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the area the urban redevelopment provisions of this chapter; and

(D) The disposition of any property acquired in such urban redevelopment area, including sale, initial leasing or retention by the municipality or county itself, at its fair value for uses in accordance with the urban redevelopment plan.

~~(18) 'Slum area' means an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age, or obsolescence; inadequate provision for ventilation, light, air, sanitation, or open spaces; high density of population and overcrowding; existence of conditions which endanger life or property by fire and other causes; or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime and is detrimental to the public health, safety, morals, or welfare. 'Slum area' also means an area which by reason of the presence of a substantial number of slum, deteriorated, or deteriorating structures; predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness; unsanitary or unsafe conditions; deterioration of site or other improvements; tax or special assessment delinquency exceeding the fair value of the land; the existence of conditions which endanger life or property by fire and other causes; by having development impaired by airport or transportation noise or by other environmental hazards; or any combination of such factors substantially impairs or arrests the sound growth of a municipality or county; retards the provisions of housing accommodations, or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use.~~

~~(19) 'Slum clearance and redevelopment' may include:~~

~~(A) Acquisition of a slum area or portion thereof;~~

~~(B) Rehabilitation or demolition and removal of buildings and improvements;~~

~~(C) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the area the urban redevelopment provisions of this chapter in accordance with the urban redevelopment plan; and~~

~~(D) Making the land available for development or redevelopment by private enterprise or public agencies (including sale, initial leasing, or retention by the~~

~~municipality or county itself) at its fair value for uses in accordance with the urban redevelopment plan.~~

(20) 'Urban redevelopment area' means a ~~slum area~~ pocket of blight which the local governing body designates as appropriate for an urban redevelopment project.

(21) 'Urban redevelopment plan' means a plan, as it exists from time to time, for an urban redevelopment project, which plan shall:

(A) Conform to the general plan for the municipality or county as a whole; and

(B) Be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban redevelopment area; zoning and planning changes, if any; land uses; maximum densities; building requirements; and the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.

(22) 'Urban redevelopment project' may include undertakings or activities of a municipality or county in an urban redevelopment area for the elimination and for the prevention of the development or spread of ~~slums~~ pockets of blight and may involve ~~slum~~ pocket of blight clearance and redevelopment in an urban redevelopment area, rehabilitation or conservation in an urban redevelopment area, or any combination or part thereof, in accordance with an urban redevelopment plan. Although the power of eminent domain may not be exercised for such purposes, such undertakings or activities may include:

(A) Acquisition, without regard to any requirement that the area be a ~~slum or blighted area~~ pocket of blight, of air rights in an area consisting of lands and highways, railway or subway tracks, bridge or tunnel entrances, or other similar facilities which have a blighting influence on the surrounding area and over which air rights sites are to be developed for the elimination of such blighting influences and for the provision of housing and related facilities and uses designed for, and limited primarily to, families and individuals of low or moderate income; and

(B) Construction of foundations and platforms necessary for the provision of air rights sites of housing and related facilities and uses designed for, and limited primarily to, families and individuals of low or moderate income or construction of foundations necessary for the provision of air rights sites for development of nonresidential facilities."

SECTION 2.

Said chapter is further amended by revising Code Section 36-61-3, relating to legislative findings and declaration of necessity, as follows:

"36-61-3.

(a) It is found and declared that there exist in municipalities and counties of this state ~~slum areas~~ pockets of blight, as defined in paragraph ~~(18)~~ (15) of Code Section 36-61-2, which constitute a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of this state; that the existence of such areas

contributes substantially and increasingly to the spread of disease and crime, constitutes an economic and social liability, substantially impairs or arrests the sound growth of municipalities and counties, retards the provision of housing accommodations, aggravates traffic problems, and substantially impairs or arrests the elimination of traffic hazards and the improvement of traffic facilities; and that the prevention and elimination of ~~slums~~ pockets of blight is a matter of state policy and state concern, in order that ~~the~~ this state and its municipalities and counties shall not continue to be endangered by areas which are local centers of disease, promote juvenile delinquency, and, while contributing little to the tax income of ~~the~~ this state and its municipalities and counties, consume an excessive proportion of its revenues because of the extra services required for police, fire, accident, hospitalization, and other forms of public protection, services, and facilities.

(b) It is further found and declared that certain ~~slum-areas~~ pockets of blight or portions thereof may require acquisition, clearance, and disposition, subject to use restrictions, as provided in this chapter, since the prevailing condition of decay may make impracticable the reclamation of the area by conservation or rehabilitation; that the other areas or portions thereof, through the means provided in this chapter, may be susceptible of conservation or rehabilitation in such a manner that the conditions and evils enumerated in subsection (a) of this Code section may be eliminated, remedied, or prevented and that, to the extent that is feasible, salvable ~~slum-areas~~ pockets of blight should be conserved and rehabilitated through voluntary action and the regulatory process.

(c) It is further found and declared that the powers conferred by this chapter are for public uses and purposes for which public money may be expended and the power of eminent domain may be exercised. The necessity, in the public interest, for the provisions enacted in this chapter is declared as a matter of legislative determination."

SECTION 3.

Said chapter is further amended by revising Code Section 36-61-5, relating to resolution of necessity as prerequisite to exercise of powers, as follows:

"36-61-5.

No municipality or county shall exercise any of the powers conferred upon municipalities and counties by this chapter until after its local governing body has adopted a resolution finding that:

- (1) One or more ~~slum-areas~~ pockets of blight exist in such municipality or county; and
- (2) The rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the municipality or county."

SECTION 4.

Said chapter is further amended by revising Code Section 36-61-6, relating to formulation of workable program, as follows:

"36-61-6.

For the purposes of this chapter, a municipality or county may formulate a workable program for utilizing appropriate private and public resources, including those specified in Code Section 36-61-11, to eliminate and prevent the development or spread of ~~slums~~ pockets of blight, to encourage needed urban rehabilitation, to provide for the redevelopment of ~~slum areas~~ pockets of blight, or to undertake such of the aforesaid activities or such other feasible municipal or county activities as may be suitably employed to achieve the objectives of such workable program. Such workable program may include, without limitation, provision for the prevention of the spread of ~~slums~~ pockets of blight into areas of the municipality or county which are free from ~~slums~~ pockets of blight, through diligent enforcement of housing, zoning, and occupancy controls and standards; the rehabilitation or conservation of ~~slum areas~~ pockets of blight or portions thereof by replanning, removing congestion, providing parks, playgrounds, and other public improvements, encouraging voluntary rehabilitation, and compelling the repair and rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of ~~slum areas~~ pockets of blight or portions thereof."

SECTION 5.

Said chapter is further amended by revising Code Section 36-61-7, relating to preparation of redevelopment plan, approval, modification, and effect of approval, as follows:

"36-61-7.

(a) A municipality or county shall not approve an urban redevelopment plan for an urban redevelopment area unless the governing body, by resolution, has determined such area to be a ~~slum area~~ pocket of blight and designated such area as appropriate for an urban redevelopment project. Authority is vested in every municipality and county to prepare, to adopt, and to revise, from time to time, a general plan for the physical development of the municipality or county as a whole (giving due regard to the environs and metropolitan surroundings), to establish and maintain a planning commission for such purpose and related municipal and county planning activities, and to make available and to appropriate the necessary funds therefor. A municipality or county shall not acquire real property for an urban redevelopment project unless the local governing body has approved the urban redevelopment plan in accordance with subsection (d) of this Code section.

(b) The municipality or county may itself prepare or cause to be prepared an urban redevelopment plan; alternatively, any person or agency, public or private, may submit a plan to a municipality or county.

(c) The local governing body of the municipality or county shall hold or shall cause some agency of the municipality or county to hold a public hearing on an urban redevelopment plan or a substantial modification of an approved urban redevelopment plan, after public notice thereof by publication in a newspaper having a general circulation in the area of operation of the municipality or county. The notice shall describe the time, date, place, and purpose of the hearing, shall generally identify the

urban redevelopment area covered by the plan, and shall outline the general scope of the urban redevelopment project under consideration.

(d) Following such hearing, the local governing body may approve an urban redevelopment plan if it finds that:

(1) A feasible method exists for the relocation of families who will be displaced from the urban redevelopment area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families;

(2) The urban redevelopment plan conforms to the general plan of the municipality or county as a whole; and

(3) The urban redevelopment plan will afford maximum opportunity, consistent with the sound needs of the municipality or county as a whole, for the rehabilitation or redevelopment of the urban redevelopment area by private enterprise.

(e) An urban redevelopment plan may be modified at any time, provided that, if modified after the lease or sale by the municipality or county of real property in the urban redevelopment project area, such modification shall be subject to such rights at law or in equity as a lessee or purchaser or his or her successor or successors in interest may be entitled to assert. Any proposed modification which will substantially change the urban redevelopment plan as previously approved by the local governing body shall be subject to the requirements of this Code section, including the requirement of a public hearing, before it may be approved.

(f) Upon the approval of an urban redevelopment plan by a municipality or county, the provisions of the plan with respect to the future use and building requirements applicable to the property covered by the plan shall be controlling with respect thereto."

SECTION 6.

Said chapter is further amended by revising paragraphs (1), (6), and (9) of Code Section 36-61-8, relating to powers of municipalities and counties generally, as follows:

"(1) To undertake and carry out urban redevelopment projects within its area of operation; to make and execute contracts and other instruments necessary or convenient to the exercise of its powers under this chapter; and to disseminate ~~slum~~ pocket of blight clearance and urban redevelopment information;"

"(6) Within their area of operation, to make or have made all plans necessary to the carrying out of the purposes of this chapter and to contract with any person, public or private, in making and carrying out such plans and to adopt or approve, modify, and amend such plans. Such plans may include, without limitation:

(A) A general plan for the locality as a whole;

(B) Urban redevelopment plans;

(C) Plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements, to include but not to be limited to making loans and grants from funds received from the federal government, as well as from funds received from the repayment of such loans and interest thereon, to persons, public or private, owning private housing for the purpose of financing the rehabilitation of such housing;

(D) Plans for the enforcement of state and local laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements; and

(E) Appraisals, title searches, surveys, studies, and other preliminary plans and work necessary to prepare for the undertaking of urban redevelopment projects.

The municipality or county is authorized to develop, test, and report methods and techniques and to carry out demonstrations and other activities for the prevention and elimination of ~~slums~~ pockets of blight and to apply for, accept, and utilize grants of funds from the federal government for such purposes;"

"(9) Within their areas of operation, to organize, coordinate, and direct the administration of the provisions of this chapter as they apply to such municipality or county, in order that the objective of remedying ~~slums~~ pockets of blight and preventing the causes thereof within the municipality or county may be most effectively promoted and achieved, and to establish such new office or offices of the municipality or county or to reorganize existing offices in order to carry out such purpose most effectively-; and"

SECTION 7.

Said chapter is further amended by revising subsection (a) of Code Section 36-61-10, relating to disposal of property in redevelopment area generally, notice and bidding procedures, exchange with veterans' organization, and temporary operation of property, as follows:

"(a) A municipality or county may sell, lease, or otherwise transfer real property in an urban redevelopment area or any interest therein acquired by it and may enter into contracts with respect thereto, for residential, recreational, commercial, industrial, or other uses or for public use; or the municipality or county may retain such property or interest for public use, in accordance with the urban redevelopment plan, subject to such covenants, conditions, and restrictions, including covenants running with the land and including the incorporation by reference therein of the provisions of an urban redevelopment plan or any part thereof, as it may deem to be in the public interest or necessary or desirable to assist in preventing the development or spread of future ~~slums~~ pockets of blight or to otherwise carry out the purposes of this chapter. Such sale, lease, other transfer, or retention and any agreement relating thereto may be made only after the approval of the urban redevelopment plan by the local governing body. The purchasers or lessees and their successors and assigns shall be obligated to devote such real property only to the uses specified in the urban redevelopment plan and may be obligated to comply with such other requirements as the municipality or county may determine to be in the public interest, including the obligation to begin within a reasonable time any improvements on the real property required by the urban redevelopment plan. Such real property or interest shall be sold, leased, otherwise transferred, or retained at not less than its fair value for uses in accordance with the urban redevelopment plan. In determining the fair value of real property for uses in

accordance with the urban redevelopment plan, a municipality or county shall take into account and give consideration to the uses provided in such plan; the restrictions upon and the covenants, conditions, and obligations assumed by the purchaser or lessee or by the municipality or county retaining the property; and the objectives of such plan for the prevention of the recurrence of ~~slum areas~~ pockets of blight. The municipality or county in any instrument of conveyance to a private purchaser or lessee may provide that such purchaser or lessee shall be without power to sell, lease, or otherwise transfer the real property without the prior written consent of the municipality or county until he or she has completed the construction of any and all improvements which he or she has obligated himself or herself to construct thereon. Real property acquired by a municipality or county which, in accordance with the provisions of the urban redevelopment plan, is to be transferred shall be transferred as rapidly as feasible in the public interest consistent with the carrying out of the provisions of the urban redevelopment plan. The inclusion in any such contract or conveyance to a purchaser or lessee of any such covenants, restrictions, or conditions, including the incorporation by reference therein of the provisions of an urban redevelopment plan or any part thereof, shall not prevent the filing of the contract or conveyance in the land records of the county in such manner as to afford actual or constructive notice thereof."

SECTION 8.

Said chapter is further amended by revising subsection (b) of Code Section 36-61-17, relating to exercise of redevelopment powers by municipalities and counties and delegation to redevelopment agency or housing authority, as follows:

"(b) As used in this Code section, the term 'urban redevelopment project powers' shall include all of the rights, powers, functions, duties, privileges, immunities, and exemptions granted to a municipality or county under this chapter, except the following: (1) The power to determine an area to be a ~~slum area~~ pocket of blight and to designate such area as appropriate for an urban redevelopment project;

- (2) The power to approve and amend urban redevelopment plans;
- (3) The power to establish a general plan for the locality as a whole;
- (4) The power to formulate a workable program under Code Section 36-61-6;
- (5) The powers, duties, and functions referred to in Code Section 36-61-11;
- (6) The power to make the determinations and findings provided for in Code Section 36-61-4, Code Section 36-61-5, and subsection (d) of Code Section 36-61-7;
- (7) The power to issue general obligation bonds; and
- (8) The power to appropriate funds, to levy taxes and assessments, and to exercise other powers provided for in paragraph (8) of Code Section 36-61-8."

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:

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y 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	Y Stephens, M
Y 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
E 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	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	Y Evans	Y Kaiser	E 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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

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

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

HB 551. By Representative Brockway of the 102nd:

A BILL to be entitled an Act to amend Article 3 of Chapter 7 of Title 45 of the Official Code of Georgia Annotated, relating to salary deductions applicable to public officers and employees, so as to authorize local political subdivisions to provide for voluntary contributions by employees through

payroll deductions to certain not for profit organizations; to provide for a definition; to authorize voluntary deductions from wages or salaries of employees of the State of Georgia and local units of administration for purchases of consumer offerings through an employee purchase program facilitated by and through the Department of Administrative Services; to change a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Article 3 of Chapter 7 of Title 45 of the Official Code of Georgia Annotated, relating to salary deductions applicable to public officers and employees, so as to authorize voluntary deductions from wages or salaries of employees of the State of Georgia and local units of administration for purchases of consumer offerings through an employee purchase program facilitated by and through the Department of Administrative Services; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 3 of Chapter 7 of Title 45 of the Official Code of Georgia Annotated, relating to salary deductions applicable to public officers and employees, is amended by revising Code Section 45-7-56, relating to deductions for purchase of personal computing and computer related equipment, as follows:

"45-7-56.

(a) As used in this Code section, the term 'local unit of administration' means any county or independent board of education.

(b) It is the purpose of this Code section to permit voluntary deductions from wages or salaries of employees of the State of Georgia and local units of administration for the purchase of personal computing and computer related equipment through an employee purchase program facilitated by and through the Georgia Technology Authority and for the purchase of consumer offerings through an employee purchase program facilitated by and through the Department of Administrative Services.

(c) Any department, agency, authority, or commission of the state or any local unit of administration is authorized to deduct designated amounts from the wages or salaries from its employees for the purpose of facilitating employee purchases of personal computing and computer related equipment through an employee purchase program facilitated by and through the Georgia Technology Authority and for the purpose of facilitating employee purchases of consumer offerings through an employee purchase program facilitated by and through the Department of Administrative Services. No such

deduction shall be made under this Code section without the express written and voluntary consent of the employee. Each such request shall designate the exact amount to be deducted. Any employee who has consented to a deduction is authorized to withdraw from such salary reduction with two weeks' written notice; provided, however, that such withdrawal shall not relieve any employee of any outstanding indebtedness incurred under such purchase program.

(d)(1) The fiscal authorities or other employees of the various departments or agencies of this state will not incur any liability for errors or omissions made in the performance of the agreement between the state and the employee.

(2) The fiscal authorities or other employees of local units of administration will not incur any liability for errors or omissions made in the performance of the agreement between the local unit of administration and the employee.

(3) Notwithstanding the provisions of paragraphs (1) and (2) of this subsection, this Code section does not confer immunity from criminal or civil liability for conversion, theft by conversion, theft by taking, theft by extortion, theft by deception, or any other intentional misappropriation of the money or property of another.

(e) If a state employee or public school employee leaves employment for any reason and a balance is owing for the computer, ~~or~~ equipment, or consumer offering, then, in that event, the state or board of education or the state retirement system shall have the right to deduct the balance owing from any funds under the control of the state or board of education or state retirement system to which said employee would otherwise be entitled."

SECTION 2.

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

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

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

Y Abrams	Y Coomer	Y Harbin	Meadows	Y Smith, E
Y Alexander	Y Cooper	Y Harden	Y Mitchell	Y Smith, L
Y Allison	Y Corbett	N Harrell	Y Morris	Y Smith, M
Y Anderson	Y Dawkins-Haigler	Y Hatcher	Mosby	Y Smith, R
Y Atwood	N Deffenbaugh	Y Hawkins	Y Nimmer	Y Smyre
Y Ballinger	Y Dempsey	Henson	N Nix	Y Spencer
Y Barr	Y Dickerson	Y Hightower	Y Oliver	Y Stephens, M
Y Battles	Y Dickey	N 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	N Houston	Y Parsons	Y Stover
Y Bennett	Y Drenner	Y Howard	Y Peake	Y Strickland
N Bentley	Y Dudgeon	Y Hugley	Y Petrea	N 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
E Broadrick	Y Ealum	Y Jones, J	Y Prince	N 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	N Rakestraw	Y Trammell
Y Buckner	Y Evans	Y Kaiser	E Ramsey	Y Turner
Y Burns	Y Fleming	Y Kelley	Y Randall	Y Waites
N 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 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
Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	E Golick	Y Martin	Y Scott	Y Williams, C
Y Clark, H	Y Gordon	N Maxwell	Y Setzler	Y Williams, E
Y Clark, V	Y Gravley	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 158, nays 12.

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

HB 547. By Representatives Fleming of the 121st, Powell of the 171st and Willard of the 51st:

A BILL to be entitled an Act to amend Chapter 3 of Title 53 of the Official Code of Georgia Annotated, relating to year's support, so as to change provisions relating to taxes and tax liens; to provide for a definition; 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 3 of Title 53 of the Official Code of Georgia Annotated, relating to year's support, so as to change provisions relating to taxes and tax liens; to provide for a definition; 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 3 of Title 53 of the Official Code of Georgia Annotated, relating to year's support, is amended by revising Code Section 53-3-4, relating to taxes and tax liens, as follows:

"53-3-4.

(a) As used in this Code section, the term 'homestead' shall have the same meaning as set forth in Code Section 48-5-40.

(b) In solvent and insolvent estates, all taxes and liens for taxes accrued for years prior to the year of the decedent's death against the ~~real property~~ homestead set apart and against any equity of redemption applicable to the ~~real property~~ homestead set apart shall be divested as if the entire title were included in the year's support. Additionally, as elected in the petition, property taxes accrued in the year of the decedent's death or in the year in which the petition for year's support is filed or, if the petition is filed in the year of the decedent's death, in the year following the filing of the petition, shall be divested if the ~~real property~~ homestead is set apart for year's support."

SECTION 2.

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

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y 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 Hatchett	Y Mosby	Y Smith, R
Y Atwood	N Deffenbaugh	Y Hawkins	Y Nimmer	Y Smyre
Ballinger	Y Dempsey	Y Henson	Y Nix	Y Spencer
Y Barr	Y Dickerson	Y Hightower	Y Oliver	Y Stephens, M
Y Battles	Y Dickey	Y Hitchens	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
E 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	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	Y Evans	Y Kaiser	E 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
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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 168, nays 1.

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

HB 393. By Representatives Martin of the 49th, Maxwell of the 17th, Stover of the 71st, Dudgeon of the 25th, Brockway of the 102nd and others:

A BILL to be entitled an Act to amend Part 5 of Article 22 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to motor vehicle fair practices, so as to provide for an exception to restrictions on the ownership, operation, or control of dealerships by manufacturers and franchisors; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and withdrawn:

A BILL TO BE ENTITLED
AN ACT

To amend Part 5 of Article 22 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to motor vehicle fair practices, so as to provide for definitions; to provide for an exception to restrictions on the ownership, operation, or control of dealerships by manufacturers and franchisors; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 5 of Article 22 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to motor vehicle fair practices, is amended in Code Section 10-1-622, relating to definitions, by revising paragraph (11) as follows:

"(11) 'New motor vehicle' means a motor vehicle ~~which has been sold to a dealer and~~ on which the original motor vehicle title has not been issued."

SECTION 2.

Said part is further amended in Code Section 10-1-664.1, relating to restrictions on the ownership, operation, or control of dealerships by manufacturers and franchisors, by revising subsections (a) and (b) as follows:

"(a) It shall be unlawful for any manufacturer or franchisor or any parent, affiliate, wholly or partially owned subsidiary, officer, or representative of a manufacturer or franchisor to own, operate, or control or to participate in the ownership, operation, or control of any new motor vehicle dealer in this state within a 15 mile radius of an existing dealer of such manufacturer or franchisor; to own, operate, or control, directly or indirectly, more than a 45 percent interest in a dealer or dealership in this state; to establish in this state an additional dealer or dealership in which such person or entity has any interest; or to own, operate, or control, directly or indirectly, any interest in a dealer or dealership in this state unless such person or entity has acquired such interest from a dealer or dealership which has been in operation for at least five years prior to such acquisition; provided, however, that this subsection shall not be construed to prohibit:

- (1) The ownership, operation, or control by a manufacturer or franchisor of a new motor vehicle dealer for a temporary period, not to exceed one year, during the transition from one owner or operator to another;
- (2) The ownership, operation, or control of a new motor vehicle dealer by a manufacturer or franchisor during a period in which such new motor vehicle dealer is being sold under a bona fide contract, shareholder agreement, or purchase option to the operator of the dealership;
- (3) The ownership, operation, or control of a new motor vehicle dealer by a manufacturer or franchisor at the same location at which such manufacturer or franchisor has been engaged in the retail sale of new motor vehicles as the owner, operator, or controller of such dealership for a continuous two-year period of time immediately prior to April 1, 1999, where there is no prospective new motor vehicle dealer available to own or operate the dealership in a manner consistent with the public interest;
- (4) The ownership, operation, or control by a manufacturer which manufactures only motorcycles or motor homes of a retail sales operation engaged in the retail sale of motorcycles or motor homes;
- (5) The ownership, operation, or control by a manufacturer which is selling motor vehicles directly to the public at an established place of business on January 1, 1999, and which has never sold its line make of new motor vehicles in ~~Georgia~~ this state through a franchised new motor vehicle dealer unless and until such manufacturer is wholly or partially acquired by another manufacturer or franchisor;
- (6) The ownership, operation, or control by a manufacturer which manufactures trucks with a gross vehicle weight rating of 12,500 pounds or more of a new motor

vehicle dealer which only sells trucks with a gross vehicle weight rating of 12,500 pounds or more at the same location at which such manufacturer has been engaged in the retail sale of such trucks as the owner, operator, or controller of such dealership for a continuous two-year period of time immediately prior to April 1, 1999, or at one additional location which is not located within the relevant market area of an existing dealer of the same line make of trucks; provided, however, this exemption shall apply to a manufacturer described in this paragraph only until such manufacturer is wholly or partially acquired by another manufacturer or distributor; ~~or~~

(7) A manufacturer from selling new motor vehicles to customers if such vehicles are manufactured or assembled in accordance with custom design specifications of the customer and such sales are limited to no more than 150 vehicles per year; or

(8) The ownership, operation, or control by a manufacturer of not more than five locations licensed as new motor vehicle dealerships for the sale of new motor vehicles and any locations that engage exclusively in the repair of such manufacturer's line make of motor vehicles, provided that such manufacturer was selling or otherwise distributing its motor vehicles at an established place of business in this state as of January 1, 2015, and:

(A) The manufacturer manufactures or assembles zero emissions motor vehicles exclusively and has never sold its line make of motor vehicles in this state through a franchised new motor vehicle dealer; and

(B) The manufacturer has not acquired a controlling interest in a franchise or a subsidiary or other entity controlled by such franchisor, or sold or transferred a controlling interest in such manufacturer to a franchisor or subsidiary or other entity controlled by such franchisor.

(b) It shall be unlawful for a manufacturer or franchisor or any parent, affiliate, wholly or partially owned subsidiary, officer, or representative of a manufacturer or franchisor to compete unfairly with a new motor vehicle dealer of the same line make, operating under a franchise, in the State of Georgia, and, except as otherwise provided in this subsection, the mere ownership, operation, or control of a new motor vehicle dealer by a manufacturer or franchisor under the conditions set forth in paragraphs (1) through ~~(7)~~(8) of subsection (a) of this Code section shall not constitute a violation of this subsection. For purposes of this Code section, a manufacturer or franchisor or any parent, affiliate, wholly or partially owned subsidiary, officer, or representative of a manufacturer or franchisor shall be conclusively presumed to be competing unfairly if it gives any preferential treatment to a dealer or dealership of which any interest is directly or indirectly owned, operated, or controlled by such manufacturer or franchisor or any partner, affiliate, wholly or partially owned subsidiary, officer, or representative of such manufacturer or franchisor, expressly including, but not limited to, preferential treatment regarding the direct or indirect cost of vehicles or parts, the availability or allocation of vehicles or parts, the availability or allocation of special or program vehicles, the provision of service and service support, the availability of or participation in special programs, the administration of warranty policy, the availability and use of

after warranty adjustments, advertising, floor planning, financing or financing programs, or factory rebates."

SECTION 3.

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

The following substitute, offered by the Committee on Rules, was read and adopted:

A BILL TO BE ENTITLED AN ACT

To amend Part 5 of Article 22 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to motor vehicle fair practices, so as to provide for definitions; to provide for an exception to restrictions on the ownership, operation, or control of dealerships by manufacturers and franchisors; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 5 of Article 22 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to motor vehicle fair practices, is amended in Code Section 10-1-622, relating to definitions, by revising paragraph (11) as follows:

"(11) 'New motor vehicle' means a motor vehicle ~~which has been sold to a dealer and~~ on which the original motor vehicle title has not been issued."

SECTION 2.

Said part is further amended in Code Section 10-1-664.1, relating to restrictions on the ownership, operation, or control of dealerships by manufacturers and franchisors, by revising subsections (a) and (b) as follows:

"(a) It shall be unlawful for any manufacturer or franchisor or any parent, affiliate, wholly or partially owned subsidiary, officer, or representative of a manufacturer or franchisor to own, operate, or control or to participate in the ownership, operation, or control of any new motor vehicle dealer in this state within a 15 mile radius of an existing dealer of such manufacturer or franchisor; to own, operate, or control, directly or indirectly, more than a 45 percent interest in a dealer or dealership in this state; to establish in this state an additional dealer or dealership in which such person or entity has any interest; or to own, operate, or control, directly or indirectly, any interest in a dealer or dealership in this state unless such person or entity has acquired such interest from a dealer or dealership which has been in operation for at least five years prior to such acquisition; provided, however, that this subsection shall not be construed to prohibit:

- (1) The ownership, operation, or control by a manufacturer or franchisor of a new motor vehicle dealer for a temporary period, not to exceed one year, during the transition from one owner or operator to another;
- (2) The ownership, operation, or control of a new motor vehicle dealer by a manufacturer or franchisor during a period in which such new motor vehicle dealer is being sold under a bona fide contract, shareholder agreement, or purchase option to the operator of the dealership;
- (3) The ownership, operation, or control of a new motor vehicle dealer by a manufacturer or franchisor at the same location at which such manufacturer or franchisor has been engaged in the retail sale of new motor vehicles as the owner, operator, or controller of such dealership for a continuous two-year period of time immediately prior to April 1, 1999, where there is no prospective new motor vehicle dealer available to own or operate the dealership in a manner consistent with the public interest;
- (4) The ownership, operation, or control by a manufacturer which manufactures only motorcycles or motor homes of a retail sales operation engaged in the retail sale of motorcycles or motor homes;
- (5) The ownership, operation, or control by a manufacturer which is selling motor vehicles directly to the public at an established place of business on January 1, 1999, and which has never sold its line make of new motor vehicles in Georgia this state through a franchised new motor vehicle dealer unless and until such manufacturer is wholly or partially acquired by another manufacturer or franchisor;
- (6) The ownership, operation, or control by a manufacturer which manufactures trucks with a gross vehicle weight rating of 12,500 pounds or more of a new motor vehicle dealer which only sells trucks with a gross vehicle weight rating of 12,500 pounds or more at the same location at which such manufacturer has been engaged in the retail sale of such trucks as the owner, operator, or controller of such dealership for a continuous two-year period of time immediately prior to April 1, 1999, or at one additional location which is not located within the relevant market area of an existing dealer of the same line make of trucks; provided, however, this exemption shall apply to a manufacturer described in this paragraph only until such manufacturer is wholly or partially acquired by another manufacturer or distributor; ~~or~~
- (7) A manufacturer from selling new motor vehicles to customers if such vehicles are manufactured or assembled in accordance with custom design specifications of the customer and such sales are limited to no more than 150 vehicles per year; or
- (8) The ownership, operation, or control by a manufacturer of not more than five locations licensed as new motor vehicle dealerships for the sale of new motor vehicles and any number of locations that engage exclusively in the repair of such manufacturer's line make of motor vehicles, provided that such manufacturer was selling or otherwise distributing its motor vehicles at an established place of business in this state as of January 1, 2015, and:

(A) The manufacturer manufactures or assembles zero emissions motor vehicles exclusively and has never sold its line make of motor vehicles in this state through a franchised new motor vehicle dealer; and

(B) The manufacturer has not acquired a controlling interest in a franchisor or a subsidiary or other entity controlled by such franchisor, or sold or transferred a controlling interest in such manufacturer to a franchisor or subsidiary or other entity controlled by such franchisor.

(b) It shall be unlawful for a manufacturer or franchisor or any parent, affiliate, wholly or partially owned subsidiary, officer, or representative of a manufacturer or franchisor to compete unfairly with a new motor vehicle dealer of the same line make, operating under a franchise, in the State of Georgia, and, except as otherwise provided in this subsection, the mere ownership, operation, or control of a new motor vehicle dealer by a manufacturer or franchisor under the conditions set forth in paragraphs (1) through ~~(7)~~(8) of subsection (a) of this Code section shall not constitute a violation of this subsection. For purposes of this Code section, a manufacturer or franchisor or any parent, affiliate, wholly or partially owned subsidiary, officer, or representative of a manufacturer or franchisor shall be conclusively presumed to be competing unfairly if it gives any preferential treatment to a dealer or dealership of which any interest is directly or indirectly owned, operated, or controlled by such manufacturer or franchisor or any partner, affiliate, wholly or partially owned subsidiary, officer, or representative of such manufacturer or franchisor, expressly including, but not limited to, preferential treatment regarding the direct or indirect cost of vehicles or parts, the availability or allocation of vehicles or parts, the availability or allocation of special or program vehicles, the provision of service and service support, the availability of or participation in special programs, the administration of warranty policy, the availability and use of after warranty adjustments, advertising, floor planning, financing or financing programs, or factory rebates."

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, by substitute.

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y 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
Ballinger	Y Dempsey	Y Henson	Y Nix	Y Spencer
Y Barr	Y Dickerson	Y Hightower	Y Oliver	Y Stephens, M
Y 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
E Broadrick	Y Ealum	Y Jones, J	Y Prince	Y Taylor, T
Y Brockway	Y Efrstration	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	Y Evans	Y Kaiser	E Ramsey	Y Turner
Y Burns	Y Fleming	Y Kelley	Y Randall	Y Waites
N 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
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	E 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	Y Mayo	Y Sharper	Y Williamson
Y Coleman	N Greene	Y McCall	Y Shaw	Y Yates
Y Cooke	Y Hamilton	N McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 170, nays 3.

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

HB 3. By Representative Fleming of the 121st:

A BILL to be entitled an Act to amend Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to other educational programs, so as to provide sanctions for persons that enter into or solicit a transaction with a student-athlete that would result in sanctions to the student-athlete; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to other educational programs, so as to prohibit persons from entering into or soliciting a transaction with a student-athlete that would result in sanctions to the student-athlete; to provide for a right of action by a postsecondary institution; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to other educational programs, is amended by revising Code Section 20-2-317, relating to inappropriate means of encouraging and rewarding student-athletes, as follows:

"20-2-317.

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

(1) 'Immediate family' ~~shall mean~~ means a student-athlete's spouse, child, parent, stepparent, grandparent, grandchild, brother, sister, mother-in-law, father-in-law, sister-in-law, brother-in-law, nephew, niece, aunt, uncle, and first cousin, and the spouses and guardians of any such individuals.

(2) 'Person' ~~shall mean~~ means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, firm, or any other legal or commercial entity.

(3) 'Student-athlete' ~~shall mean~~ means a student at any public or private institution of postsecondary education in this state or a student residing in this state who has applied, is eligible to apply, or may be eligible to apply in the future to a public or private institution of postsecondary education who engages in, is eligible to engage in, or may be eligible to engage in any intercollegiate sporting event, contest, exhibition, or program.

(4) 'Transaction' means any action or set of actions occurring between two or more persons for the sale or exchange of any property or services.

(b) Except as provided in subsection (c) of this Code section, no person shall give, offer, promise, or attempt to give any money or other thing of value to a student-athlete or member of a student-athlete's immediate family:

(1) To induce, encourage, or reward the student-athlete's application, enrollment, or attendance at a public or private institution of postsecondary education in order to have the student-athlete participate in intercollegiate sporting events, contests, exhibitions, or programs at that institution; or

(2) To induce, encourage, or reward the student-athlete's participation in an intercollegiate sporting event, contest, exhibition, or program.

(b.1) No person shall enter into or solicit directly or through an agent a transaction with a student-athlete if such person has knowledge that the transaction would likely be cause for the student-athlete to permanently or temporarily lose athletic scholarship

eligibility, the ability to participate on an intercollegiate athletic team, or the ability to participate in one or more intercollegiate sporting competitions as sanctioned by a national association for the promotion and regulation of intercollegiate athletics, by an athletic conference or other sanctioning body, or by the institution of postsecondary education itself as a reasonable self-imposed disciplinary action taken by such institution to mitigate sanctions likely to be imposed by such organizations as a result of such transaction or as a violation of such institution's own rules.

(c) This Code section shall not apply to:

- (1) Any public or private institution of postsecondary education or to any officer or employee of such institution when the institution or officer or employee of such institution is acting in accordance with an official written policy of such institution which is in compliance with the bylaws of the National Collegiate Athletic Association;
- (2) Any intercollegiate athletic awards approved or administered by the student-athlete's institution;
- (3) Grants-in-aid or other full or partial scholarships awarded to a student-athlete or administered by an institution of postsecondary education;
- (4) Members of the student-athlete's immediate family; and
- (5) Money or things of value given by a person to a student-athlete or the immediate family of a student-athlete that do not exceed \$250.00 in value in the aggregate on an annual basis.

(d) Any person that violates the provisions of subsection (b) or (b.1) of this Code section shall be guilty of a misdemeanor of a high and aggravated nature.

(e) Each public and private high school in this state shall advise in writing at the beginning of each sports season each student who participates in any athletic program sponsored by the school of the provisions of this Code section and shall provide each student with information concerning the effect of receiving money or other things of value on the student's future eligibility to participate in intercollegiate athletics. The provisions of this subsection shall not apply to intermural athletic programs at such schools."

SECTION 2.

Said part is further amended by revising subsection (b) of Code Section 20-2-318, relating to intercollegiate athletics and remedies for improper activities, as follows:

"(b) Each public and private institution of postsecondary education located in this state that participates or engages in intercollegiate athletics shall have a right of action against any person who engages in any activity concerning student-athletes that results in:

- (1) The ~~the~~ institution being penalized, disqualified, or suspended from participation in intercollegiate athletics by a national association for the promotion and regulation of intercollegiate athletics, by an athletic conference or other sanctioning body, or by reasonable self-imposed disciplinary action taken by such institution to mitigate sanctions likely to be imposed by such organizations as a result of such activity; or

(2) The student-athlete permanently or temporarily losing athletic scholarship eligibility, the ability to participate on an intercollegiate athletic team, or the ability to participate in one or more intercollegiate sporting competitions as sanctioned by a national association for the promotion and regulation of intercollegiate athletics, by an athletic conference or other sanctioning body, or by the institution itself as a reasonable self-imposed disciplinary action taken by such institution to mitigate sanctions likely to be imposed by such organizations as a result of engaging in such activity or as a violation of such institution's own rules.

The institution shall be entitled to recover all damages which are directly related to or which flow from and are reasonably related to such improper activity and to such penalties, disqualifications, and suspensions. Damages shall include, but not be limited to, loss of scholarships, loss of television revenue, loss of bowl revenue, and legal and other fees associated with the investigation of the activity and the representation of the institution before the sanctioning organizations in connection with the investigation and resolution of such activity. If the institution is the prevailing party in its cause of action, it shall be entitled to an award of court costs, costs of litigation, and reasonable attorney's fees. The institution may also request and the court may enter an injunction against any person found liable from having any further contact with the institution, its student-athletes, and student-athletes who have expressed or might express an interest in attending the institution and from attending athletic contests, exhibitions, games, or other such events in which one or more of the institution's student-athletes is participating. The right of action and remedies under this Code section are in addition to all other rights of action which may be available to the institution."

SECTION 3.

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

SECTION 4.

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

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

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

Y Abrams	Y Coomer	Y Harbin	Y Meadows	Y Smith, E
Y Alexander	N Cooper	Y Harden	Y Mitchell	Y Smith, L
N Allison	Y Corbett	N Harrell	Y Morris	N 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	N Henson	Y Nix	Y Spencer
N Barr	Y Dickerson	Y Hightower	Y Oliver	Y Stephens, M
Y 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	N Stover
Y Bennett	N Drenner	Y Howard	Y Peake	Y Strickland
Y Bentley	Y Dudgeon	Y Hugley	Y Petrea	Y Tankersley
N Benton	Y Dukes	Y Jackson	N Pezold	Y Tanner
Y Beskin	Y Dunahoo	Y Jacobs	N Powell, A	N Tarvin
Y Beverly	Y Duncan	Y Jasperse	Y Powell, J	Y Taylor, D
E Broadrick	Y Ealum	Y Jones, J	Y Prince	N Taylor, T
N Brockway	Y Efrstration	Y 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	Y Thomas, E
Y Bryant	Y Epps	Y Jordan	Y Rakestraw	Y Trammell
Y Buckner	Y Evans	Y Kaiser	E Ramsey	N Turner
Y Burns	Y Fleming	Y Kelley	Y Randall	Y Waites
Y Caldwell, J	Y Floyd	Y Kendrick	Y Reeves	Y Watson
N Caldwell, M	Y Fludd	Y Kidd	Y Rhodes	Y Welch
N Cantrell	Y Frazier	N 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	Lumsden	Y Rogers, T	Y Wilkinson
Y Chandler	Y Geisinger	Y Mabra	N Rutledge	Y Willard
Y Cheokas	E Glanton	Y Marin	Y Rynders	Y Williams, A
E Clark, D	E Golick	Y Martin	Y Scott	Y Williams, C
N Clark, H	Y Gordon	Y Maxwell	Y Setzler	Y Williams, E
Y Clark, V	N Gravley	Y Mayo	Y Sharper	Y Williamson
Y Coleman	Y Greene	N McCall	Y Shaw	Y Yates
N Cooke	Hamilton	Y McClain	Y Sims	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 145, nays 27.

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

By unanimous consent, the following Bill of the House, having been previously postponed, was again postponed until the next legislative day:

HB 16. By Representative Prince of the 127th:

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

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 36. By Senators Ligon, Jr. of the 3rd, Williams of the 19th, Watson of the 1st, Sims of the 12th and Jackson of the 2nd:

A BILL to be entitled an Act to amend Article 3 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to wells and drinking water, so as to prohibit the injection of ground water into the Floridan aquifer in certain counties; to provide for a short title; to provide for legislative findings; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 82. By Senators Wilkinson of the 50th, Ginn of the 47th, Gooch of the 51st, Williams of the 19th and Mullis of the 53rd:

A BILL to be entitled an Act to amend Code Section 40-2-152 of the Official Code of Georgia Annotated, relating to fees and alternative ad valorem taxation of apportionable vehicles, so as to revise and change certain provisions regarding the distribution of alternative ad valorem tax proceeds; to provide for an effective date; to repeal conflicting laws; and for other purposes.

SB 109. By Senators Orrock of the 36th and Unterman of the 45th:

A BILL to be entitled an Act to amend Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general provisions relative to health, so as to clarify the use and effectiveness of Physician Orders for Life-Sustaining Treatment forms; to provide alternate terminology for do not resuscitate orders; to amend other Code sections of the Official Code of Georgia Annotated for purposes of conformity; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 141. By Senators Jones of the 10th, McKoon of the 29th, Seay of the 34th, Butler of the 55th, Sims of the 12th and others:

A BILL to be entitled an Act to amend Code Section 15-11-2 of the Official Code of Georgia Annotated, relating to definitions for juvenile proceedings under the Juvenile Code, so as to provide that minor violations of weapons in

school safety zones are not considered Class B designated felonies; to restore certain provisions to their prior form due to the conflict between the enactment of 2014 House Bill 60 and House Bill 826; to provide for an effective date and applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

- SB 143. By Senators Hufstetler of the 52nd, Seay of the 34th, Albers of the 56th, Stone of the 23rd, Watson of the 1st and others:

A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to require an insurer providing services under the state health benefit plan to include certain trauma centers in its provider network; to provide for a mechanism to resolve disputes between insurers and certain hospitals; to provide for legislative intent; to provide for definitions; to provide for an appeal to the Commissioner of Insurance; to provide for appointment of an arbitration panel; to provide for the panel membership and duties; to provide for subject matter of disputes; to provide for binding decisions; to provide for appeal of the arbitration panel decision and venue; to provide for related matters; to repeal conflicting laws; and for other purposes.

- SB 169. By Senators Gooch of the 51st, Williams of the 19th, Beach of the 21st, Mullis of the 53rd, Miller of the 49th and others:

A BILL to be entitled an Act to amend Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, so as to revise what constitutes part of the state highway system; to provide for the appropriation of funds to the Department of Transportation; to provide for notice in the disposition of property; to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to provide for submission of electronic accident reports by law enforcement agencies; to provide for related matters; to repeal conflicting laws; and for other purposes.

- SB 176. By Senators James of the 35th, Orrock of the 36th and Parent of the 42nd:

A BILL to be entitled an Act to amend Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to miscellaneous provisions regarding elementary and secondary education, so as to require that youth athletes participating in gridiron football shall be equipped with and wear a helmet which has at least a four star rating on the Virginia Tech Helmet Ratings scale at the time of its use; to provide for an exception; to provide for a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

HB 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.

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.

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.

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.

Representative O'Neal of the 146th moved that the House do now adjourn until 1:00 o'clock, P.M., Wednesday, March 18, 2015, and the motion prevailed.

Pursuant to the adjournment Resolution previously adopted by the House and Senate, the Speaker announced the House adjourned until 1:00 o'clock, P.M., Wednesday, March 18, 2015.