

**Representative Hall, Atlanta, Georgia****Thursday, February 18, 2016****Twenty-Third Legislative Day**

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

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

Abrams	Coleman	Greene	McCall	Sharper
Alexander	Cooke	Harden	McClain	Shaw
Allison	Coomer	Harrell	Meadows	Sims
Atwood	Cooper	Hatchett	Mitchell	Smith, E
Ballinger	Corbett	Hawkins	Morris	Smith, L
Barr	E Dawkins-Haigler	E Henson	Nimmer	Smith, M
Battles	Deffenbaugh	Hightower	Nix	Smith, R
E Beasley-Teague	Dempsey	Hitchens	Oliver	Spencer
Belton	Dickerson	Holcomb	Pak	Stephens, M
E Bennett, K	Dickey	Holmes	Parrish	Stephens, R
Bennett, T	Dickson	Houston	Parsons	Stovall
Bentley	Dollar	Howard	Peake	Strickland
Benton	Douglas	Hugley	Petrea	Tankersley
Beskin	Drenner	Jackson	E Pezold	Tanner
Beverly	Dudgeon	Jasperse	Pirkle	Tarvin
Blackmon	Dukes	Jones, J	Powell, A	Taylor, D
Broadrick	Dunahoo	Jones, J.B.	Powell, J	Teasley
Brockway	Duncan	Jones, L	Price	Thomas, E
E Bruce	Ealum	Jones, S	Prince	Trammell
Bryant	Efstration	Kaiser	Pruett	Turner
Burns	Ehrhart	Kelley	Quick	Waites
Caldwell, J	England	Kendrick	Raffensperger	Watson
Caldwell, M	Epps	Kidd	E Rakestraw	Welch
Cantrell	Evans	Kirby	Ramsey	Werkheiser
Carson	Fleming	Knight	Reeves	Wilkerson
Carter, A	Frye	LaRiccia	Rhodes	Wilkinson
Carter, D	Gardner	Lott	Rice	Willard
Casas	Gasaway	Lumsden	Rogers, C	Williams, A
Chandler	Gilligan	Mabra	Rogers, T	Williams, C
Cheokas	Glanton	Marin	Rutledge	Williams, E
Clark, D	Golick	Martin	Rynders	Williamson
Clark, H	Gordon	Maxwell	Scott	Yates
Clark, V	Gravley	Mayo	Setzler	Ralston, Speaker

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

Representatives Buckner of the 137th, Floyd of the 99th, Fludd of the 64th, Frazier of the 126th, Jordan of the 77th, Metze of the 55th, Mosby of the 83rd, Randall of the

142nd, Smyre of the 135th, Stephenson of the 90th, Stover of the 71st, Taylor of the 79th, and Thomas of the 56th.

They wished to be recorded as present.

Prayer was offered by Reverend Jeremy G. Rich, Pastor, First Missionary Baptist Church, Thomasville, Georgia.

The members pledged allegiance to the flag.

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

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

The Journal was confirmed.

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

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

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

HB 1034. By Representative Coomer of the 14th:

A BILL to be entitled an Act to amend Article 2 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to dimensions and weight of vehicles and loads, so as to provide for the issuance of an annual commercial wrecker tow permit; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Transportation.

- HB 1035. By Representatives Hitchens of the 161st, Yates of the 73rd, Deffenbaugh of the 1st, Ealum of the 153rd, Rogers of the 10th and others:

A BILL to be entitled an Act to amend Article 4 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to county taxation, so as to provide that a tax collector or tax commissioner shall waive the collection of penalties and interest incurred upon default that occurred due to a taxpayer's military service in a combat zone if the taxpayer pays the underlying tax liability within 30 days of the end of such military service; to provide a short title; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

- HB 1036. By Representatives Hitchens of the 161st, Stephens of the 164th, Petrea of the 166th, Williams of the 168th, Abrams of the 89th and others:

A BILL to be entitled an Act to amend Chapter 3 of Title 22 of the O.C.G.A., relating to the exercise of power of eminent domain for special purposes, so as to change certain provisions relating to the exercise of power of eminent domain for construction of petroleum pipelines and the environmental permitting requirements for petroleum pipelines; to enact a temporary moratorium on the use of eminent domain for construction of petroleum pipelines and the permitting for construction of such pipelines so that a commission of elected officials and field experts can conduct a detailed study; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Energy, Utilities & Telecommunications.

- HB 1037. By Representatives Clark of the 101st, Cooper of the 43rd, Taylor of the 173rd, Efstoration of the 104th, Broadrick of the 4th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Community Health, so as to expand the certified nurse aide registry to nurse aides who provide services in private residences; to provide for inquiries and complaints; to provide that the registry be easily located on the department's website; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health & Human Services.

HB 1038. By Representatives Rhodes of the 120th and Kidd of the 145th:

A BILL to be entitled an Act to authorize the governing authority of the City of Eatonton 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 1039. By Representatives Shaw of the 176th, Watson of the 172nd, Maxwell of the 17th, Smith of the 134th, Efstoration of the 104th and others:

A BILL to be entitled an Act to amend Chapter 34 of Title 33 of the Official Code of Georgia Annotated, relating to motor vehicle accident reparations, so as to prohibit driver only policies; to provide for definitions; to provide for prohibition for issuance of named driver policies in this state; to provide for a certain named driver exclusion; to provide for related matters; to provide for applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance.

HB 1040. By Representative Powell of the 32nd:

A BILL to be entitled an Act to amend Code Section 40-1-1 of the Official Code of Georgia Annotated, relating to definitions relative to motor vehicles, so as to provide for a definition of autocycle and exempt such vehicles from the definition of motorcycle; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Motor Vehicles.

HB 1041. By Representatives Mabra of the 63rd, Willard of the 51st, Hightower of the 68th, Quick of the 117th, Reeves of the 34th and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 14 of Title 24 of the Official Code of Georgia Annotated, relating to particular matters of proof, so as to provide authority for the use of other mortality tables; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 1042. By Representative Kelley of the 16th:

A BILL to be entitled an Act to amend an Act to create a Board of Commissioners of Roads and Revenues in and for the County of Polk, approved August 19, 1919 (Ga. L. 1919, p. 719), so as to change provisions relating to the filling of vacancies in the offices of members of the governing authority; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 1043. By Representatives Kelley of the 16th and Cooper of the 43rd:

A BILL to be entitled an Act to amend Code Section 43-34-26.1 of the Official Code of Georgia Annotated, relating to vaccine protocol agreements, so as to exempt activities conducted by a hospital or health system with respect to influenza vaccinations from certain requirements; to provide for conditions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health & Human Services.

HR 1399. By Representatives Gasaway of the 28th, Powell of the 32nd and Benton of the 31st:

A RESOLUTION recognizing Currahee Mountain and dedicating a parkway in its honor; and for other purposes.

Referred to the Committee on Transportation.

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

HB 1018	HB 1019
HB 1020	HB 1021
HB 1022	HB 1023
HB 1024	HB 1025
HB 1026	HB 1027
HB 1028	HB 1029
HB 1031	HB 1032
HB 1033	HR 1364
HR 1365	HR 1366
HR 1367	HR 1382

SB 115  
SB 290

SB 158  
SB 320

Representative England of the 116th District, Chairman of the Committee on Appropriations, submitted the following report:

Mr. Speaker:

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

HB 751 Do Pass, by Substitute  
HB 773 Do Pass, by Substitute

Respectfully submitted,  
/s/ England of the 116th  
Chairman

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

Mr. Speaker:

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

HB 205	Do Pass, by Substitute	HB 770	Do Pass, by Substitute
HB 790	Do Pass, by Substitute	HB 874	Do Pass, by Substitute
HB 905	Do Pass, by Substitute	HB 941	Do Pass, by Substitute
HB 948	Do Pass	HB 949	Do Pass, by Substitute

Respectfully submitted,  
/s/ Hightower of the 68th  
Secretary

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

HOUSE RULES CALENDAR  
THURSDAY, FEBRUARY 18, 2016

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 23rd Legislative Day as enumerated below:

### DEBATE CALENDAR

#### Open Rule

- HB 676      Accountability, Change Management, and Process Improvement Act of 2015; enact (Substitute)(GAff-Brockway-102nd)
- HB 876      Animals; license and surety requirements of livestock dealers and market operators; update (A&CA-Pirkle-155th)

#### Modified Open Rule

- HB 777      School buses; drivers use cellular telephones in similar manner as a two-way radio; allow (Substitute)(PS&HS-Dudgeon-25th)
- HB 826      Medical practice; physicians; provide for certain requirements for advertisement or publication of representations of board certification (Substitute)(H&HS-Price-48th)
- HB 879      Elementary and secondary education; seal of biliteracy for high school graduates with a high level of proficiency in one or more foreign languages in addition to English; provide (ED&T-Taylor-79th)

#### Modified Structured Rule

- HB 745      Public property; extend automatic repeals of certain provisions relating to writing off small amounts due to the state; provisions (B&FAO-Ehrhart-36th)
- HB 772      Elections; advanced voting with regard to Saturday voting; revise period of time (GAff-Clark-147th)
- HB 783      Controlled substances; Schedules I and IV; change certain provisions (Substitute)(H&HS-Broadrick-4th)
- HB 847      Crimes and offenses; fraud in obtaining public assistance; redesignate and revise Code Sections (JudyNC-Clark-98th)
- HB 927      "Appellate Jurisdiction Reform Act of 2016"; enact (Substitute)(Judy-Coomer-14th)

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 270. By Senators Martin of the 9th, Hill of the 32nd, Harper of the 7th, Unterman of the 45th, Mullis of the 53rd and others:

A BILL to be entitled an Act to amend Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to carrying and possession of firearms, so as to authorize persons who are qualified retired law enforcement officers to carry a handgun anywhere within this state; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 282. By Senators Stone of the 23rd, Tippins of the 37th, Unterman of the 45th, Mullis of the 53rd, Burke of the 11th and others:

A BILL to be entitled an Act to amend Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to deceptive or unfair practices, so as to prohibit the discriminatory refusal to provide credit or financial services to those persons engaged in the lawful commerce of firearms or ammunition products; to provide for a short title; to provide definitions; to provide for civil causes of action; to provide for action by the Attorney General; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 305. By Senator 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 require the department to provide certain notification prior to modification of the Physician Orders for Life-Sustaining Treatment form; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 319. By Senators Jackson of the 2nd, Kirk of the 13th, Unterman of the 45th, Henson of the 41st and Orrock of the 36th:

A BILL to be entitled an Act to amend Code Section 43-10A-3 of the Official Code of Georgia Annotated, relating to definitions relative to professional

counselors, social workers, and others, so as to revise the definition of "professional counseling"; to repeal conflicting laws; and for other purposes.

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

SB 270. By Senators Martin of the 9th, Hill of the 32nd, Harper of the 7th, Unterman of the 45th, Mullis of the 53rd and others:

A BILL to be entitled an Act to amend Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to carrying and possession of firearms, so as to authorize persons who are qualified retired law enforcement officers to carry a handgun anywhere within this state; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety & Homeland Security.

SB 282. By Senators Stone of the 23rd, Tippins of the 37th, Unterman of the 45th, Mullis of the 53rd, Burke of the 11th and others:

A BILL to be entitled an Act to amend Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to deceptive or unfair practices, so as to prohibit the discriminatory refusal to provide credit or financial services to those persons engaged in the lawful commerce of firearms or ammunition products; to provide for a short title; to provide definitions; to provide for civil causes of action; to provide for action by the Attorney General; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Banks & Banking.

SB 305. By Senator 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 require the department to provide certain notification prior to modification of the Physician Orders for Life-Sustaining Treatment form; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health & Human Services.

SB 319. By Senators Jackson of the 2nd, Kirk of the 13th, Unterman of the 45th, Henson of the 41st and Orrock of the 36th:

A BILL to be entitled an Act to amend Code Section 43-10A-3 of the Official Code of Georgia Annotated, relating to definitions relative to professional counselors, social workers, and others, so as to revise the definition of "professional counseling"; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries.

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

Representatives Nix of the 69th et al., Efration of the 104th et al., Tanner of the 9th, Ealum of the 153rd, LaRiccia of the 169th, Alexander of the 66th, Dickerson of the 113th, Marin of the 96th et al., and Beasley-Teague of the 65th.

Pursuant to HR 1349, the House recognized February 18, 2016, as the 4th Annual Legislative Fly-In at the state capitol and commended the Georgia Airports Association and its leadership Jim Galloway, Blake Swafford, Jason Pinnix, Kevin Britton, Mike Mathews, and Mario Evans.

Pursuant to HR 1105, the House recognized and commended Christopher and Kyle Massey.

By order of the Committee on Rules, the following Bill of the House was withdrawn from the General Calendar and recommitted to the Committee on Governmental Affairs:

HB 781. By Representatives Raffensperger of the 50th, Rynders of the 152nd, Jones of the 167th, Taylor of the 173rd, Broadrick of the 4th and others:

A BILL to be entitled an Act to amend Chapter 80 of Title 36, Article 1 of Chapter 2 of Title 45, and Chapter 1 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions applicable to counties, municipal corporations, and other governmental entities; general provisions regarding eligibility and qualifications for public office; and general provisions relating to state government, respectively, so as to require that individuals appointed to authorities, boards, councils, and commissions be United States citizens; to provide for other residency requirements; to provide for a definition; to provide for enforcement; to provide an effective date and applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

By order of the Committee on Rules, the following Bill of the House was withdrawn from the General Calendar and recommitted to the Committee on Ways & Means:

HB 922. By Representatives Williamson of the 115th, Knight of the 130th, Kelley of the 16th, Harrell of the 106th, Coomer of the 14th and others:

A BILL to be entitled an Act to amend Code Section 48-7-40.17 of the Official Code of Georgia Annotated, relating to a tax credit for creating quality jobs, so as to add a definition of taxpayer; to provide for related matters; to repeal conflicting laws; and for other purposes.

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 Judiciary:

SB 255. By Senators Stone of the 23rd, Bethel of the 54th, Millar of the 40th, Albers of the 56th, Ligon, Jr. of the 3rd and others:

A BILL to be entitled an Act to amend Title 18 of the Official Code of Georgia Annotated, relating to debtor and creditor, so as to modernize, reorganize, and provide constitutional protections in garnishment proceedings; to provide for definitions; to provide for an affidavit and summons of garnishment, contents, and procedure for garnishment; to provide for property being subject to and exempt from garnishment; to provide for a defendant's and third party's claim and plaintiff's traverse and the procedure for claims and traverses; to provide for procedures only applicable to financial institutions; to provide for and require the use of certain forms for garnishment proceedings; to amend Code Sections 44-7-50 and 53-12-80 of the O.C.G.A., relating to demand for possession and spendthrift provisions, respectively, so as to correct cross-references; 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 745. By Representative Ehrhart of the 36th:

A BILL to be entitled an Act to amend Article 1 of Chapter 16 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions relative to public property, so as to extend automatic repeals of certain provisions relating to writing off small amounts due to the state; to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to extend automatic repeals of certain provisions relating to nonlapsing revenue of institutions in the University System of Georgia and the Technical

College System of Georgia; 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 Harrell	Y Mitchell	Y Smith, L
Y Alexander	Y Cooper	Hatchett	Y Morris	Y Smith, M
Y Allison	Y Corbett	Y Hawkins	Y Mosby	Y Smith, R
Y Atwood	E Dawkins-Haigler	E Henson	Y Nimmer	Y Smyre
Y Ballinger	Y Deffenbaugh	Y Hightower	Y Nix	Y Spencer
Y Barr	Y Dempsey	Y Hitchens	Y Oliver	Y Stephens, M
Y Battles	Y Dickerson	Y Holcomb	Y Pak	Y Stephens, R
E Beasley-Teague	Y Dickey	Y Holmes	Y Parrish	Y Stephenson
Y Belton	Y Dickson	Y Houston	Y Parsons	Y Stovall
E Bennett, K	Dollar	Y Howard	Y Peake	Stover
Y Bennett, T	Y Douglas	Y Hugley	Y Petrea	Y Strickland
Y Bentley	Y Drenner	Y Jackson	Y Pezold	Y Tankersley
Y Benton	Y Dudgeon	Y Jasperse	Y Pirkle	Y Tanner
Y Beskin	Y Dukes	Y Jones, J	Y Powell, A	Y Tarvin
Y Beverly	Y Dunahoo	Y Jones, J.B.	Y Powell, J	Y Taylor, D
Y Blackmon	E Duncan	Y Jones, L	Y Price	Y Taylor, T
Y Broadrick	Y Ealum	Jones, S	Y Prince	Y Teasley
Y Brockway	Y Efrstration	Y Jordan	Pruett	Y Thomas, A.M.
E Bruce	Y Ehrhart	Kaiser	Y Quick	Y Thomas, E
Y Bryant	Y England	Y Kelley	Y Raffensperger	Y Trammell
Y Buckner	Y Epps	Y Kendrick	E Rakestraw	Y Turner
Y Burns	Y Evans	Y Kidd	Y Ramsey	VACANT
Y Caldwell, J	Y Fleming	Y Kirby	Y Randall	Y Waites
Y Caldwell, M	Y Floyd	Y Knight	Y Reeves	Y Watson
Y Cantrell	Fludd	Y LaRiccia	Y Rhodes	Y Welch
Y Carson	Y Frazier	Y Lott	Y Rice	Y Weldon
Y Carter, A	Y Frye	Y Lumsden	Y Rogers, C	Y Werkheiser
Y Carter, D	Y Gardner	Y Mabra	Y Rogers, T	Y Wilkerson
Y Casas	Y Gasaway	Y Marin	Y Rutledge	Y Wilkinson
Y Chandler	Y Gilligan	Y Martin	Y Rynders	Y Willard
Y Cheokas	Y Glanton	Y Maxwell	Y Scott	Y Williams, A
Y Clark, D	Y Golick	Y Mayo	Setzler	Y Williams, C
Y Clark, H	Y Gordon	Y McCall	Y Sharper	Y Williams, E
Y Clark, V	Y Gravley	Y McClain	Y Shaw	Y Williamson
Y Coleman	Y Greene	Y Meadows	Y Sims	Y Yates
Y Cooke	Y Harden	Metze	Y Smith, E	Ralston, Speaker

On the passage of the Bill, the ayes were 162, nays 0.

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

House of Representatives  
District 53

February 18, 2016

Please vote me "yes" for HB 745.

/s/ Sheila Jones

HB 783. By Representatives Broadrick of the 4th, Harden of the 148th, Parrish of the 158th and Hawkins of the 27th:

A BILL to be entitled an Act to amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, so as to change certain provisions relating to Schedules I and IV controlled substances; to change certain provisions relating to the definition of dangerous drug; to provide for restricted dangerous drugs; to provide for penalties for certain violations relating to restricted dangerous drugs and nonprescription injectable insulin; 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 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, so as to change certain provisions relating to Schedules I and IV controlled substances; to change certain provisions relating to the definition of dangerous drug; to provide for restricted dangerous drugs; to provide for a penalty for violations relating to nonprescription injectable insulin; 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 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, is amended in Code Section 16-13-25, relating to Schedule I controlled substances, by adding new subparagraphs to paragraph (3) to read as follows:

"(BBB) Methoxyphencyclidine (MeO-PCP);  
(CCCC) 4-hydroxy-N-methyl-N-isopropyltryptamine (4-OH-MiPT);  
(DDDD) N,a-dimethyl-5-benzofuranethanamine (5-MAPB);"

**SECTION 2.**

Said chapter is further amended in Code Section 16-13-25, relating to Schedule I controlled substances, by revising paragraph (12) as follows:

"(12) Any of the following compounds, derivatives, their salts, isomers, or salts of isomers, halogen analogues, or homologues, unless specifically utilized as part of the manufacturing process by a commercial industry of a substance or material not intended for human ingestion or consumption, as a prescription administered under medical supervision, or research at a recognized institution, whenever the existence of these salts, isomers, or salts of isomers, halogen analogues, or homologues is possible within the specific chemical designation:

- (A) Naphthoylindoles;
- (B) Naphthylmethyindoles;
- (C) Naphthoylpyrroles;
- (D) Naphthylideneindenes;
- (E) Phenylacetylindoles;
- (F) Cyclohexylphenols;
- (G) Benzoylindoles;
- (H) Tricyclic benzopyrans;
- (I) Adamantoylindoles;
- (J) Indazole amides;

(K) [2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone (WIN 55,212-2);

(L) Any compound, unless specifically excepted or listed in this or another schedule, structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the compound is further modified in any of the following ways:

- (i) By substitution in the ring system to any extent with alkyl, alkylendioxy, alkoxy, haloalkyl, hydroxyl, or halide substitutions, whether or not further substituted in the ring system;
- (ii) By substitution at the 3-position with an acyclic alkyl substitution; or
- (iii) By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups, or by inclusion of the 2-amino nitrogen atom in a cyclic structure;

~~(L.1) 1-pentyl-8-quinolinyl-ester-1H-indole-3-carboxylic acid (PB-22);~~

~~(M) (1-Pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)-methanone (UR-144)~~

Indole carboxamides;

~~(N) [1-(5-fluoropentyl)indole-3-yl]-(2,2,3,3-tetramethylcyclopropyl)-methanone~~

~~(XLR11) Indole carboxylates;~~

(O) [1,1'-biphenyl]-3-yl-carbamic acid, cyclohexyl ester (URB602);

~~(P) [1-(2-morpholin-4-ylethyl)-1H-indol-3-yl]-(2,2,3,3-tetramethylcyclopropyl)-methanone (A-796,260)~~ Indazole carboxylates;

(Q) [3-(3-carbamoylphenyl)phenyl] N-cyclohexylcarbamate (URB597);

(R) 6-methyl-2-[(4-methylphenyl)amino]-1-benzoxazin-4-one (URB754);

- (S) ~~1-pentyl 3-(1-adamantylamido)indole~~ (2NE1) Indole tetramethylcyclopropanecarbonyls;
- (T) ~~1-(5-fluoropentyl) N-(tricyclo[3.3.1.1<sup>3,7</sup>]dec-1-yl)-1H-indole-3-carboxamide (STS-135) Naphthoylbenzimidazoles~~;
- (U) ~~1-naphthalenyl[4-(pentylox)-1-naphthalenyl]-methanone (CB-13)~~;
- (V) ~~N-1-naphthalenyl-1-pentyl-1H-indole-3-carboxamide~~ (NNEI); Naphthoylindazoles.
- (W) ~~N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indole-3-carboxamide (ADBICA)~~;
- (X) ~~(1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-yl)(naphthalen-1-yl)methanone (AM-2201 benzimidazole analog)~~;
- (Y) ~~Quinolin-8-yl-1-(4-fluorobenzyl)-1H-indole-3-carboxylate (FUB-PB-22)~~;
- (Z) ~~Naphthalen-1-yl-1-(4-fluorobenzyl)-1H-indole-3-carboxylate (FDU-PB-22)~~;
- (AA) ~~Naphthalene-1-yl-1-(5-fluoropentyl)-1H-indole-3-carboxylate (NM2201)~~;
- (BB) ~~(1-(4-fluorobenzyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone (FUB-144)~~;
- (CC) ~~N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indole-3-carboxamide (5-fluoro-ABICA)~~;
- (DD) ~~1-naphthalenyl(1-pentyl-1H-indazol-3-yl)-methanone (THJ-018).~~"

### SECTION 3.

Said chapter is further amended by revising Code Section 16-13-28, relating to Schedule IV controlled substances, as follows:

"16-13-28.

(a) The controlled substances listed in this Code section are included in Schedule IV. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specified chemical designation, included as having a stimulant or depressant effect on the central nervous system or a hallucinogenic effect:

~~(0.5) Alfaxalone;~~

(1) ~~Alprazolam~~ Alfaxalone;

(1.5) Armodafinil;

(2) Barbital;

(2.1) ~~Bromazepam~~ Reserved;

(2.15) Butorphanol;

~~(2.2) Camazepam;~~

(2.25) Carisoprodol;

(2.3) Cathine;

(3) Chloral betaine;

(4) Chloral hydrate;

- (5) Chlordiazepoxide, but not including librax (chlordiazepoxide hydrochloride and clidinium bromide) or menrium (chlordiazepoxide and water soluble esterified estrogens);
- (5.1) Clobazam;
- (6) ~~Clonazepam~~ Reserved;
- ~~(7) Clorazepate;~~
- ~~(7.1)(7) Clotiazepam;~~
- ~~(7.2) Cloxazolam;~~
- ~~(7.3) Delorazepam;~~
- (8) ~~Desmethyldiazepam~~ Reserved;
- (8.5) Dexfenfluramine;
- (9) Reserved;
- (10) ~~Diazepam~~ Reserved;
- (11) Diethylpropion;
- (11.05) Difenoxin;
- ~~(11.1) Estazolam;~~
- (11.5) Eluxadoline;
- (12) Ethchlorvynol;
- (13) Ethinamate;
- ~~(13.1) Ethyl loflazepate;~~
- (13.15) Etizolam;
- (13.2) Fencamfamin;
- (14) Fenfluramine;
- ~~(14.1) Flunitrazepam;~~
- (14.2) Fenproporex;
- ~~(15) Flurazepam;~~
- ~~(15.3)(15) Fospropofol;~~
- ~~(16) Halazepam;~~
- ~~(16.1) Haloxazolam;~~
- ~~(16.15)(16) Indiplon;~~
- ~~(16.2) Ketazolam;~~
- ~~(16.3) Lometazepam;~~
- ~~(16.4) Loprazolam;~~
- ~~(17) Lorazepam;~~
- ~~(17.5)(17) Lorcaserin;~~
- (18) Mazindol;
- (19) Mebutamate;
- ~~(19.1) Medazepam;~~
- (19.2) Mefenorex;
- (20) Meprobamate;
- (21) Methohexital;
- (22) Methylphenobarbital;
- ~~(22.1) Midazolam;~~

- ~~(22.15)~~(22.1) Modafinil;
- ~~(22.2)~~ Nimetazepam;
- ~~(22.3)~~ Nitrazepam;
- ~~(22.4)~~ Nordiazepam;
- (23) ~~Oxazepam~~ Reserved;
- ~~(23.1)~~ Oxazolam;
- (24) Paraldehyde;
- (25) Pemoline;
- (26) Pentazocine;
- (27) Petrichloral;
- ~~(27.5)~~ Phenazepam;
- (28) Phenobarbital;
- (29) Phentermine;
- (29.1) Pipradrol;
- ~~(30)~~ Prazepam;
- ~~(30.03)~~(30) Propofol;
- (30.05) Propoxyphene (including all salts and optical isomers);
- (30.07) Pyrazolam;
- (30.1) Quazepam;
- (30.2) Sibutramine;
- (30.3) SPA (-)-1-dimethylamino-1, 2-diphenylethane;
- (30.5) Suvorexant;
- (31) ~~Temazepam~~ Reserved;
- (31.5) Tramadol [2-((dimethylamino)methyl)-1-(3-methoxyphenyl)cyclohexanol, its salts, optical and geometric isomers, and salts of these isomers];
- ~~(32)~~ Triazolam;
- ~~(32.5)~~(32) Zaleplon;
- (33) Zolpidem;
- (34) Zopiclone.

(b) The controlled substances in the benzodiazepine structural class include any of the following compounds, derivatives, their salts, isomers, or salts of isomers, halogen analogues, or homologues, unless specifically utilized as part of the manufacturing process by a commercial industry of a substance or material not intended for human ingestion or consumption, as a prescription administered under medical supervision, or for research at a recognized institution, whenever the existence of these salts, isomers, or salts of isomers, halogen analogues, or homologues is possible within the specific chemical designation or unless specifically excepted or listed in this or another schedule, structurally derived from 1,4-benzodiazepine by substitution at the 5-position with a phenyl ring system (which may itself be further substituted), whether or not the compound is further modified in any of the following ways:

- (1) By substitution at the 2-position with a ketone;
- (2) By substitution at the 3-position with a hydroxyl group or ester group, which itself may be further substituted;

(3) By a fused triazole ring at the 1,2- position, which itself may be further substituted;

(4) By a fused imidazole ring at the 1,2- position, which itself may be further substituted;

(5) By a fused oxazolidine ring at the 4,5- position, which itself may be further substituted;

(6) By a fused oxazine ring at the 4,5- position, which itself may be further substituted;

(7) By substitution at the 7-position with a nitro group;

(8) By substitution at the 7-position with a halogen group; or

(9) By substitution at the 1-position with an alkyl group, which itself may be further substituted.

~~(b)~~(c) The State Board of Pharmacy may except by rule any compound, mixture, or preparation containing any depressant, stimulant, or hallucinogenic substance listed in subsection (a) or (b) of this Code section from the application of all or any part of this article if the compound, mixture, or preparation contains one or more active, medicinal ingredients not having a depressant or stimulant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a depressant or stimulant effect on the central nervous system."

#### SECTION 4.

Said chapter is further amended in Code Section 16-13-71, relating to the definition of a dangerous drug, by revising paragraphs (115.3), (323), (562), (563), and (851.02) of subsection (b) as follows:

"(115.3) Budesonide — See exceptions;"

"(323) Doxylamine ~~succinate;~~"

"(562) ~~Meprednisone~~ Mepivacaine;

(563) ~~Mepivacaine~~ Meprednisone;"

"(851.02) ~~Salvinorin A~~ Reserved;"

#### SECTION 5.

Said chapter is further amended in Code Section 16-13-71, relating to the definition of a dangerous drug, by adding new paragraphs to subsection (b) to read as follows:

"(19.57) Alectinib;"

"(19.76) Alirocumab;"

"(66.7) Asfotase;"

"(69.2) Avibactam;"

"(107.2) Brexpaprazole;"

"(131.5) Cangrelor;"

"(143.5) Cariprazine;"

"(190.3) Cholic Acid;"

"(207.7) Cobimetinib;"

"(236.5) Daclatasvir;"  
"(240.4) Daratumumab;"  
"(243.7) Deferiprone;"  
"(247.8) Deoxycholic Acid;"  
"(295.5) Dinutuximab;"  
"(330.7) Edoxaban;"  
"(331.059) Elotuzumab;"  
"(380.4) Evolocumab;"  
"(386.1) Filgrastim-SNDZ;"  
"(387.7) Flibanserin;"  
"(464.15) Idarucizumab;"  
"(474.3) Insulin degludec;"  
"(495.5) Isavuconazonium;"  
"(506.72) Ivabradine;"  
"(506.95) Ixazomib;"  
"(513.74) Lenvatinib;"  
"(513.77) Lesinurad;"  
"(531.4) Lumacaftor;"  
"(562.5) Mepolizumab;"  
"(638.47) Necitumumab;"  
"(665.55) Osimertinib;"  
"(681.35) Palbociclib;"  
"(685.65) Panobinostat;"  
"(692.29) Patiromer;"  
"(844.8) Rolapitant;"  
"(849.7) Sacubitril;"  
"(852.05) Sebelipase;"  
"(852.4) Secukinumab;"  
"(853.7) Selexipag;"  
"(882.3) Sonidegib;"  
"(903.17) Sugammadex;"  
"(930.98) Talimogene;"  
"(967.56) Tipiracil;"  
"(973.6) Trabectedin;"  
"(1021.1) Uridine;"

#### **SECTION 6.**

Said chapter is further amended in Code Section 16-13-71, relating to the definition of a dangerous drug, by adding a new subsection to read as follows:

"(b.1) A 'restricted dangerous drug' means any other drug or substance declared by the General Assembly to have no medical use, which cannot be legally prescribed by a practitioner, and which cannot be manufactured, grown, produced, distributed, used, or otherwise possessed in this state; to include any of the following drugs, chemicals, or

substances; salts, isomers, esters, ethers, or derivatives of such drugs, chemicals, or substances which have essentially the same pharmacological action; and all other salts, isomers, esters, ethers, and compounds of such drugs, chemicals, or substances unless specifically exempted, identified as 'restricted dangerous drugs':

(1) Salvinorin A; and

(2) Salvia divinorum – except as otherwise provided for in paragraph (4.3) of Code Section 16-13-72.

This subsection shall not prohibit a person from possessing a restricted dangerous drug for the purpose of conducting research approved by the federal Food and Drug Administration."

#### **SECTION 7.**

Said chapter is further amended in Code Section 16-13-71, relating to the definition of a dangerous drug, by adding a new paragraph to subsection (c) to read as follows:

"(6.1) Budesonide – when used as a nasal spray in doses up to 32 mcg per spray;"

#### **SECTION 8.**

Said chapter is further amended by revising Code Section 16-13-79, relating to violations of the "Dangerous Drug Act," as follows:

"16-13-79.

(a) Except as provided in subsections (b), (c), ~~and~~ (d), and (e) of this Code section, any person who violates this article shall be guilty of a misdemeanor.

(b) Any person who distributes or possesses with the intent to distribute nitrous oxide for any use other than for a medical treatment prescribed by the order of a licensed medical practitioner, except as provided for by paragraph (16) of subsection (c) of Code Section 16-13-71, shall be guilty of a felony and upon conviction thereof shall be punished by imprisonment for not less than one year nor more than three years or by a fine not to exceed \$5,000.00 or both.

(c) Any person who distributes or possesses with the intent to distribute to any person under 18 years of age nitrous oxide for any use other than for a medical treatment prescribed by the order of a licensed medical practitioner, except as provided for by paragraph (16) of subsection (c) of Code Section 16-13-71, shall be guilty of a felony and upon conviction thereof shall be punished for not less than two years nor more than six years or by a fine not to exceed \$10,000.00 or both.

(d) This article shall not apply to any person who possesses, distributes, sells, or uses nitrous oxide for food preparation in a restaurant, for food service, or in household products.

(e) Any person who knowingly distributes or resells any nonprescription injectable insulin product which was first obtained through an over-the-counter sale made to a patient from any pharmacy, practitioner, or other source shall be guilty of a felony and upon conviction thereof shall be punished by imprisonment for not less than two years nor more than five years or by a fine not to exceed \$10,000.00 or both. All such

injectable insulin distributed or sold in this manner is considered to be an adulterated dangerous drug and unsalable, making it subject to seizure under the laws of this state."

### SECTION 9.

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

### SECTION 10.

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 Harrell	Y Mitchell	Y Smith, L
Y Alexander	Cooper	Y Hatchett	Y Morris	Y Smith, M
Y Allison	Y Corbett	Y Hawkins	Y Mosby	Y Smith, R
Y Atwood	E Dawkins-Haigler	Henson	Y Nimmer	Y Smyre
Y Ballinger	Y Deffenbaugh	Y Hightower	Y Nix	Y Spencer
Y Barr	Y Dempsey	Hitchens	Y Oliver	Y Stephens, M
Y Battles	Y Dickerson	Y Holcomb	Y Pak	Y Stephens, R
E Beasley-Teague	Y Dickey	Y Holmes	Y Parrish	Y Stephenson
Y Belton	Y Dickson	Y Houston	Y Parsons	Y Stovall
E Bennett, K	Y Dollar	Y Howard	Y Peake	E Stover
Y Bennett, T	Y Douglas	Y Hugley	Y Petrea	Y Strickland
Y Bentley	Y Drenner	Y Jackson	N Pezold	Y Tankersley
Y Benton	Y Dudgeon	Y Jasperse	Y Pirkle	Y Tanner
Y Beskin	Y Dukes	Y Jones, J	Y Powell, A	Y Tarvin
Y Beverly	Y Dunahoo	Y Jones, J.B.	Y Powell, J	Y Taylor, D
Y Blackmon	E Duncan	N Jones, L	Y Price	Y Taylor, T
Y Broadrick	Y Ealum	Y Jones, S	Y Prince	Y Teasley
Y Brockway	Y Efrstration	Y Jordan	Y Pruet	Y Thomas, A.M.
E Bruce	Y Ehrhart	Kaiser	Y Quick	Y Thomas, E
Y Bryant	Y England	Y Kelley	Y Raffensperger	Y Trammell
Y Buckner	Y Epps	Y Kendrick	E Rakestraw	Y Turner
Y Burns	Y Evans	Y Kidd	Y Ramsey	VACANT
Y Caldwell, J	Y Fleming	Y Kirby	Y Randall	Y Waites
Y Caldwell, M	Floyd	Y Knight	Y Reeves	Y Watson
Y Cantrell	Y Fludd	Y LaRiccica	Y Rhodes	Y Welch
Y Carson	Y Frazier	Y Lott	Y Rice	Y Weldon
Y Carter, A	Y Frye	Y Lumsden	Y Rogers, C	Y Werkheiser
Y Carter, D	Y Gardner	Y Mabra	Y Rogers, T	Y Wilkerson
Y Casas	Y Gasaway	Y Marin	Y Rutledge	Y Wilkinson
Y Chandler	Y Gilligan	Y Martin	Y Rynders	Y Willard
Y Cheokas	Y Glanton	Y Maxwell	Y Scott	Y Williams, A
Y Clark, D	Y Golick	Y Mayo	Y Setzler	Y Williams, C
Y Clark, H	Y Gordon	Y McCall	Y Sharper	Y Williams, E
Y Clark, V	Y Gravley	Y McClain	Y Shaw	Y Williamson
Y Coleman	Y Greene	Y Meadows	Y Sims	Y Yates
Y Cooke	Y Harden	Metze	Y Smith, E	Ralston, Speaker

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

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

HB 927. By Representatives Coomer of the 14th, Willard of the 51st, Dickey of the 140th, Nimmer of the 178th, Rogers of the 10th and others:

A BILL to be entitled an Act to amend Title 15 of the O.C.G.A., relating to courts; to amend Chapter 6 of Title 5, Part 7 of Article 1 of Chapter 1 of Title 7, Chapter 6 of Title 9, Chapter 2 of Title 21, Article 3 of Chapter 4 of Title 23, Chapter 2 of Title 44, and Code Section 48-5-17, relating to certiorari and appeals to appellate courts generally, receivership powers and procedures generally, extraordinary writs, elections and primaries generally, decrees, recordation and registration of deeds and other instruments, and proceedings to determine county entitled to return and payment; to amend Chapter 2 of Title 15 of the O.C.G.A., relating to the Supreme Court; 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 15 of the Official Code of Georgia Annotated, relating to courts, so as to enact reforms recommended by the Georgia Appellate Jurisdiction Review Commission relating to appellate court efficiencies; to improve law assistant selection for the appellate courts; to provide the Court of Appeals with greater procedural flexibility in its decisional process; to transfer jurisdiction over certain appeals in civil cases from the Supreme Court to the Court of Appeals; to amend the Official Code of Georgia Annotated, so as to conform appellate references; to amend Chapter 2 of Title 15 of the Official Code of Georgia Annotated, relating to the Supreme Court, so as to increase the number of Supreme Court Justices and provide for their appointment and election; to change provisions relating to reversals and affirmance; to change provisions relating to the terms of court; to provide for effective dates and a contingent effective date and applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I  
SECTION 1-1.

This Act shall be known and may be cited as the "Appellate Jurisdiction Reform Act of 2016."

### SECTION 1-2.

Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by revising Code Section 15-2-19, relating to law assistants, as follows:

"15-2-19.

The Justices of the Supreme Court ~~are~~ shall be authorized to appoint law assistants for the use of the court and to remove them at pleasure. The law assistants shall have been admitted to the bar of this state as practicing attorneys; provided, however, that an individual who graduated from law school but who is not a member of the bar of this state may be appointed as a law assistant so long as he or she is admitted to the bar of this state within one year of such appointment. It shall be the duty of the law assistants to attend all sessions of the court, if so ordered, and generally to perform the duties incident to the role of law assistant."

### SECTION 1-3.

Said title is further amended by revising subsection (a) of Code Section 15-3-9, relating to law assistants, as follows:

"(a) The Judges of the Court of Appeals ~~are~~ shall be authorized to appoint law assistants for the use of the court and to remove them at pleasure. Each law assistant of the Court of Appeals shall have been admitted to ~~practice law in the bar of this state as a practicing attorney;~~ provided, however, that an individual who graduated from law school but who is not a member of the bar of this state may be appointed as a law assistant so long as he or she is admitted to the bar of this state within one year of such appointment."

## PART II

### SECTION 2-1.

Said title is further amended by revising Code Section 15-3-1, relating to the composition, divisions, how cases are heard, and decisions overruled, quorum, oral arguments, and assistance of other judges, as follows:

"15-3-1.

(a) **Composition.** The Court of Appeals shall consist of 15 Judges who shall elect one of their number as Chief Judge, in such manner and for such time as may be prescribed by rule or order of the court.

(b) **Divisions.** The court shall sit in divisions composed of three Judges in each division. ~~Two Judges shall constitute a quorum of a division.~~ The assignment of Judges to each division shall be made by the Chief Judge, and the personnel of the divisions shall from time to time be changed in accordance with rules prescribed by the court. The Chief Judge shall designate the Presiding Judges of the divisions and shall, under

rules prescribed by the court, distribute the cases among the divisions in such manner as to equalize their work as far as practicable.

(c) **How cases heard.**

~~(1) Each~~ Except as provided in paragraph (2) of this subsection, each division shall hear and determine, independently of the others, the cases assigned to it, ~~except that the division next in line in rotation and a seventh Judge shall participate in the determination of each case in which there is a dissent in the division to which the case was originally assigned.~~ Two Judges shall constitute a quorum of a division.

~~(2) In all cases which involve one or more questions which, in the opinion of the majority of the Judges of the division or of the two divisions plus a seventh Judge to which a case is assigned, should be passed upon by all the members of the court, the questions may be presented to all the members of the court; and if a majority of all the members of the court decide that the question or questions involved should, in their judgment and discretion, be decided by all the members of the court, the case shall be passed upon by all the members of the court, provided that a majority of the Judges passing upon the case concur in the judgment.~~

~~(3) In neither class of cases referred to in this subsection shall there be oral argument except before the division to which the cases are originally assigned.~~

(2) The Court of Appeals may provide by rule for certain cases to be heard and determined by more than a single division and the manner in which those Judges will be selected for such cases. When a case is heard and determined by more than a single division, nine Judges shall be necessary to constitute a quorum.

~~(d) **How decision overruled.** It being among the purposes of this Code section to avoid and reconcile conflicts among the decisions made by less than all of the Judges on the court and to secure more authoritative decisions, it is provided that when two divisions plus a seventh Judge sit as one court the court may, by the concurrence of a majority, overrule any previous decision in the same manner as prescribed for the Supreme Court. As precedent, a decision by such court with a majority concurring shall take precedence over a decision by any division or two divisions plus a seventh Judge. A decision concurred in by all the Judges shall not be overruled or materially modified except with the concurrence of all the Judges.~~

~~(e) **Quorum.** When all the members of the court are sitting together as one court, eight Judges shall be necessary to constitute a quorum. In all cases decided by such court as a whole by less than 15 Judges, the concurrence of at least eight shall be essential to the rendition of a judgment.~~

(d) **Decisions as precedent.** The Court of Appeals shall provide by rule for the establishment of precedent and the manner in which prior decisions of the court may be overruled.

~~(f)~~(e) **Oral arguments.** The Court of Appeals may hear oral arguments at places other than the seat of government. Reasonable notice shall be given of such hearings.

~~(g)~~(f) **Assistance of other judges; procedure.** Whenever the court unanimously determines that the business of the court requires the temporary assistance of an additional judge or additional judges or one additional panel, the court may request the

assistance of senior appellate judges as provided in Chapter 3A of this title or senior superior court judges as ~~provided in Code Section 47-23-101~~. The Judge whose case assignment is transferred to the additional judge shall not vote on the case."

**PART III**  
**SECTION 3-1.**

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

"15-3-3.1.

(a) Pursuant to Article VI, Section VI, Paragraph III of the Constitution of this state, the Court of Appeals rather than the Supreme Court shall have appellate jurisdiction in the following classes of cases:

(1) Cases involving title to land;

(2) All equity cases, except those cases concerning proceedings in which a sentence of death was imposed or could be imposed and those cases concerning the execution of a sentence of death;

(3) All cases involving wills;

(4) All cases involving extraordinary remedies, except those cases concerning proceedings in which a sentence of death was imposed or could be imposed and those cases concerning the execution of a sentence of death;

(5) All divorce and alimony cases; and

(6) All other cases not reserved to the Supreme Court or conferred on other courts.

(b) This Code section shall not otherwise affect the jurisdiction of the Supreme Court or the Court of Appeals."

**SECTION 3-2.**

Chapter 6 of Title 5 of the Official Code of Georgia Annotated, relating to certiorari and appeals to appellate courts generally, is amended by revising Code Section 5-6-14, relating to execution of extraordinary orders of the Supreme Court, as follows:

"5-6-14.

When judgments are rendered ~~in the Supreme Court~~ on appeal in injunction or other extraordinary cases, the judges of the superior courts may give immediate effect to such judgments."

**SECTION 3-3.**

Part 7 of Article 1 of Chapter 1 of Title 7 of the Official Code of Georgia Annotated, relating to receivership powers and procedures generally, is amended by revising Code Section 7-1-155, relating to injunction to restrain department, as follows:

"7-1-155.

Any financial institution of whose business or property the department has taken possession as receiver may, at any time within ten days after the department has become receiver, apply to the principal court for an order requiring the department to show cause why it should not be enjoined from continuing as receiver. Service may be

made in such action by serving the commissioner personally or by leaving a copy with the deputy in charge of his or her office in the department or by serving the deputy receiver appointed by the department to manage the affairs of such financial institution. The court shall, after a hearing upon the merits, either dismiss the application or order the department to surrender to the financial institution possession of its business and property; but no such injunction shall issue where the department has been appointed receiver by action of a court of competent jurisdiction or by action of the financial institution itself, in accordance with this chapter. Such application for injunction may in the discretion of the court be heard at any time after service as provided in this Code section, with the right ~~to~~ by either party by to appeal, as in other cases of applications for temporary injunction, ~~to carry said case to the Supreme Court for review."~~

#### **SECTION 3-4.**

Chapter 6 of Title 9 of the Official Code of Georgia Annotated, relating to extraordinary writs, is amended by revising Code Section 9-6-1, relating to final judgment prerequisite to appeal, as follows:

"9-6-1.

No appeal as to any ruling or decision in a mandamus or quo warranto proceeding or in a case involving a writ of prohibition may be taken ~~to the Supreme Court~~ until there has been a final judgment in the trial court. The grant of a new trial shall be treated as a final judgment in these cases and subject to review as in other cases."

#### **SECTION 3-5.**

Said chapter is further amended by revising Code Section 9-6-28, relating to appeal, as follows:

"9-6-28.

(a) Upon refusal of the court to grant the mandamus nisi, the applicant may appeal ~~to the Supreme Court~~, as in other cases. Either party dissatisfied with the judgment on the hearing of the answer to the mandamus nisi may likewise appeal.

(b) Mandamus cases shall be heard ~~in the Supreme Court~~ on appeal under the same laws and rules as apply to injunction cases."

#### **SECTION 3-6.**

Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and primaries generally, is amended by revising subsection (c) of Code Section 21-2-171, relating to review and appeal of denial of nomination petitions, as follows:

"(c) The decision of the officer denying a nomination petition may be reviewed by the superior court of the county containing the office of such officer upon an application for a writ of mandamus to compel the granting of such petition. The application for such writ of mandamus shall be made within five days of the time when the petitioner is notified of such decision. Upon the application being made, a judge of such court shall fix a time and place for hearing the matter in dispute as soon as practicable; and notice thereof shall be served with a copy of such application upon the officer with whom the

nomination petition was filed and upon the petitioner. At the time so fixed the court, or any judge thereof assigned for the purpose, shall hear the case. If after such hearing the said court shall find that the decision of the officer was erroneous, it shall issue its mandate to the officer to correct his or her decision and to grant the nomination petition. From any decision of the superior court an appeal may be taken within five days after the entry thereof ~~to the Supreme Court~~. It shall be the duty of the ~~Supreme Court~~ appellate court to fix the hearing and to announce its decision within such period of time as will permit the name of the candidate affected by the court's decision to be printed on the ballot if the court should so determine."

#### **SECTION 3-7.**

Said chapter is further amended by revising Code Section 21-2-528, relating to appeals from court's determination on contest petition, as follows:

"21-2-528.

An appeal from the final determination of the court may be taken within ten days from the rendition thereof ~~to the Supreme Court~~ as in other civil cases. The filing of a notice of appeal shall not act as a stay or supersedeas. The appellant may apply to the ~~Supreme Court~~ appellate court for a stay or supersedeas, and such court shall consider applications for stays or supersedeas in such cases without regard to whether any notice of appeal has been filed or the record docketed in such cases."

#### **SECTION 3-8.**

Article 3 of Chapter 4 of Title 23 of the Official Code of Georgia Annotated, relating to decrees, is amended by revising Code Section 23-4-33, relating to decree in will or contract matters, as follows:

"23-4-33.

When it becomes impossible to carry out any last will and testament in whole or in part, and in all matters of contract, the judges of the superior courts shall have power to render any decree that may be necessary and legal, provided that all parties in interest shall consent thereto in writing and there shall be no issue as to the facts or, if there is such an issue, that there shall be a like consent in writing that the judge presiding may hear and determine such facts, subject to a review ~~by the Supreme Court~~ on appeal, as in other cases. In all cases where minors are interested, the consent of the guardian at law or the guardian ad litem shall be obtained before the decree is rendered."

#### **SECTION 3-9.**

Chapter 2 of Title 44 of the Official Code of Georgia Annotated, relating to recordation and registration of deeds and other instruments, is amended by revising Code Section 44-2-84, relating to review by Supreme Court, as follows:

"44-2-84.

All judgments and decrees of the superior court or the judge thereof which are rendered under this article shall be subject to review by the ~~Supreme Court~~ of Appeals."

**SECTION 3-10.**

Said chapter is further amended by revising subsections (e) and (f) of Code Section 44-2-103, relating to examiner's powers and appeal, as follows:

"(e) The right to grant a new trial upon any issue submitted to a jury and the right of appeal ~~to the Supreme Court~~ shall be as provided for in Code Sections 5-6-37 through 5-6-44, 5-6-48, and 5-6-49.

(f) The judge may refer or recommit the record to the examiner in like manner as auditor's reports may be recommitted or he or she may on his or her own motion recommit it to the same or any other examiner for further information and report. ~~Where~~ When an exception or exceptions to the examiner's report have been sustained by the court or by verdict on the trial of an issue of fact or ~~where the Supreme Court~~ when the appellate court reverses the judgment of the trial court, it shall not be necessary for the trial court to recommit the case to an examiner, but the judge shall proceed to enter a decree in accordance with the law and the facts as thus established and appearing from the record; provided, however, that if the judge, in his or her discretion, is of the opinion that it is in the interests of truth and justice that a recommitment to an examiner should be made, ~~he the judge~~ may, upon the motion of any party or on his or her own motion, order a recommitment of the whole case or any part thereof or for the taking of additional testimony upon any matter which the court deems necessary to the rendition of a true and correct decree."

**SECTION 3-11.**

Said chapter is further amended by revising subsection (b) of Code Section 44-2-136, relating to cancellation of mortgage, as follows:

"(b) If the holder of the mortgage, certificate of indebtedness, or any lien, equity, encumbrance, lis pendens, or other similar matter relating to the registered land or any interest therein refuses to give the requisite authority for the cancellation thereof if and when the debt has been paid or no longer exists or when it is no longer legal and equitable that the registered title should be encumbered by the same, any person adversely affected may petition the court for an involuntary cancellation of the same. In such case, the judge shall cause a rule nisi to be served upon such holder requiring him or her to show cause on a day set, which day shall be not less than 30 days from the date the rule was served, why the mortgage, certificate of indebtedness, lien, or other encumbrance on the registered title should not be canceled. The petition and rule nisi shall be served personally on such holder at least 15 days before the date set for the hearing if such service be practical; but, ~~where~~ when it is made to appear to the court that personal service cannot be practically effected, the judge may pass an order providing how the service shall be made. In case the holder is not a resident of this state or is unknown, service by publication shall be made upon the order of the judge in the manner prescribed in Code Section 9-11-4. In case of minors and persons of unsound mind, guardians ad litem shall be appointed. If any issue of fact as to the right of the petition to have the cancellation made appears, such issue shall, upon demand of either party, be tried by jury, with right of the judge to grant a new trial. If it appears

that the registered title should be freed from the encumbrance, the court shall decree accordingly and order the cancellation noted upon the certificate of title. The judge shall have power by attachment for contempt, if necessary, to compel the holder of the mortgage certificate of indebtedness or other instrument to surrender it for cancellation. ~~The Supreme Court shall have jurisdiction for the correction of errors in the trial court."~~

### **SECTION 3-12.**

Code Section 48-5-17 of the Official Code of Georgia Annotated, relating to proceedings to determine county entitled to return and payment, is amended by revising paragraph (3) of subsection (a) as follows:

"(3) The proceedings under this Code section shall be the same in all respects as in other actions seeking equitable relief except that the petition shall be triable at the first term of the court and, as in other cases, shall be reviewed by on appeal to the Supreme Court of Georgia."

### **SECTION 3-13.**

The following Code sections of the Official Code of Georgia Annotated are amended by replacing "Court of Appeals and the Supreme Court" with "Court of Appeals or the Supreme Court" wherever such term occurs in:

- (1) Code Section 5-7-1, relating to orders, decisions, or judgments appealable and the defendant's right to cross appeal;
- (2) Code Section 31-14-8.2, relating to appeals from orders of superior court or hearing examiner, costs, and right to counsel;
- (3) Code Section 37-3-150, relating to right to appeal orders of probate court, juvenile court, or hearing examiner;
- (4) Code Section 37-4-110, relating to appeal rights of clients, their representatives, or attorneys; and
- (5) Code Section 37-7-150, relating to right to appeal orders of probate court, juvenile court, or hearing examiner.

### **SECTION 3-14.**

The following Code sections of the Official Code of Georgia Annotated are amended by replacing "Court of Appeals, and the Supreme Court" with "Court of Appeals, or the Supreme Court" wherever such term occurs in:

- (1) Code Section 37-3-150, relating to right to appeal orders of probate court, juvenile court, or hearing examiner;
- (2) Code Section 37-4-110, relating to appeal rights of clients, their representatives, or attorneys;
- (3) Code Section 37-7-150, relating to right to appeal orders of probate court, juvenile court, or hearing examiner.

## **PART IV**

### **SECTION 4-1.**

Chapter 2 of Title 15 of the Official Code of Georgia Annotated, relating to the Supreme Court, is amended by revising Code Section 15-2-1.1, relating to the number of justices, as follows:

"15-2-1.1.

The Supreme Court shall consist of ~~seven~~ nine Justices."

#### **SECTION 4-2.**

Said chapter is further amended by revising Code Section 15-2-10, which is reserved, as follows:

"15-2-10.

The additional justiceships created in 2016 shall be appointed by the Governor for a term beginning January 1, 2017, and continuing through December 31, 2018, and until their successors are elected and qualified. Their successors shall be elected in the manner provided by law for the election of Supreme Court Justices at the nonpartisan judicial election in 2018, for a term of six years beginning on January 1, 2019, and until their successors are elected and qualified. Future successors shall be elected at the nonpartisan judicial election each sixth year after such election for terms of six years and until their successors are elected and qualified. They shall take office on the first day of January following the date of the election. Reserved."

#### **SECTION 4-3.**

Said chapter is further amended by revising subsection (a) of Code Section 15-2-16, relating to reversal and affirmance, as follows:

"(a) In all cases decided by the Supreme Court, the concurrence of a majority of the Justices shall be essential to a judgment of reversal. If the Justices are evenly divided, the judgment of the court below shall stand affirmed. In all cases decided by the court, with at least a quorum but less than ~~seven~~ nine Justices, the concurrence of at least ~~four~~ five shall be essential to the rendition of a judgment; ~~and, if only four Justices act upon a case and they are evenly divided, the case shall be reargued before a full bench, if possible, before the term closes; and, if not possible, the judgment of the court below shall stand affirmed.~~"

### **PART V**

#### **SECTION 5-1.**

Said chapter is further amended by revising Code Section 15-2-4, relating to place of sessions and terms of court, as follows:

"15-2-4.

(a) The Supreme Court shall sit at the seat of government.

(b) Unless the Supreme Court by rule or order chooses to extend its terms of court, the terms shall be as follows:

(1) December ~~January~~ term beginning the first Monday in January ~~December~~;

(2) April term beginning the ~~third~~ first Monday in April; and

(3) ~~August~~ ~~September~~ term beginning the first Monday in ~~September~~ August.  
 (c) Each term shall continue until the business for that term has been disposed of by the court, provided that, unless sooner closed by order of the court, the ~~September~~ August term shall end on ~~December 16~~ November 18, the ~~January~~ December term shall end on ~~April 14~~ March 31, and the April term shall end on July ~~31~~ 17. No judgment in a second-term case, other than a judgment on a motion for reconsideration in such case, shall be rendered during the last 15 days of any term. Disposition of first-term cases may be made during nonterm periods."

PART VI  
**SECTION 6-1.**

- (a) Except as provided in subsections (b), (c), (d), and (e) of this section, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.
- (b) Part II of this Act shall become effective on July 1, 2016.
- (c) Part III of this Act shall become effective on January 1, 2017, and shall apply to cases in which a notice of appeal or application to appeal is filed on or after such date.
- (d) Part IV of this Act shall only become effective if funds are appropriated for the purpose of Part IV of this Act in an appropriations Act enacted at the 2016 regular session of the General Assembly. If funds are so appropriated, then Part IV of this Act shall become effective on July 1, 2016, for purposes of making the initial appointments of the Supreme Court Justices created by this Act, and for all other purposes Part IV of this Act shall become effective on January 1, 2017. If funds are not so appropriated, then Part IV of this Act shall not become effective and shall stand repealed on July 1, 2016.
- (e) Part V of this Act shall become effective on December 5, 2016, and upon such date the December term of court shall begin as provided by this Act; provided, however, that the term of court which began on the first Monday in September, 2016, under the former provisions of Code Section 15-2-4 shall end on December 16, 2016.

**SECTION 6-2.**

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 Harrell	Y Mitchell	Y Smith, L
N Alexander	Y Cooper	Y Hatchett	Y Morris	N Smith, M
N Allison	Y Corbett	Y Hawkins	N Mosby	Y Smith, R
Atwood	E Dawkins-Haigler	N Henson	Y Nimmer	Y Smyre
Y Ballinger	Y Deffenbaugh	Y Hightower	N Nix	Y Spencer

Y Barr	Y Dempsey	Y Hitchens	Y Oliver	N Stephens, M
Y Battles	N Dickerson	N Holcomb	Y Pak	Y Stephens, R
E Beasley-Teague	Y Dickey	Y Holmes	Y Parrish	N Stephenson
Y Belton	Y Dickson	Y Houston	Y Parsons	Stovall
E Bennett, K	Y Dollar	N Howard	Y Peake	E Stover
N Bennett, T	N Douglas	N Hugley	Y Petrea	Y Strickland
Y Bentley	N Drenner	Y Jackson	N Pezold	Y Tankersley
Y Benton	Y Dudgeon	Y Jasperse	Y Pirkle	Y Tanner
Y Beskin	Dukes	Y Jones, J	Y Powell, A	Y Tarvin
N Beverly	Y Dunahoo	Y Jones, J.B.	Y Powell, J	Y Taylor, D
Y Blackmon	E Duncan	N Jones, L	Y Price	Y Taylor, T
Y Broadrick	Y Ealum	Y Jones, S	N Prince	Y Teasley
N Brockway	Y Efstration	N Jordan	Y Pruett	N Thomas, A.M.
E Bruce	Y Ehrhart	N Kaiser	Y Quick	N Thomas, E
Y Bryant	Y England	Y Kelley	Y Raffensperger	Y Trammell
N Buckner	Y Epps	N Kendrick	E Rakestraw	Y Turner
Y Burns	N Evans	Y Kidd	Y Ramsey	VACANT
Y Caldwell, J	Y Fleming	Y Kirby	N Randall	N Waites
Y Caldwell, M	Y Floyd	Y Knight	Y Reeves	Y Watson
Y Cantrell	N Fludd	Y LaRiccica	Y Rhodes	Y Welch
Y Carson	N Frazier	Y Lott	Y Rice	Y Weldon
Y Carter, A	Y Frye	Y Lumsden	Y Rogers, C	Y Werkheiser
N Carter, D	Y Gardner	N Mabra	Y Rogers, T	N Wilkerson
N Casas	Gasaway	Y Marin	N Rutledge	Y Wilkinson
Y Chandler	Y Gilligan	Y Martin	Y Rynders	Y Willard
Y Cheokas	N Glanton	Y Maxwell	N Scott	Y Williams, A
Y Clark, D	Y Golick	Y Mayo	Y Setzler	Y Williams, C
Clark, H	N Gordon	Y McCall	N Sharper	N Williams, E
Y Clark, V	Y Gravley	N McClain	Y Shaw	Y Williamson
Y Coleman	Y Greene	Y Meadows	Y Sims	Y Yates
N Cooke	Y Harden	Metze	N Smith, E	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 120, nays 45.

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

HB 826. By Representatives Price of the 48th, Cooper of the 43rd, Rynders of the 152nd, Hawkins of the 27th, Belton of the 112th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to medical practice relative to physicians, assistants, and others, so as to provide for certain requirements for advertisement or publication of representations of board certification by physicians; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED  
AN ACT

To amend Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to medical practice relative to physicians, assistants, and others, so as to provide for certain requirements for advertisement or publication of representations of board certification by physicians; to provide for disciplinary action as a result of violations; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to medical practice relative to physicians, assistants, and others, is amended by adding a new Code section to read as follows:

"43-34-22.1.

(a) No physician shall advertise or hold himself or herself out to the public in any manner as being certified or board certified in any specialty or subspecialty by a public or private board, including, but not limited to, a multidisciplinary board, unless:

(1) The advertisement or publication states the full name of the certifying board; and

(2) Such certifying board either:

(A) Is a member board of the American Board of Medical Specialties or the American Osteopathic Association; or

(B) Requires successful completion of a postgraduate training program approved by the Accreditation Commission for Graduate Medical Education or the American Osteopathic Association that provides complete training in the specialty or subspecialty certified, followed by prerequisite certification by the American Board of Medical Specialties or the American Osteopathic Association board for that training field, and further successful completion of an examination in the specialty or subspecialty certified.

(b) The board may take any disciplinary action provided under subsection (b) of Code Section 43-34-8 upon a finding of any conduct in violation of 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 Harrell	Y Mitchell	Y Smith, L
Y Alexander	Y Cooper	Y Hatchett	Y Morris	Y Smith, M
Y Allison	Y Corbett	Y Hawkins	Y Mosby	Y Smith, R
Y Atwood	E Dawkins-Haigler	Y Henson	Y Nimmer	Y Smyre
Y Ballinger	Y Deffenbaugh	Y Hightower	Y Nix	Y Spencer
Y Barr	Y Dempsey	Y Hitchens	Y Oliver	Y Stephens, M
Y Battles	Y Dickerson	Y Holcomb	N Pak	Y Stephens, R
E Beasley-Teague	Y Dickey	Y Holmes	Y Parrish	Y Stephenson
Y Belton	Y Dickson	Y Houston	Y Parsons	Y Stovall
E Bennett, K	Y Dollar	Y Howard	Y Peake	E Stover
Y Bennett, T	Y Douglas	Y Hugley	Y Petrea	Y Strickland
Y Bentley	Y Drenner	Y Jackson	Y Pezold	Y Tankersley
Y Benton	Y Dudgeon	Y Jasperse	Y Pirkle	Y Tanner
Y Beskin	Y Dukes	Y Jones, J	Y Powell, A	Y Tarvin
Y Beverly	Y Dunahoo	Y Jones, J.B.	Y Powell, J	Y Taylor, D
Y Blackmon	E Duncan	Y Jones, L	Y Price	Y Taylor, T
Broadrick	Y Ealum	Y Jones, S	Y Prince	Y Teasley
Y Brockway	Y Efrstration	Y Jordan	Y Pruet	Y Thomas, A.M.
E Bruce	Y Ehrhart	Y Kaiser	Y Quick	Y Thomas, E
Y Bryant	Y England	Y Kelley	Y Raffensperger	Y Trammell
Y Buckner	Y Epps	Y Kendrick	E Rakestraw	Y Turner
Y Burns	Y Evans	Y Kidd	Y Ramsey	VACANT
Y Caldwell, J	Y Fleming	Y Kirby	Y Randall	Y Waites
Y Caldwell, M	Y Floyd	Y Knight	Y Reeves	Y Watson
Y Cantrell	Y Fludd	Y LaRiccica	Y Rhodes	Y Welch
Y Carson	Y Frazier	Y Lott	Y Rice	Weldon
Y Carter, A	Y Frye	Y Lumsden	Y Rogers, C	Y Werkheiser
Y Carter, D	Y Gardner	Y Mabra	Y Rogers, T	Y Wilkerson
Y Casas	Y Gasaway	Y Marin	Y Rutledge	Y Wilkinson
Y Chandler	Y Gilligan	Y Martin	Y Rynders	Y Willard
Y Cheokas	Y Glanton	Y Maxwell	Y Scott	Y Williams, A
Y Clark, D	Y Golick	Y Mayo	Y Setzler	Y Williams, C
Y Clark, H	Y Gordon	Y McCall	Y Sharper	Y Williams, E
Y Clark, V	Y Gravley	Y McClain	Y Shaw	Y Williamson
Y Coleman	Y Greene	Y Meadows	Y Sims	Y Yates
Y Cooke	Y Harden	Metze	Y Smith, E	Ralston, Speaker

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

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

The following communication was received:

House of Representatives  
Coverdell Legislative Office Building  
Room 511-G  
Atlanta, Georgia 30334

February 18, 2016

Dear Clerk's Office,

I am currently having problems with my voting machine in the House Chamber and I would like to vote. Thank you for your attention to this matter. The bills missed were HB 745, 783, 927, and 826. I would like to vote Yes on all bills listed.

Sincerely,

/s/ Marie Metze  
Representative Marie Metze  
District 55

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 879. By Representatives Taylor of the 79th, Reeves of the 34th, Stephens of the 164th, Beskin of the 54th and Marin of the 96th:

A BILL to be entitled an Act to amend Part 3 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary educational programs, so as to provide for the issuance of a seal of biliteracy for high school graduates who have achieved a high level of proficiency in speaking, reading, and writing one or more languages in addition to English; to provide for criteria; to provide for participation; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following amendment was read and adopted:

Representative Taylor of the 79th offers the following amendment:

*Amend HB 879 (LC 40 1020) by replacing lines 28-39 with the following:*

(2) Proficiency in one or more languages other than English, demonstrated by passing a foreign language advanced placement examination with a score of 4 or higher or an international baccalaureate examination with a score of 5 or higher; provided, however, that for languages in which an advanced placement examination is not available, the Department of Education may provide a listing of equivalent summative examinations that local school systems may use in place of such an advanced placement examination.

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 Harrell	Y Mitchell	Y Smith, L
Y Alexander	Y Cooper	Y Hatcher	Y Morris	Y Smith, M
N Allison	Y Corbett	Y Hawkins	Y Mosby	Y Smith, R
Y Atwood	E Dawkins-Haigler	Y Henson	Y Nimmer	Y Smyre
Y Ballinger	Y Deffenbaugh	Y Hightower	Y Nix	Y Spencer
Y Barr	Y Dempsey	Y Hitchens	Y Oliver	Y Stephens, M
Y Battles	Y Dickerson	Y Holcomb	Y Pak	Y Stephens, R
E Beasley-Teague	Y Dickey	Y Holmes	Y Parrish	Y Stephenson
Y Belton	Y Dickson	Y Houston	Y Parsons	Y Stovall
E Bennett, K	Y Dollar	Y Howard	Y Peake	Y Stover
Y Bennett, T	Y Douglas	Y Hugley	Y Petrea	Y Strickland
Y Bentley	Y Drenner	Y Jackson	N Pezold	Y Tankersley
Y Benton	Y Dudgeon	Y Jasperse	Y Pirkle	Y Tanner
Y Beskin	Y Dukes	Y Jones, J	Y Powell, A	Y Tarvin
Y Beverly	Y Dunahoo	Y Jones, J.B.	Y Powell, J	Y Taylor, D
Y Blackmon	E Duncan	Y Jones, L	Y Price	Y Taylor, T
Y Broadrick	Y Ealum	Y Jones, S	Y Prince	Y Teasley
Y Brockway	Y Efrstration	Y Jordan	Y Pruett	Y Thomas, A.M.
E Bruce	Y Ehrhart	Y Kaiser	Y Quick	Y Thomas, E
Y Bryant	Y England	Y Kelley	Y Raffensperger	Y Trammell
Y Buckner	Y Epps	Y Kendrick	E Rakestraw	Y Turner
Y Burns	Y Evans	Y Kidd	Y Ramsey	VACANT
Y Caldwell, J	Y Fleming	Y Kirby	Y Randall	Y Waites
Y Caldwell, M	Y Floyd	Y Knight	Y Reeves	Y Watson
Y Cantrell	Y Fludd	Y LaRiccica	Y Rhodes	Y Welch
Y Carson	Y Frazier	Y Lott	Y Rice	Y Weldon
Y Carter, A	Y Frye	Y Lumsden	N Rogers, C	Y Werkheiser
Y Carter, D	Y Gardner	Y Mabra	Y Rogers, T	Y Wilkerson
Y Casas	Y Gasaway	Y Marin	Y Rutledge	Y Wilkinson
Y Chandler	Y Gilligan	E Martin	Y Rynders	Y Willard
Y Cheokas	Y Glanton	Y Maxwell	Y Scott	Y Williams, A
Y Clark, D	Y Golick	Y Mayo	Y Setzler	Y Williams, C
Y Clark, H	Y Gordon	Y McCall	Y Sharper	Y Williams, E
Y Clark, V	Y Grayley	Y McClain	Y Shaw	Y Williamson
Y Coleman	Y Greene	Y Meadows	Y Sims	Y Yates
Y Cooke	Y Harden	Y Metze	Y Smith, E	Ralston, Speaker

On the passage of the Bill, as amended, the ayes were 168, nays 3.

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

HB 847. By Representatives Clark of the 98th, Willard of the 51st, Golick of the 40th, Thomas of the 39th, Cooper of the 43rd and others:

A BILL to be entitled an Act to amend Article 4 of Chapter 9 of Title 16 and Article 1 of Chapter 4 of Title 49 of the O.C.G.A., relating to fraud and related offenses and general provisions relative to public assistance,

respectively, so as to redesignate Code Section 49-4-15, relating to fraud in obtaining public assistance, food stamps, or Medicaid, penalties, and recovery of overpayments, as new Code Section 16-9-63; to revise terminology in said Code Section 16-9-63; to reserve the Code Section 49-4-15 designation; to revise Article 7 of Chapter 8 of Title 34 and Chapter 7A of Title 48 of the O.C.G.A., relating to benefits relative to employment security and tax credits; 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:

N Abrams	Y Coomer	Y Harrell	Y Mitchell	Y Smith, L
Y Alexander	Y Cooper	Y Hatchett	Y Morris	N Smith, M
N Allison	Y Corbett	Y Hawkins	N Mosby	Y Smith, R
Y Atwood	E Dawkins-Haigler	N Henson	Y Nimmer	Y Smyre
Y Ballinger	Y Deffenbaugh	Y Hightower	Y Nix	Y Spencer
Y Barr	Y Dempsey	Y Hitchens	Y Oliver	Stephens, M
Y Battles	Y Dickerson	Y Holcomb	Y Pak	Y Stephens, R
E Beasley-Teague	Y Dickey	Y Holmes	Y Parrish	N Stephenson
Y Belton	Y Dickson	Y Houston	Y Parsons	N Stovall
E Bennett, K	Y Dollar	Y Howard	Y Peake	Y Stover
Y Bennett, T	N Douglas	N Hugley	Y Petrea	Y Strickland
Bentley	N Drenner	Y Jackson	Y Pezold	Y Tankersley
Y Benton	Y Dudgeon	Y Jasperse	Y Pirkle	Y Tanner
Y Beskin	Y Dukes	Jones, J	Y Powell, A	Y Tarvin
N Beverly	Y Dunahoo	Y Jones, J.B.	Y Powell, J	Y Taylor, D
Y Blackmon	E Duncan	N Jones, L	Y Price	Y Taylor, T
Y Broadrick	Y Ealum	Y Jones, S	Prince	Y Teasley
Y Brockway	Y Efstrotation	N Jordan	Y Pruet	Y Thomas, A.M.
E Bruce	Y Ehrhart	Y Kaiser	Y Quick	Y Thomas, E
Y Bryant	Y England	Y Kelley	Y Raffensperger	Y Trammell
Y Buckner	Y Epps	Y Kendrick	E Rakestraw	Y Turner
Y Burns	Y Evans	Y Kidd	Y Ramsey	VACANT
Y Caldwell, J	Y Fleming	Y Kirby	N Randall	Y Waites
Y Caldwell, M	Y Floyd	Y Knight	Y Reeves	Y Watson
Y Cantrell	N Fludd	Y LaRiccica	Y Rhodes	Y Welch
Y Carson	N Frazier	Y Lott	Y Rice	Y Weldon
Y Carter, A	Y Frye	Y Lumsden	Y Rogers, C	Y Werkheiser
N Carter, D	Y Gardner	N Mabra	Y Rogers, T	N Wilkerson
Y Casas	Y Gasaway	Y Marin	Y Rutledge	Y Wilkinson
Y Chandler	Y Gilligan	E Martin	Y Rynders	Y Willard
Y Cheokas	Y Glanton	Y Maxwell	N Scott	N Williams, A
Y Clark, D	Y Golick	N Mayo	Y Setzler	Y Williams, C
Y Clark, H	N Gordon	Y McCall	Y Sharper	Williams, E
Y Clark, V	Y Gravley	N McClain	Y Shaw	Y Williamson
Y Coleman	Y Greene	Y Meadows	Y Sims	Y Yates
Y Cooke	Y Harden	N Metze	N Smith, E	Ralston, Speaker

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

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

HB 777. By Representatives Dudgeon of the 25th, Coleman of the 97th and Parsons of the 44th:

A BILL to be entitled an Act to amend Code Section 40-6-165 of the Official Code of Georgia Annotated, relating to operation of school buses, so as to allow school bus drivers to use cellular telephones in a similar manner as a two-way radio; 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 40-6-165 of the Official Code of Georgia Annotated, relating to operation of school buses, so as to allow school bus drivers to use cellular telephones in a similar manner as a two-way radio; 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 40-6-165 of the Official Code of Georgia Annotated, relating to operation of school buses, is amended by revising subsection (e) as follows:

"(e) The driver of a school bus shall not use or operate a cellular telephone while the bus is in motion, unless it is being used in a similar manner as a two-way radio to allow live communication between the driver and school officials or public safety officials and in accordance with the provisions of paragraph (2) of subsection (b) and of subsection (c) of Code Section 40-6-241.2."

**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 Harrell	Y Mitchell	Y Smith, L
Y Alexander	Y Cooper	Y Hatchett	Y Morris	Y Smith, M
Y Allison	Y Corbett	Y Hawkins	Y Mosby	Y Smith, R
Y Atwood	E Dawkins-Haigler	Y Henson	Y Nimmer	Y Smyre
Y Ballinger	Y Deffenbaugh	Y Hightower	Y Nix	Y Spencer
Y Barr	Y Dempsey	Y Hitchens	Y Oliver	Y Stephens, M
Y Battles	Y Dickerson	Y Holcomb	Y Pak	Y Stephens, R
E Beasley-Teague	Y Dickey	Y Holmes	Y Parrish	Stephenson
Y Belton	Y Dickson	Y Houston	Y Parsons	Y Stovall
E Bennett, K	Y Dollar	Y Howard	Y Peake	Y Stover
Y Bennett, T	Y Douglas	Hugley	Y Petrea	Y Strickland
Y Bentley	Y Drenner	Y Jackson	Y Pezold	Y Tankersley
Y Benton	Y Dudgeon	Y Jasperse	Y Pirkle	Y Tanner
Y Beskin	Y Dukes	Y Jones, J	Y Powell, A	Y Tarvin
Y Beverly	Y Dunahoo	Y Jones, J.B.	Y Powell, J	Y Taylor, D
Y Blackmon	E Ealum	Y Jones, L	Y Price	Y Taylor, T
Y Broadrick	Y Ealum	Y Jones, S	Prince	Y Teasley
Y Brockway	Y Efrstration	Jordan	Y Pruet	Y Thomas, A.M.
E Bruce	Y Ehrhart	Y Kaiser	Y Quick	Y Thomas, E
Y Bryant	Y England	Y Kelley	Y Raffensperger	Y Trammell
Y Buckner	Y Epps	Y Kendrick	E Rakestraw	Y Turner
Y Burns	Y Evans	Y Kidd	Y Ramsey	VACANT
Y Caldwell, J	Y Fleming	Y Kirby	Y Randall	Y Waites
Y Caldwell, M	Y Floyd	Y Knight	Y Reeves	Y Watson
Y Cantrell	Y Fludd	Y LaRiccica	Y Rhodes	Y Welch
Y Carson	Y Frazier	Y Lott	Y Rice	Y Weldon
Y Carter, A	Y Frye	Y Lumsden	Y Rogers, C	Y Werkheiser
Y Carter, D	Y Gardner	Y Mabra	Y Rogers, T	Y Wilkerson
Y Casas	Y Gasaway	Y Marin	Y Rutledge	Y Wilkinson
Y Chandler	Y Gilligan	E Martin	Y Rynders	Y Willard
Y Cheokas	Y Glanton	Maxwell	Y Scott	Y Williams, A
Y Clark, D	Y Golick	Y Mayo	Y Setzler	Y Williams, C
Y Clark, H	Y Gordon	Y McCall	Y Sharper	Y Williams, E
Y Clark, V	Y Gravley	Y McClain	Y Shaw	Y Williamson
Y Coleman	Y Greene	Y Meadows	Y Sims	Y Yates
Y Cooke	Y Harden	Y Metze	Y Smith, E	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 166, nays 0.

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

HB 772. By Representatives Clark of the 147th, Brockway of the 102nd, Harden of the 148th, Epps of the 144th, Hightower of the 68th and others:

A BILL to be entitled an Act to amend Code Section 21-2-385 of the Official Code of Georgia Annotated, relating to procedure for voting by absentee ballot and advance voting, so as to revise the period of time for advance voting with regard to Saturday voting; 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 Harrell	Y Mitchell	Y Smith, L
Y Alexander	Y Cooper	Y Hatcher	Y Morris	Y Smith, M
Y Allison	Y Corbett	Y Hawkins	Y Mosby	Y Smith, R
Y Atwood	E Dawkins-Haigler	Y Henson	Y Nimmer	Y Smyre
Y Ballinger	Y Deffenbaugh	Y Hightower	Y Nix	Y Spencer
Y Barr	Y Dempsey	Y Hitchens	Y Oliver	Y Stephens, M
Y Battles	Y Dickerson	Y Holcomb	Y Pak	Y Stephens, R
E Beasley-Teague	Y Dickey	Y Holmes	Y Parrish	Y Stephenson
Y Belton	Y Dickson	Y Houston	Y Parsons	Y Stovall
E Bennett, K	Y Dollar	Y Howard	Y Peake	Y Stover
Y Bennett, T	Y Douglas	Y Hugley	Y Petrea	Y Strickland
Y Bentley	Y Drenner	Y Jackson	Y Pezold	Y Tankersley
Y Benton	Y Dudgeon	Y Jasperse	Y Pirkle	Y Tanner
Y Beskin	Y Dukes	Y Jones, J	Y Powell, A	Y Tarvin
Y Beverly	Dunahoo	Y Jones, J.B.	Y Powell, J	Y Taylor, D
Y Blackmon	E Duncan	Jones, L	Y Price	Taylor, T
Y Broadrick	Y Ealum	Y Jones, S	Y Prince	Y Teasley
Y Brockway	Y Efrstration	Y Jordan	Y Pruett	Thomas, A.M.
E Bruce	Ehrhart	Y Kaiser	Y Quick	Y Thomas, E
Y Bryant	Y England	Y Kelley	Y Raffensperger	Y Trammell
Y Buckner	Y Epps	Y Kendrick	E Rakestraw	Y Turner
Y Burns	Y Evans	Y Kidd	Y Ramsey	VACANT
Y Caldwell, J	Y Fleming	Y Kirby	Y Randall	Y Waites
Y Caldwell, M	Y Floyd	Y Knight	Y Reeves	Y Watson
Y Cantrell	Y Fludd	Y LaRiccica	Y Rhodes	Y Welch
Y Carson	Y Frazier	Y Lott	Y Rice	Y Weldon
Y Carter, A	Y Frye	Y Lumsden	Y Rogers, C	Y Werkheiser
Y Carter, D	Y Gardner	Y Mabra	Y Rogers, T	Y Wilkerson
Y Casas	Y Gasaway	Y Marin	Y Rutledge	Y Wilkinson
Y Chandler	Y Gilligan	E Martin	Y Rynders	Y Willard
Y Cheokas	Y Glanton	Y Maxwell	Y Scott	Y Williams, A
Y Clark, D	Y Golick	Y Mayo	Y Setzler	Y Williams, C
Y Clark, H	Y Gordon	Y McCall	Y Sharper	Y Williams, E
Y Clark, V	Y Gravley	Y McClain	Y Shaw	Y Williamson
Y Coleman	Y Greene	Y Meadows	Y Sims	Y Yates
Y Cooke	Y Harden	Y Metze	Y Smith, E	Ralston, Speaker

On the passage of the Bill, the ayes were 166, nays 0.

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

The following communications were received:

House of Representatives  
Coverdell Legislative Office Building, Room 511 B  
Atlanta, Georgia 30334

Would like to vote Yes on HB 772. Pushed Yes it did not register.

Also I made a mistake on HB 847. Wanted to vote No instead of Yes. Thank you.

/s/ Rep. "Able" Mable Thomas

House of Representatives  
Coverdell Legislative Office Building  
Room 401  
Atlanta, Georgia 30334

February 18, 2016

Ref: HB 777 and HB 772

Subject: Recording of Votes

To: Clerk's Office

Please record a "Yea" vote for HB 777 and HB 772. I was unable to cast a vote due to being called to the ropes by constituents.

Please do not hesitate to contact me should you require further information.

Sincerely,

/s/ Emory Dunahoo, Jr.  
Representative Emory Dunahoo Jr.  
District 30

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 876. By Representatives Pirkle of the 155th, McCall of the 33rd, England of the 116th, Powell of the 32nd, Frye of the 118th and others:

A BILL to be entitled an Act to amend Chapter 6 of Title 4 of the Official Code of Georgia Annotated, relating to livestock dealers and auctions, so as to update license and surety requirements of livestock dealers and livestock market operators; to provide for publication of duly licensed dealers and operators; to eliminate requirement for submission of certain reports; to correct cross-references and provide for uniformity; 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 Harrell	Y Mitchell	Y Smith, L
Y Alexander	Y Cooper	Y Hatcher	Y Morris	Y Smith, M
N Allison	Y Corbett	Y Hawkins	Y Mosby	Y Smith, R
Y Atwood	E Dawkins-Haigler	Henson	Y Nimmer	Y Smyre
Y Ballinger	Y Deffenbaugh	Y Hightower	Y Nix	Y Spencer
Y Barr	Y Dempsey	Y Hitchens	Y Oliver	Y Stephens, M
Y Battles	Y Dickerson	Y Holcomb	N Pak	Y Stephens, R
E Beasley-Teague	Y Dickey	Holmes	Y Parrish	Y Stephenson
Y Belton	Y Dickson	Y Houston	Y Parsons	Y Stovall
E Bennett, K	Y Dollar	Howard	Y Peake	N Stover
Y Bennett, T	Y Douglas	Y Hugley	Y Petrea	Y Strickland
Y Bentley	Y Drenner	Y Jackson	Y Pezold	Y Tankersley
Y Benton	Y Dudgeon	Y Jasperse	Y Pirkle	Y Tanner
Y Beskin	Y Dukes	Y Jones, J	Y Powell, A	Tarvin
Y Beverly	Y Dunahoo	Y Jones, J.B.	Y Powell, J	Y Taylor, D
Y Blackmon	E Duncan	Y Jones, L	Y Price	Y Taylor, T
Y Broadrick	Y Ealum	Y Jones, S	Y Prince	Y Teasley
Y Brockway	Y Efration	Y Jordan	Y Pruett	Y Thomas, A.M.
E Bruce	Y Ehrhart	Y Kaiser	Y Quick	Y Thomas, E
Y Bryant	Y England	N Kelley	Y Raffensperger	Y Trammell
Y Buckner	Y Epps	Y Kendrick	E Rakestraw	Y Turner
Y Burns	Y Evans	Y Kidd	Y Ramsey	VACANT
Y Caldwell, J	Y Fleming	Y Kirby	Y Randall	Y Waites
Y Caldwell, M	Y Floyd	Y Knight	Y Reeves	Y Watson
Y Cantrell	Y Fludd	Y LaRiccica	Y Rhodes	Y Welch
Y Carson	Frazier	Y Lott	Y Rice	Y Weldon
Y Carter, A	Y Frye	Y Lumsden	Y Rogers, C	Y Werkheiser
Y Carter, D	Y Gardner	Y Mabra	Y Rogers, T	Y Wilkerson
Y Casas	Y Gasaway	Y Marin	Y Rutledge	Y Wilkinson
Y Chandler	Y Gilligan	E Martin	Y Rynders	Y Willard
Y Cheokas	Y Glanton	Y Maxwell	Y Scott	Y Williams, A
Y Clark, D	Y Golick	Y Mayo	Y Setzler	Y Williams, C
Y Clark, H	Y Gordon	Y McCall	Y Sharper	Y Williams, E
Y Clark, V	Y Gravley	Y McClain	Y Shaw	Y Williamson
Y Coleman	Y Greene	Y Meadows	Y Sims	Y Yates
Y Cooke	Y Harden	Y Metze	Y Smith, E	Ralston, Speaker

On the passage of the Bill, the ayes were 162, nays 4.

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

HB 676. By Representative Brockway of the 102nd:

A BILL to be entitled an Act to amend Chapter 29 of Title 50 of the Official Code of Georgia Annotated, relating to information technology, so as to provide for the submission of business cases in certain circumstances; to

provide for change management requirements for certain projects; to provide for legislative intent and findings; to provide a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED  
AN ACT

To amend Chapter 29 of Title 50 of the Official Code of Georgia Annotated, relating to information technology, so as to provide for the submission of business cases in certain circumstances; to provide for change management requirements for certain projects; to provide for legislative intent and findings; to provide a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

This Act shall be known and may be cited as the "Accountability, Change Management, and Process Improvement Act of 2016."

**SECTION 2.**

Chapter 29 of Title 50 of the Official Code of Georgia Annotated, relating to information technology, is amended by revising Code Section 50-29-3, which was previously reserved, as follows:

"50-29-3.

~~Reserved~~ (a) The General Assembly finds that:

(1) As Georgia's state government seeks to provide improved service at a lower cost to its citizens and technology continues to play an increased role in service delivery, the pace of change for state agencies, boards, authorities, and commissions will continue to increase;

(2) Programs that involve significant expenditures or major changes for large numbers of Georgia residents should each be backed by a strong business case at its launch;

(3) Research has consistently shown that projects with effective change management programs are significantly more likely to be successful than projects with little or no change management programs and are significantly more likely to come in on time and on or under budget; and

(4) Leading private businesses have grown and regularly utilize change management services to ensure that technological, organizational, and other changes are effectively implemented.

(b)(1) All state agencies, boards, authorities, and commissions of the executive branch of state government shall provide a written business case for every information

technology project that exceeds \$1 million in value. Such business case shall include at a minimum:

(A) A description of the business need for the project;

(B) A budget for the project;

(C) An estimate of its operational impacts;

(D) A scan of available options to meet the business need;

(E) An outline of the benefits of a successful implementation to the citizens of Georgia and an outline with time frames of anticipated benefits;

(F) An analysis of the risks of not acting and how the proposed solutions will mitigate those risks; and

(G) An assessment of business process improvement, the need for process improvement, and corresponding change management.

(2) Written business cases for covered projects shall be provided to the Georgia Technology Authority at least 30 days prior to the request of any state funds or the issuance of any procurement documents for the project. The Georgia Technology Authority shall consult with the Department of Administrative Services and report to the Governor's Office of Planning and Budget on findings and recommendations.

(c)(1) All state agencies, boards, authorities, and commissions of the executive branch of state government shall provide for a change management plan and resources necessary for plan execution for projects that exceed \$1 million in value, projects that directly involve two or more state agencies, or service delivery changes in existing programs that significantly change existing business processes.

(2) A change management plan and execution shall, at a minimum, incorporate:

(A) A stakeholder analysis covering all impacted parties, including impacted groups, number of stakeholders impacted, type and degree of impact, and like areas and degree of resistance;

(B) A change risk assessment;

(C) Primary sponsors for the change program;

(D) A change management program approach; and

(E) A change management work plan for communication, coaching, training, sponsorship, and resistance management.

(3) It is the intent of the General Assembly that agencies shall seek best practices with private or public sector experts when appropriate to develop and implement change management plans. Change management consulting should be independent of project implementation, and no consultant shall provide change management services on a project for which they are also providing implementation services.

(4) Written change management plans for covered projects shall be delivered to the Governor's Office of Planning and Budget and the Georgia Technology Authority."

### **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 Harrell	Y Mitchell	Y Smith, L
Y Alexander	Y Cooper	Y Hatchett	Y Morris	Y Smith, M
Y Allison	Y Corbett	Y Hawkins	Y Mosby	Y Smith, R
Y Atwood	E Dawkins-Haigler	Y Henson	Y Nimmer	Y Smyre
Y Ballinger	Y Deffenbaugh	Y Hightower	Y Nix	Y Spencer
Y Barr	Y Dempsey	Y Hitchens	Y Oliver	Y Stephens, M
Y Battles	Y Dickerson	Y Holcomb	Y Pak	Y Stephens, R
E Beasley-Teague	Y Dickey	Y Holmes	Y Parrish	Y Stephenson
Y Belton	Y Dickson	Y Houston	Y Parsons	Y Stovall
E Bennett, K	Y Dollar	Y Howard	Y Peake	Y Stover
Y Bennett, T	Y Douglas	Y Hugley	Y Petrea	Y Strickland
Y Bentley	Y Drenner	Y Jackson	Y Pezold	Y Tankersley
Y Benton	Y Dudgeon	Y Jasperse	Y Pirkle	Y Tanner
Y Beskin	Y Dukes	Y Jones, J	Y Powell, A	Y Tarvin
Y Beverly	Y Dunahoo	Y Jones, J.B.	Y Powell, J	Y Taylor, D
Y Blackmon	E Duncan	Y Jones, L	Y Price	Y Taylor, T
Y Broadrick	Y Ealum	Y Jones, S	Y Prince	Y Teasley
Y Brockway	Y Efrstration	Y Jordan	Y Pruet	Y Thomas, A.M.
E Bruce	Y Ehrhart	Y Kaiser	Y Quick	Y Thomas, E
Y Bryant	Y England	Y Kelley	Y Raffensperger	Y Trammell
Y Buckner	Y Epps	Y Kendrick	E Rakestraw	E Turner
Y Burns	Y Evans	Y Kidd	Y Ramsey	VACANT
Y Caldwell, J	Y Fleming	Y Kirby	Y Randall	Y Waites
Y Caldwell, M	Y Floyd	Y Knight	Y Reeves	Y Watson
Y Cantrell	Y Fludd	Y LaRiccica	Y Rhodes	Y Welch
Y Carson	Y Frazier	Y Lott	Y Rice	Y Weldon
Y Carter, A	Y Frye	Y Lumsden	Y Rogers, C	Y Werkheiser
Y Carter, D	Y Gardner	Y Mabra	Y Rogers, T	Y Wilkerson
Y Casas	Y Gasaway	Y Marin	Y Rutledge	Y Wilkinson
Y Chandler	Y Gilligan	E Martin	Y Rynders	Y Willard
Y Cheokas	Y Glanton	Y Maxwell	Y Scott	Y Williams, A
Y Clark, D	Y Golick	Y Mayo	Y Setzler	Y Williams, C
Y Clark, H	Y Gordon	Y McCall	Y Sharper	Y Williams, E
Y Clark, V	Y Gravley	Y McClain	Y Shaw	Y Williamson
Y Coleman	Y Greene	Y Meadows	Y Sims	Y Yates
Y Cooke	Y Harden	Y Metze	Y Smith, E	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.

The following member was recognized during the period of Evening Orders and addressed the House:

Representative Jordan of the 77th.

Pursuant to HR 1204, the House commended the Miss Georgia Peach Scholarship Pageant and congratulated the 2015 Georgia Peach Queens.

The following Resolutions of the House were read and adopted:

HR 1401. By Representatives Williams of the 119th, England of the 116th, McCall of the 33rd, Watson of the 172nd, Coleman of the 97th and others:

A RESOLUTION recognizing February 23, 2016, as Future Farmers of America Day at the state capitol; and for other purposes.

HR 1402. By Representatives Cooper of the 43rd, Clark of the 101st, Sims of the 123rd, Frazier of the 126th, Yates of the 73rd and others:

A RESOLUTION commending Georgia CORE and recognizing March 2, 2016, as Georgia CORE Day at the state capitol; and for other purposes.

HR 1403. By Representatives Raffensperger of the 50th, Dudgeon of the 25th, Willard of the 51st and Jones of the 47th:

A RESOLUTION commending the City of Johns Creek on its 10th anniversary, and being one of Georgia's newest cities, established as of December 1, 2006; and for other purposes.

HR 1404. By Representatives Corbett of the 174th, Carter of the 175th, Shaw of the 176th, Watson of the 172nd, Rhodes of the 120th and others:

A RESOLUTION commending the Clinch County Panthers football team on winning the 2015 Class A state championship; and for other purposes.

HR 1405. By Representatives Cooper of the 43rd, Clark of the 101st, Howard of the 124th, Jones of the 47th, Ramsey of the 72nd and others:

A RESOLUTION commending those that support persons diagnosed and living with Type 1 Diabetes and recognizing February 23, 2016, as Type 1 Diabetes Day at the state capitol; and for other purposes.

HR 1406. By Representatives Williams of the 119th, Ralston of the 7th, Rhodes of the 120th, Quick of the 117th, Frye of the 118th and others:

A RESOLUTION recognizing and commending Coach Kirby Smart upon his selection as head coach of the University of Georgia football team; and for other purposes.

HR 1407. By Representatives Powell of the 32nd, Jasperse of the 11th and McCall of the 33rd:

A RESOLUTION congratulating Marcia L. Williams upon the grand occasion of her retirement; and for other purposes.

HR 1408. By Representatives Stovall of the 74th, Scott of the 76th, Douglas of the 78th, Mabra of the 63rd, Glanton of the 75th and others:

A RESOLUTION recognizing Ms. Rosalind Sconiers; and for other purposes.

HR 1409. By Representatives Stovall of the 74th, Jordan of the 77th, Scott of the 76th, Mabra of the 63rd and Glanton of the 75th:

A RESOLUTION commending Ms. Eloise Scott Archibald; and for other purposes.

HR 1410. By Representatives Cantrell of the 22nd, Ballinger of the 23rd, Turner of the 21st, Caldwell of the 20th and Carson of the 46th:

A RESOLUTION commending Dr. Susan Zinkil and congratulating her upon being named Georgia Middle School Principal of the Year; and for other purposes.

HR 1411. By Representatives Benton of the 31st and Quick of the 117th:

A RESOLUTION recognizing and commending Denise Wilbanks, Jackson County Comprehensive High School and Jackson County School System Teacher of the Year; and for other purposes.

HR 1412. By Representatives Belton of the 112th and Dickerson of the 113th:

A RESOLUTION recognizing Ms. Kristin Bagwell as Alcovy High School Teacher of the Year and Newton County School System Teacher of the Year for 2016; and for other purposes.

HR 1413. By Representatives Belton of the 112th and Dickerson of the 113th:

A RESOLUTION recognizing Mr. Bo Holder as South Salem Elementary Teacher of the Year and Newton County School System Elementary Teacher of the Year for 2016; and for other purposes.

HR 1414. By Representatives Benton of the 31st and Quick of the 117th:

A RESOLUTION commending Stephen Bowles, Jackson County Comprehensive High School's 2016 STAR Teacher; and for other purposes.

HR 1415. By Representatives Benton of the 31st and Quick of the 117th:

A RESOLUTION recognizing and commending Ms. Suzanne Slaughter, the 2015-2016 Jefferson Elementary School Teacher of the Year and the 2015-2016 Jefferson City School System Teacher of the Year; and for other purposes.

HR 1416. By Representatives Benton of the 31st and Quick of the 117th:

A RESOLUTION commending Dr. Fe Gladden, Heritage Academy's STAR Teacher; and for other purposes.

HR 1417. By Representative Belton of the 112th:

A RESOLUTION recognizing Ms. Melissa Brown as Morgan County Middle School Teacher of the Year and Morgan County School System Teacher of the Year for 2016; and for other purposes.

HR 1418. By Representatives Belton of the 112th and Dickerson of the 113th:

A RESOLUTION recognizing Ms. Amanda Angulo as Indian Creek Middle School Teacher of the Year and Newton County School System Middle School Teacher of the Year for 2016; and for other purposes.

HR 1419. By Representatives Carson of the 46th, Marin of the 96th, Williamson of the 115th, Meadows of the 5th, Wilkinson of the 52nd and others:

A RESOLUTION recognizing March 1, 2016, as Boy Scout Day at the state capitol; and for other purposes.

HR 1420. By Representatives Benton of the 31st and Quick of the 117th:

A RESOLUTION commending Jeanne Herriman, East Jackson Comprehensive High School's 2016 STAR Teacher; and for other purposes.

HR 1421. By Representatives Williamson of the 115th, Houston of the 170th, Jones of the 47th, Burns of the 159th, Sims of the 123rd and others:

A RESOLUTION honoring the life of John Phinizy Stevens; and for other purposes.

HR 1422. By Representatives Corbett of the 174th, Carter of the 175th, Shaw of the 176th, Watson of the 172nd, Rhodes of the 120th and others:

A RESOLUTION recognizing and commending Coach Jim Dickerson, Class A Coach of the Year; and for other purposes.

HR 1423. By Representatives Benton of the 31st and Quick of the 117th:

A RESOLUTION commending Courtney Holcombe, East Jackson Comprehensive High School's 2016 STAR Student; and for other purposes.

HR 1424. By Representatives Corbett of the 174th, Carter of the 175th, Shaw of the 176th, Watson of the 172nd, Rhodes of the 120th and others:

A RESOLUTION commending Chauncey Manac on his athletic accomplishments and congratulating him on signing a football scholarship with the University of Georgia; and for other purposes.

HR 1425. By Representative Scott of the 76th:

A RESOLUTION honoring the life and memory of Lillie Doris "Pie" Robinson-Stokes; and for other purposes.

HR 1426. By Representatives Tanner of the 9th, Epps of the 144th and Broadrick of the 4th:

A RESOLUTION commending Sierra Chafin, Emily Finesilver, Andrew Snider, Emily Smith, and Kelly White-Bryant of Lumpkin County High School; and for other purposes.

Representative Morris of the 156th District, Chairman of the Committee on Banks and Banking, submitted the following report:

Mr. Speaker:

Your Committee on Banks and Banking 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 283      Do Pass

Respectfully submitted,  
/s/ Morris of the 156th  
Chairman

Representative Martin of the 49th District, Chairman of the Committee on Budget and Fiscal Affairs Oversight, submitted the following report:

Mr. Speaker:

Your Committee on Budget and Fiscal Affairs Oversight 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 851      Do Pass, by Substitute

Respectfully submitted,  
/s/ Martin of the 49th  
Chairman

Representative Fleming of the 121st District, Vice-Chairman of the Committee on Judiciary, submitted the following report:

Mr. Speaker:

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

HB 171      Do Pass, by Substitute  
HB 381      Do Pass, by Substitute

Respectfully submitted,  
/s/ Fleming of the 121st  
Vice-Chairman

Representative Sims of the 123rd District, Chairman of the Committee on State Properties, submitted the following report:

Mr. Speaker:

Your Committee on State Properties has had under consideration the following Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 868      Do Pass

Respectfully submitted,  
/s/ Sims of the 123rd  
Chairman

Representative Powell of the 171st District, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. Speaker:

Your Committee on Ways and Means has had under consideration the following Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 923      Do Pass, by Substitute

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

Representative Burns of the 159th moved that the House stand in recess until 4:00 o'clock, P.M., at which time the House will stand adjourned until 10:00 o'clock, tomorrow morning.

The Speaker announced the House in recess until 4:00 o'clock, P.M., at which time the House will stand adjourned until 10:00 o'clock, tomorrow morning.