

**Representative Hall, Atlanta, Georgia**

**Monday, February 22, 2016**

**Twenty-Fifth Legislative Day**

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

The following communication was received:

**OFFICIAL OATH OF GEORGIA STATE REPRESENTATIVE**

**HOUSE DISTRICT 58  
GEORGIA HOUSE OF REPRESENTATIVES**

I do solemnly swear or affirm that I will support the Constitution of this State and of the United States and, on all questions and measures which may come before me, I will so conduct myself as will, in my judgment, be most conducive to the interests and prosperity of this state.

I further swear or affirm that I am not the holder of any unaccounted for public money due this state or any political subdivision or authority thereof, that I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state, that I have been a resident of my district for the time required by the Constitution and the laws of this state, and that I am otherwise qualified to hold said office according to the Constitution and laws of Georgia.

SO HELP ME GOD.

**LOYALTY OATH**

I am a citizen of the State of Georgia and a member of the General Assembly and the recipient of public funds for services rendered as such officer and I do hereby solemnly swear and affirm that I will support the Constitution of the United States and the Constitution of Georgia.

SO HELP ME GOD.

/s/ Park Cannon  
STATE REPRESENTATIVE

Sworn to and subscribed before me,

This 22nd day of February, 2016.

/s/ Kimberly M. Esmond Adams  
 Judge, Superior Court of Georgia,  
 Atlanta Judicial Circuit

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

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

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

Representatives Allison of the 8th, Brockway of the 102nd, Casas of the 107th, Cooke of the 18th, Dunahoo of the 30th, Floyd of the 99th, Jordan of the 77th, Mosby of the 83rd, Stephenson of the 90th, Stover of the 71st, and Williams of the 168th.

They wished to be recorded as present.

Prayer was offered by Reverend Mike Howard, Senior Pastor, Glennville First Baptist Church, Glennville, Georgia.

The members pledged allegiance to the flag.

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

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

The Journal was confirmed.

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

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

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

HB 1053. By Representative Taylor of the 173rd:

A BILL to be entitled an Act to amend an Act creating a new board of education of Grady County, approved March 5, 1968 (Ga. L. 1968, p. 2120), as amended, so as to provide that members of the board of education shall be elected on a nonpartisan basis; to provide for continuation in office of current members of the board; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination.

HB 1054. By Representatives Drenner of the 85th and Henson of the 86th:

A BILL to be entitled an Act to amend Article 1A of Chapter 36 of Title 36 of the Official Code of Georgia Annotated, relating to annexation by local Act of the General Assembly, so as to provide for additional requirements and procedures for legislative annexations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

HB 1055. By Representatives Willard of the 51st, Smith of the 134th, Hugley of the 136th, Hatchett of the 150th and Spencer of the 180th:

A BILL to be entitled an Act to amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to repeal the Certificate of Need program; to amend other provisions in various titles of the Official Code of Georgia Annotated for purposes of conformity; to provide for legislative findings and intent; to amend Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to regulation of hospitals and related institutions, so as to provide that certain requirements relating to charity and indigent care previously imposed as a condition for a certificate of need are imposed as a condition of licensure; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

HB 1056. By Representative Jasperse of the 11th:

A BILL to be entitled an Act to amend an Act creating the Pickens County Airport Authority, approved April 19, 2006 (Ga. L. 2006, p. 3645), so as to reduce the number of members; to revise the appointment and qualifications of members; to revise the election of chairperson; to revise terms by which a vacancy on the authority shall exist; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 1057. By Representatives Fludd of the 64th and Prince of the 127th:

A BILL to be entitled an Act to amend Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to special license plates promoting certain beneficial projects, causes, agencies, or nonprofit corporations, so as

to establish a specialty license plate for Hampton University; to provide for related matters; to require a two-thirds' majority vote for passage in accordance with constitutional requirements; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Motor Vehicles.

HB 1058. By Representatives Price of the 48th, Hawkins of the 27th, Cooper of the 43rd, Dempsey of the 13th, Clark of the 101st and others:

A BILL to be entitled an Act to amend Chapters 17 and 22 of Title 31 and Code Section 24-12-21 of the O.C.G.A., relating to control of venereal disease, clinical laboratories, and the disclosure of AIDS confidential information, respectively, so as to revise various statutes relating to HIV and AIDS; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health & Human Services.

HB 1059. By Representatives Hitchens of the 161st, Powell of the 32nd, Tanner of the 9th, Lumsden of the 12th, Caldwell of the 131st and others:

A BILL to be entitled an Act to amend Titles 36 and 46 of the O.C.G.A., relating to local government and public utilities and public transportation, respectively, so as to provide for the creation, authority, powers, and membership of the Local Government 9-1-1 Authority; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Energy, Utilities & Telecommunications.

HB 1060. By Representatives Jasperse of the 11th, Meadows of the 5th, Powell of the 32nd, Ballinger of the 23rd, Hightower of the 68th and others:

A BILL to be entitled an Act to amend Part 3 of Article 4 of Chapter 11 of Title 16 of the O.C.G.A., relating to carrying and possession of firearms; to amend Article 3 of Chapter 5 of Title 17 of the O.C.G.A., relating to disposition of property seized; to amend Code Section 35-3-34 of the O.C.G.A., relating to disclosure and dissemination of criminal records to private persons and businesses, resulting responsibility and liability of issuing center, and provision of certain information to the FBI in conjunction with the National Instant Criminal Background Check System; to amend Chapter 1 of Title 51 of the O.C.G.A., relating to general provisions

regarding torts; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety & Homeland Security.

HB 1061. By Representatives Dickson of the 6th, Coleman of the 97th, Dudgeon of the 25th, Nix of the 69th, Clark of the 101st and others:

A BILL to be entitled an Act to amend Code Section 20-2-210 of the Official Code of Georgia Annotated, relating to annual performance evaluations, so as to provide for the composition of factors in annual evaluations for teachers of record, assistant principals, and principals; to provide for recommended practices for classroom and school observations for purposes of annual evaluations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

HB 1062. By Representatives Welch of the 110th and Clark of the 98th:

A BILL to be entitled an Act to amend Code Section 40-2-85.1 of the Official Code of Georgia Annotated, relating to special and distinctive license plates for veterans, so as to provide for a free special and distinctive vehicle license plate for military veterans who have received a Soldier's Medal; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Motor Vehicles.

HB 1063. By Representative Martin of the 49th:

A BILL to be entitled an Act to amend Code Section 44-5-60 of the Official Code of Georgia Annotated, relating to covenants running with the land, effect of zoning laws, covenants and scenic easements for public use, and renewal of certain covenants, so as to provide for renewal of covenants which restrict land to certain uses affecting planned subdivisions containing no fewer than 15 individual plots; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 1064. By Representatives Hitchens of the 161st, Welch of the 110th, Lumsden of the 12th, Tanner of the 9th and Taylor of the 79th:

A BILL to be entitled an Act to amend Chapter 2 of Title 35 of the Official Code of Georgia Annotated, relating to the Department of Public Safety, so as to revise provisions for the off-duty use of motor vehicles by certain law enforcement officers of the department relative to approved off-duty employment; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety & Homeland Security.

HB 1065. By Representatives Holcomb of the 81st, Caldwell of the 20th, Bennett of the 80th, Turner of the 21st, Frye of the 118th and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 28 of the Official Code of Georgia Annotated, relating to general provisions relative to the General Assembly, so as to provide for rules of the House of Representatives and the Senate governing the submission of written or prerecorded audio-visual statements by members of the general public to standing committees regarding legislation in possession of such standing committees; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Rules.

HR 1427. By Representatives Rakestraw of the 19th, Maxwell of the 17th, Cooper of the 43rd, Rogers of the 29th, Taylor of the 79th and others:

A RESOLUTION creating the House Study Committee on Electronic Cigarettes, E-liquids, and Other Vapor Products; and for other purposes.

Referred to the Committee on Special Rules.

HR 1428. By Representatives Thomas of the 39th, Beskin of the 54th, Wilkerson of the 38th, Clark of the 98th, Thomas of the 56th and others:

A RESOLUTION creating the House Study Committee on Reducing the Caseloads of Foster Kids' Caseworkers; and for other purposes.

Referred to the Committee on Special Rules.

HR 1429. By Representatives Powell of the 32nd and Rogers of the 10th:

A RESOLUTION honoring the life of Mr. William Douglas "Billy" Dilworth and dedicating a road in his memory; and for other purposes.

Referred to the Committee on Transportation.

HR 1430. By Representative Buckner of the 137th:

A RESOLUTION honoring the life of Trooper Bobby Mathis and dedicating an intersection in his memory; and for other purposes.

Referred to the Committee on Transportation.

HR 1431. By Representatives Welch of the 110th, Douglas of the 78th, Scott of the 76th and Strickland of the 111th:

A RESOLUTION honoring the life of Mr. Martin Luther King, Sr., and dedicating a bridge in his memory; and for other purposes.

Referred to the Committee on Transportation.

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

HB 1072. By Representatives Coomer of the 14th, Abrams of the 89th, Rogers of the 29th, Blackmon of the 146th, Harden of the 148th and others:

A BILL to be entitled an Act to amend Code Section 20-3-374 of the Official Code of Georgia Annotated, relating to service cancelable loan fund and authorized types of service cancelable educational loans financed by state funds and issued by the Georgia Student Finance Authority, so as to remove ineligibility for such loans for members of the Georgia National Guard also receiving HOPE scholarship or HOPE grant funds; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Higher Education.

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

HB 1044

HB 1046

HB 1048

HB 1050

HB 1052

SB 277

SB 314

HB 1045

HB 1047

HB 1049

HB 1051

HR 1400

SB 309

SB 329

Representative Smith of the 134th District, Chairman of the Committee on Insurance, submitted the following report:

Mr. Speaker:

Your Committee on Insurance 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 838 Do Pass, by Substitute  
HB 943 Do Pass

Respectfully submitted,  
/s/ Smith of the 134th  
Chairman

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

HOUSE RULES CALENDAR  
MONDAY, FEBRUARY 22, 2016

Mr. Speaker and Members of the House:

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

DEBATE CALENDAR

**Modified Open Rule**

HB 784 Insurance; advertising and promotional items not exceeding \$100 will not be considered an unfair trade practice; provide (Substitute) (Ins-Carson-46th)  
HB 831 "Protecting Guardmen's Employment Act"; enact (Substitute) (D&VA-Smyre-135th)  
HB 910 Health records; provisions relating to costs of copying and mailing patient records apply to psychiatric, psychological, and other mental health records; provide (H&HS-Frye-118th)  
HB 965 "The Honorable Jimmy Carter Cancer Treatment Access Act"; enact (Ins-Cheokas-138th)

**Modified Structured Rule**

HB 808 Courts; Judicial Qualifications Commission; create (Substitute)  
(Judy-Willard-51st)

**Pursuant to House Rule 33.3, debate shall be limited to one hour on HB 859.  
Time to be allocated at the discretion of the Speaker**

HB 859 Firearms; weapons carry license holders; carrying and possession of certain  
weapons in certain buildings or real property owned or leased to public  
institutions of postsecondary education; authorize (Substitute)  
(PS&HS-Jasperse-11th)

HB 903 Labor and industrial relations; employment security; prevent fraud and  
abuse of the Unemployment Trust Fund (I&L-Strickland-111th)

HB 904 Labor and industrial relations; employment security; change certain  
contribution rates and credits (I&L-Strickland-111th)

HR 1113 Judicial Qualifications Commission; create - CA (Substitute)  
(Judy-Willard-51st)

**Structured Rule**

HB 763 Sales and use tax; exemption regarding certain food and food ingredients;  
remove sunset (Substitute)(W&M-Houston-170th)

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 bill of the  
Senate:

SB 370. By Senators Martin of the 9th, McKoon of the 29th, Millar of the 40th, Crane  
of the 28th and Shafer of the 48th:

A BILL to be entitled an Act to amend Code Section 15-6-50 of the Official Code of Georgia Annotated, relating to the superior court clerk's term of office and training requirements, so as to change provisions relating to the sponsor of training requirements; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

HB 839. By Representatives Hatchett of the 150th and Epps of the 144th:

A BILL to be entitled an Act to amend an Act providing a charter for the City of East Dublin, approved April 9, 1981 (Ga. L. 1981, p. 4645), as amended, particularly by an Act approved May 5, 2006 (Ga. L. 2006, p. 4402), so as to change the corporate limits of the city; to repeal conflicting laws; and for other purposes.

HB 867. By Representatives Taylor of the 173rd, Carter of the 175th, Watson of the 172nd and Burke of the 11th:

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

HB 880. By Representatives Spencer of the 180th and Corbett of the 174th:

A BILL to be entitled an Act to amend an Act providing for a new charter for the City of St. Marys, Georgia, approved April 9, 1981 (Ga. L. 1981, p. 4763), as amended, so as to provide for the manner of election of the mayor and council; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

HB 757. By Representatives Tanner of the 9th, Nix of the 69th, Battles of the 15th, Powell of the 171st, Hatchett of the 150th and others:

A BILL to be entitled an Act to protect religious freedoms; to amend Chapter 3 of Title 19 of the Official Code of Georgia Annotated, relating to marriage generally, so as to provide that religious officials shall not be required to

perform marriage ceremonies in violation of their legal right to free exercise of religion; to amend Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to selling and other trade practices, so as to change certain provisions relating to days of rest for employees of business and industry; to protect property owners which are religious institutions against infringement of religious freedom; to define a term; to provide an effective date; to repeal conflicting laws; and for other purposes.

By unanimous consent, the following Bill of the Senate was read the first time and referred to the Committee:

SB 370. By Senators Martin of the 9th, McKoon of the 29th, Millar of the 40th, Crane of the 28th and Shafer of the 48th:

A BILL to be entitled an Act to amend Code Section 15-6-50 of the Official Code of Georgia Annotated, relating to the superior court clerk's term of office and training requirements, so as to change provisions relating to the sponsor of training requirements; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

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

Representatives Cheokas of the 138th, Stovall of the 74th, Stephens of the 164th, Chandler of the 105th, and Sharper of the 177th et al.

Pursuant to HR 1390, the House recognized February 22, 2016, as Clark Atlanta University Day at the state capitol.

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

HB 763. By Representatives Houston of the 170th, Harrell of the 106th, Knight of the 130th, Carter of the 175th, Nimmer of the 178th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding the state sales and use tax, so as to remove the sunset for the exemption regarding certain food and food ingredients; 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 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding the state sales and use tax, so as to extend the sunset period for the exemption of the sale of food and food ingredients to qualified food banks and for the use of food and food ingredients donated to qualified nonprofit agencies; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding the state sales and use tax, is amended by revising paragraphs (57.1) and (57.2) of Code Section 48-8-3, relating to exemptions from state sales and use taxes, as follows:

"(57.1)(A) From July 1, 2014, until June 30, ~~2016~~ 2021, sales of food and food ingredients to a qualified food bank.

(B) As used in this paragraph, the term 'qualified food bank' means any food bank which is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code and which is operated primarily for the purpose of providing hunger relief to low income persons residing in this state.

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

~~(C)~~(D) The commissioner is authorized to promulgate rules and regulations deemed necessary in order to administer and effectuate this paragraph;

(57.2)(A) For the period commencing July 1, 2015, and ending on June 30, ~~2020~~ 2021, the use of food and food ingredients which is donated to a qualified nonprofit agency and which is used for hunger relief purposes.

(B) As used in this paragraph, the term 'qualified nonprofit agency' means any entity which is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code and which provides hunger relief.

(C) For the purposes of this paragraph, the term 'food and food ingredients' as defined in Code Section 48-8-2 shall not include drugs or over-the-counter drugs.

(D) The commissioner is authorized to promulgate rules and regulations deemed necessary in order to administer and effectuate this paragraph;"

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

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

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

HB 808. By Representatives Willard of the 51st, Jones of the 47th, Burns of the 159th, Oliver of the 82nd, Meadows of the 5th and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to courts, so as to create a new Judicial Qualifications Commission; to provide for the powers, composition, and appointment of such commission; to amend Code Section 50-14-3 of the Official Code of Georgia Annotated, relating to certain proceedings exempted from open meetings requirements, so as to remove any exemptions for meetings of the Judicial Qualifications Commission; to provide effective dates; to provide for contingent automatic repeal; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED  
AN ACT

To amend Chapter 1 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to courts, so as to create a new Judicial Qualifications Commission; to provide for the powers, composition, and appointment of such commission; to provide for a commission member's term; to amend Code Section 50-14-3 of the Official Code of Georgia Annotated, relating to certain proceedings exempted from open meetings requirements, so as to remove any exemptions for meetings of the Judicial Qualifications Commission; to provide effective dates; to provide for contingent automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Chapter 1 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to courts, is amended by adding a new Code section to read as follows:

"15-1-12.1.

(a) Pursuant to Paragraph VI of Section VII of Article VI of the Constitution, there is hereby created the Judicial Qualifications Commission, which shall have the power to discipline, remove, and cause involuntary retirement of judges in accordance with said Paragraph.

(b) The commission shall consist of seven members, each of whom shall serve for a term of four years, as follows:

(1) Two judges of any court of record, selected by the Supreme Court;

(2) One member of the State Bar of Georgia who shall have been an active status member of the state bar for at least ten years and who shall be appointed by the Governor;

(3) One member of the State Bar of Georgia who shall have been an active status member of the state bar for at least ten years and who shall be appointed by the Speaker of the House of Representatives;

(4) One member of the State Bar of Georgia who shall have been an active status member of the state bar for at least ten years and who shall be appointed by the President of the Senate; and

(5) Two citizens, neither of whom shall be a member of the State Bar of Georgia, who shall be appointed by the Governor.

(c) The commission may adopt procedures for its own governance which are not otherwise provided by the Constitution."

#### **SECTION 2.**

Code Section 50-14-3 of the Official Code of Georgia Annotated, relating to certain proceedings exempted from open meetings requirements, is amended by adding a new subsection to read as follows:

"(c) The exemptions provided by subsections (a) and (b) of this Code section shall not apply to meetings of the Judicial Qualifications Commission."

#### **SECTION 3.**

(a) Section 1 of this Act shall become effective on January 1, 2017, only if an amendment to the Constitution abolishing the existing Judicial Qualifications Commission and requiring the General Assembly to create and provide by general law for the composition and manner of appointment of a new Judicial Qualifications Commission, with such commission having the power to discipline, remove, and cause involuntary retirement of judges, is ratified by the voters at the November, 2016, state-wide general election. If such an amendment is not so ratified, then Section 1 of this Act shall not become effective and shall stand repealed on January 1, 2017.

(b) All other provisions of this Act shall become effective upon approval of this Act by the Governor or upon its becoming law without such approval.

#### **SECTION 4.**

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

Pursuant to Rule 133, Representative Atwood of the 179th was excused from voting on HB 808.

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

On the passage of the Bill, by substitute, the ayes were 123, nays 45.

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

HR 1113. By Representatives Willard of the 51st, Jones of the 47th, Burns of the 159th, Oliver of the 82nd, Meadows of the 5th and others:

A RESOLUTION proposing an amendment to the Constitution so as to abolish the existing Judicial Qualifications Commission; to require the General Assembly to create and provide by general law for the composition, manner of appointment, and governance of a new Judicial Qualifications Commission, with such commission having the power to discipline, remove, and cause involuntary retirement of judges; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

The following Committee substitute was read and adopted:

#### A RESOLUTION

Proposing an amendment to the Constitution so as to abolish the existing Judicial Qualifications Commission; to require the General Assembly to create and provide by general law for the composition, manner of appointment, and governance of a new Judicial Qualifications Commission, with such commission having the power to discipline, remove, and cause involuntary retirement of judges; to require the Judicial Qualifications Commission to have procedures that provide for due process of law; to provide for Supreme Court review of Judicial Qualifications Commission advisory opinions and procedures; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

#### SECTION 1.

Section VII of Article VI of the Constitution is amended by revising Paragraph VI as follows:

"Paragraph VI. *Judicial Qualifications Commission; power; composition.* (a) The General Assembly shall by general law create and provide for the composition, manner of appointment, and governance of a Judicial Qualifications Commission, with such commission having the power to discipline, remove, and cause involuntary retirement of judges as provided by this Article shall be vested in the Judicial Qualifications Commission. It shall consist of seven members, as follows:

- (1) ~~Two judges of any court of record, selected by the Supreme Court;~~
- (2) ~~Three members of the State Bar of Georgia who shall have been active status members of the state bar for at least ten years and who shall be elected by the board of governors of the state bar; and~~
- (3) ~~Two citizens, neither of whom shall be a member of the state bar, who shall be appointed by the Governor.~~

(b) The procedures of the Judicial Qualifications Commission shall comport with due process. Such procedures and advisory opinions issued by the Judicial Qualifications Commission shall be subject to review by the Supreme Court.

(c) The Judicial Qualifications Commission which existed on December 31, 2016, is hereby abolished."

**SECTION 2.**

The above proposed amendment to the Constitution shall be published and submitted as provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the above proposed amendment shall have written or printed thereon the following:

"( ) YES Shall the Constitution of Georgia be amended so as to abolish the  
 ( ) NO existing Judicial Qualifications Commission; require the General Assembly to create and provide by general law for the composition, manner of appointment, and governance of a new Judicial Qualifications Commission, with such commission having the power to discipline, remove, and cause involuntary retirement of judges; and require the Judicial Qualifications Commission to have procedures that provide for due process of law and review by the Supreme Court of its advisory opinions?"

All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes." All persons desiring to vote against ratifying the proposed amendment shall vote "No." If such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall become a part of the Constitution of this state.

Pursuant to Rule 133, Representative Atwood of the 179th was excused from voting on HR 1113.

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

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

N Abrams	Y Cooke	Y Harden	Y Metze	N Smith, E
N Alexander	Y Coomer	Y Harrell	Y Mitchell	Y Smith, L
Y Allison	Y Cooper	Y Hatchett	Y Morris	N Smith, M
Atwood	Y Corbett	Y Hawkins	N Mosby	Y Smith, R
Y Ballinger	N Dawkins-Haigler	N Henson	Y Nimmer	N Smyre
Y Barr	Y Deffenbaugh	E Hightower	Y Nix	Y Spencer
Y Battles	Y Dempsey	Y Hitchens	Y Oliver	N Stephens, M
N Beasley-Teague	N Dickerson	Y Holcomb	Y Pak	Y Stephens, R
Y Belton	Y Dickey	Y Holmes	Y Parrish	Stephenson
E Bennett, K	Y Dickson	Y Houston	Y Parsons	Y Stovall
Y Bennett, T	Y Dollar	N Howard	Y Peake	N Stover
Bentley	N Douglas	N Hugley	Y Petrea	Y Strickland
Y Benton	Y Drenner	N Jackson	Y Pezold	Y Tankersley
Y Beskin	Y Dudgeon	Y Jasperse	Y Pirkle	Y Tanner
N Beverly	N Dukes	Y Jones, J	Y Powell, A	Y Tarvin
Y Blackmon	Y Dunahoo	Y Jones, J.B.	Y Powell, J	Y Taylor, D

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

On the adoption of the Resolution, by substitute, the ayes were 125, nays 43.

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

HB 965. By Representatives Cheokas of the 138th, Burns of the 159th, Smyre of the 135th, Dawkins-Haigler of the 91st, Greene of the 151st and others:

A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to general insurance provisions, so as to provide that no health benefit plan shall require an insured to fail to successfully respond to a drug or drugs for stage four advanced, metastatic cancer prior to the approval of a drug prescribed by his or her physician; to provide for definitions; to provide for a short title; to provide for legislative findings and intent; 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 Cooke	Y Harden	Y Metze	Y Smith, E
Y Alexander	Y Coomer	Y Harrell	Y Mitchell	Smith, L
Y Allison	Y Cooper	Y Hatcher	Y Morris	Y Smith, M
Y Atwood	Y Corbett	Y Hawkins	Y Mosby	Y Smith, R
Y Ballinger	Y Dawkins-Haigler	Y Henson	Y Nimmer	Y Smyre
Y Barr	Y Deffenbaugh	E Hightower	Y Nix	Spencer

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

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

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

HB 910. By Representatives Frye of the 118th, Fleming of the 121st, Kelley of the 16th, Mabra of the 63rd, Weldon of the 3rd and others:

A BILL to be entitled an Act to amend Chapter 33 of Title 31 of the Official Code of Georgia Annotated, relating to health records, so as to provide that provisions relating to the costs of copying and mailing patient records apply to psychiatric, psychological, and other mental health records; 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 Cooke	Y Harden	Y Metze	Y Smith, E
Y Alexander	Y Coomer	Y Harrell	Y Mitchell	N Smith, L
Y Allison	Y Cooper	Y Hatchett	Y Morris	Y Smith, M
Y Atwood	Y Corbett	Y Hawkins	Y Mosby	Y Smith, R
Y Ballinger	Y Dawkins-Haigler	Y Henson	Y Nimmer	Y Smyre
Y Barr	Y Deffenbaugh	E Hightower	Y Nix	Y Spencer
Y Battles	Y Dempsey	Y Hitchens	Y Oliver	Y Stephens, M
Y Beasley-Teague	Y Dickerson	Y Holcomb	Y Pak	Y Stephens, R
Y Belton	Y Dickey	Holmes	Y Parrish	Stephenson
E Bennett, K	Y Dickson	Y Houston	Y Parsons	Y Stovall
Y Bennett, T	Y Dollar	Y Howard	Y Peake	Y Stover
Y Bentley	Y Douglas	Y Hugley	Y Petrea	Y Strickland
Y Benton	Y Drenner	Y Jackson	Y Pezold	Y Tankersley
Y Beskin	Y Dudgeon	Y Jasperse	Y Pirkle	Y Tanner
Y Beverly	Y Dukes	Jones, J	Y Powell, A	Y Tarvin
Y Blackmon	Y Dunahoo	Y Jones, J.B.	Y Powell, J	Y Taylor, D
Y Broadrick	Y Duncan	Y Jones, L	Y Price	Y Taylor, T
Y Brockway	Y Ealum	Y Jones, S	Y Prince	Teasley
Y Bruce	Y Efstration	Y Jordan	Y Pruet	Y Thomas, A.M.
E Bryant	Y Ehrhart	Y Kaiser	Y Quick	Y Thomas, E
Y Buckner	Y England	Y Kelley	Y Raffensperger	Y Trammell
Y Burns	Y Epps	Kendrick	Y Rakestraw	Turner
Y Caldwell, J	Y Evans	Y Kidd	Y Ramsey	Y Waites
Y Caldwell, M	Y Fleming	Y Kirby	Y Randall	Y Watson
Y Cannon	Y Floyd	Y Knight	Y Reeves	Y Welch
Y Cantrell	Y Fludd	Y LaRiccia	Y Rhodes	E Weldon
Y Carson	Y Frazier	Y Lott	Y Rice	Y Werkheiser
Y Carter, A	Y Frye	Y Lumsden	Y Rogers, C	Y Wilkerson
Y Carter, D	Y Gardner	Y Mabra	Y Rogers, T	Y Wilkinson
Y Casas	Y Gasaway	Y Marin	Y Rutledge	Y Willard
Y Chandler	Y Gilligan	Y Martin	Y Rynders	Y Williams, A
Y Cheokas	E Glanton	Y Maxwell	Y Scott	Y Williams, C
Y Clark, D	Y Golick	Y Mayo	Y Setzler	Y Williams, E
Y Clark, H	E Gordon	Y McCall	Y Sharper	Y Williamson
Y Clark, V	Y Gravley	Y McClain	Y Shaw	Y Yates
Y Coleman	Y Greene	Y Meadows	Y Sims	Ralston, Speaker

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

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

HB 903. By Representatives Strickland of the 111th, Shaw of the 176th, Fleming of the 121st, Bryant of the 162nd and Kirby of the 114th:

A BILL to be entitled an Act to amend Article 4 of Chapter 8 of Title 34 of the Official Code of Georgia Annotated, relating to disclosure of records relative to employment security, so as to prevent fraud and abuse of the Unemployment Trust Fund by authorizing the Commissioner of Labor to submit to and receive from the state revenue commissioner certain information related to persons paying into or receiving funds from such fund; to provide penalties for the unlawful divulging of certain confidential

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

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

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

HB 904. By Representatives Strickland of the 111th, Shaw of the 176th, Fleming of the 121st, Bryant of the 162nd and Kirby of the 114th:

A BILL to be entitled an Act to amend Chapter 8 of Title 34 of the Official Code of Georgia Annotated, relating to employment security, so as to change certain contribution rates and credits; to change certain provisions relating to rate of employer contributions; to extend certain provisions relating to variations in the standard rate; to extend provisions relating to administrative assessments; to reduce the percentage of the administrative assessment to be assessed for a certain period; to provide exceptions; to change certain provisions relating to additional assessments for a new or newly covered employer; to extend the provision relating to automatic repeal; 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 Cooke	Y Harden	Y Metze	Y Smith, E
Y Alexander	Y Coomer	Y Harrell	Y Mitchell	Y Smith, L
Y Allison	Y Cooper	Y Hatchett	Y Morris	Y Smith, M
Y Atwood	Y Corbett	Y Hawkins	Y Mosby	Y Smith, R
Y Ballinger	Y Dawkins-Haigler	Y Henson	Y Nimmer	Y Smyre
Y Barr	Y Deffenbaugh	E Hightower	Y Nix	Y Spencer
Y Battles	Y Dempsey	Y Hitchens	Y Oliver	Y Stephens, M
Y Beasley-Teague	Y Dickerson	Y Holcomb	Y Pak	Y Stephens, R
Y Belton	Y Dickey	Y Holmes	Y Parrish	Stephenson
E Bennett, K	Y Dickson	Y Houston	Y Parsons	Y Stovall
Y Bennett, T	Y Dollar	Y Howard	Y Peake	Y Stover
Y Bentley	Y Douglas	Y Hugley	Y Petrea	Y Strickland
Y Benton	Y Drenner	Y Jackson	Y Pezold	Y Tankersley
Y Beskin	Y Dudgeon	Y Jasperse	Y Pirkle	Y Tanner
Y Beverly	Y Dukes	Y Jones, J	Y Powell, A	Y Tarvin
Y Blackmon	Y Dunahoo	Y Jones, J.B.	Y Powell, J	Y Taylor, D
Y Broadrick	Y Duncan	Y Jones, L	Y Price	Y Taylor, T
Y Brockway	Y Ealum	Y Jones, S	Y Prince	Y Teasley
Y Bruce	Y Efrstration	Y Jordan	Y Pruett	Y Thomas, A.M.
E Bryant	Y Ehrhart	Y Kaiser	Y Quick	Y Thomas, E
Y Buckner	Y England	Y Kelley	Y Raffensperger	Y Trammell
Y Burns	Y Epps	Y Kendrick	Y Rakestraw	Y Turner
Y Caldwell, J	Y Evans	Y Kidd	Y Ramsey	Y Waites
Y Caldwell, M	Y Fleming	Y Kirby	Y Randall	Y Watson
Y Cannon	Y Floyd	Y Knight	Y Reeves	Y Welch
Y Cantrell	Y Fludd	Y LaRiccica	Y Rhodes	E Weldon
Y Carson	Y Frazier	Y Lott	Y Rice	Y Werkheiser
Y Carter, A	Y Frye	Y Lumsden	Y Rogers, C	Y Wilkerson
Y Carter, D	Y Gardner	Y Mabra	Y Rogers, T	Y Wilkinson
Y Casas	Y Gasaway	Y Marin	Y Rutledge	Y Willard
Y Chandler	Y Gilligan	Y Martin	Y Rynders	Y Williams, A
Y Cheokas	E Glanton	Y Maxwell	Y Scott	Y Williams, C
Y Clark, D	Y Golick	Y Mayo	Y Setzler	Y Williams, E
Y Clark, H	E Gordon	Y McCall	Y Sharper	Y Williamson
Y Clark, V	Y Gravley	Y McClain	Y Shaw	Y Yates
Y Coleman	Y Greene	Y Meadows	Y Sims	Ralston, Speaker

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

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

The Speaker announced the House in recess until 1:15 o'clock, this afternoon.

**AFTERNOON SESSION**

The Speaker called the House to order.

The following Resolutions of the House were read and adopted:

HR 1463. By Representatives Thomas of the 39th, Bentley of the 139th, Evans of the 42nd, Wilkerson of the 38th, Deffenbaugh of the 1st and others:

A RESOLUTION recognizing Blah to Fierce Girls! and commending its founder, Ms. Shekina Moore; and for other purposes.

HR 1464. By Representatives Douglas of the 78th, Scott of the 76th, Jordan of the 77th, McClain of the 100th and Alexander of the 66th:

A RESOLUTION recognizing February 21, 2016, as Hair Loss Epidemic Summit Day in Georgia; and for other purposes.

HR 1465. By Representatives Dollar of the 45th, Cooper of the 43rd, Hatchett of the 150th and Ramsey of the 72nd:

A RESOLUTION recognizing February 21-27, 2016, as Eating Disorders Awareness Week at the capitol, in conjunction with the observance of National Eating Disorders Awareness Week; and for other purposes.

HR 1466. By Representatives Waites of the 60th, Fludd of the 64th, Jones of the 53rd, Thomas of the 56th and Metze of the 55th:

A RESOLUTION recognizing and commending Steven Lee; and for other purposes.

HR 1467. By Representatives Hugley of the 136th, Smyre of the 135th, Smith of the 134th, Buckner of the 137th and Pezold of the 133rd:

A RESOLUTION honoring the life and memory of Mrs. Dorothy Jean Rigby Aniton; and for other purposes.

HR 1468. By Representatives Martin of the 49th, Willard of the 51st, Jones of the 47th, Benton of the 31st, Petrea of the 166th and others:

A RESOLUTION commending Ms. Dorothy C. Benson as the Distinguished Older Georgian for 2016; and for other purposes

HR 1469. By Representatives Hugley of the 136th, Smyre of the 135th, Smith of the 134th, Buckner of the 137th and Pezold of the 133rd:

A RESOLUTION recognizing and commending Ms. A. Davita Bynam on the occasion of her retirement as Executive Director of the Columbus Community Center; and for other purposes.

HR 1470. By Representatives Carter of the 92nd, Dukes of the 154th, Thomas of the 56th, Abrams of the 89th, Hugley of the 136th and others:

A RESOLUTION recognizing and commending Mr. Henry "Hank" Thomas; and for other purposes.

HR 1471. By Representatives Coleman of the 97th, Casas of the 107th, Kaiser of the 59th, Clark of the 101st, Dickson of the 6th and others:

A RESOLUTION recognizing October 3-7, 2016, as Georgia Pre-K Week at the capitol; and for other purposes.

HR 1472. By Representatives Carter of the 92nd, Kaiser of the 59th, Abrams of the 89th, Hugley of the 136th, McClain of the 100th and others:

A RESOLUTION recognizing February 21-27, 2016, as National Entrepreneur Week at the state capitol; and for other purposes.

HR 1473. By Representatives Scott of the 76th, Waites of the 60th, Douglas of the 78th, Glanton of the 75th, Jordan of the 77th and others:

A RESOLUTION recognizing and commending Dr. Mohan Sadhasivan, Stockbridge High School's 2016 Teacher of the Year; and for other purposes.

HR 1474. By Representative Pirkle of the 155th:

A RESOLUTION recognizing and commending Turner County Sheriff Andy Hester; and for other purposes.

HR 1475. By Representatives Thomas of the 39th, Bentley of the 139th, Abrams of the 89th, Thomas of the 56th, Hugley of the 136th and others:

A RESOLUTION recognizing the month of July, 2016, as Fibroid Awareness Month at the state capitol; and for other purposes.

HR 1476. By Representatives Powell of the 32nd, Rice of the 95th, Burns of the 159th, Epps of the 144th, Battles of the 15th and others:

A RESOLUTION recognizing and commending Robert "Rob" G. Mikell, Esq.; and for other purposes.

HR 1477. By Representatives Scott of the 76th, Waites of the 60th, Douglas of the 78th, Glanton of the 75th, Jordan of the 77th and others:

A RESOLUTION recognizing and commending Ms. Stefanie Anderson, Clayton County Public Schools' 2015-2016 Teacher of the Year; and for other purposes.

HR 1478. By Representatives Scott of the 76th, Waites of the 60th, Douglas of the 78th, Glanton of the 75th, Jordan of the 77th and others:

A RESOLUTION recognizing and commending Shamika Randolph, Morrow Middle School's 2015-2016 Teacher of the Year; and for other purposes.

HR 1479. By Representatives Scott of the 76th, Waites of the 60th, Douglas of the 78th, Glanton of the 75th, Jordan of the 77th and others:

A RESOLUTION commending Mrs. Clae Andrew White, Jewell C. Anderson Elementary School's Teacher of the Year; and for other purposes.

HR 1480. By Representatives Scott of the 76th, Waites of the 60th, Douglas of the 78th, Glanton of the 75th, Jordan of the 77th and others:

A RESOLUTION recognizing and commending Mr. José M. Osorio, Roberta T. Smith Elementary School's 2015-2016 Teacher of the Year; and for other purposes.

HR 1481. By Representatives Jordan of the 77th, Scott of the 76th, Glanton of the 75th, Waites of the 60th, Douglas of the 78th and others:

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

HR 1482. By Representatives Jordan of the 77th, Scott of the 76th, Waites of the 60th, Douglas of the 78th, Epps of the 144th and others:

A RESOLUTION congratulating Mrs. Leola Wiggins Jordan on the grand occasion of her 90th birthday; and for other purposes.

HR 1483. By Representatives Jordan of the 77th, Stephens of the 165th, Gordon of the 163rd and Marin of the 96th:

A RESOLUTION commending Alpha Phi Alpha Fraternity, Inc., and the Georgia District Chapters and recognizing February 18, 2016, as Alpha Phi Alpha Day at the state capitol; and for other purposes.

HR 1484. By Representatives Scott of the 76th, Waites of the 60th, Douglas of the 78th, Glanton of the 75th, Jordan of the 77th and others:

A RESOLUTION recognizing and commending Mrs. Jamie Moser, Austin Road Elementary School's 2015-2016 Teacher of the Year; and for other purposes.

HR 1485. By Representatives Scott of the 76th, Waites of the 60th, Douglas of the 78th, Glanton of the 75th, Jordan of the 77th and others:

A RESOLUTION recognizing and commending Mrs. Ashantee Ervin, East Clayton Elementary School's 2015-2016 Teacher of the Year; 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 831. By Representatives Smyre of the 135th, Scott of the 76th, Hitchens of the 161st, Smith of the 134th, Abrams of the 89th and others:

A BILL to be entitled an Act to amend Part 4 of Article 3 of Chapter 2 of Title 38 of the Official Code of Georgia Annotated, relating to rights, privileges, and prohibitions for certain military personnel, so as to require that private employers reemploy certain members of any reserve component of the armed forces of the United States who have been discharged or suspended from employment by his or her employer due to being called into active state service; 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 Part 4 of Article 3 of Chapter 2 of Title 38 of the Official Code of Georgia Annotated, relating to rights, privileges, and prohibitions for certain military personnel,

so as to require that private employers reemploy certain members of the National Guard of another state who have been discharged or suspended from employment by his or her employer due to being called into active state service; 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 cited as the "Protecting Guardsmen's Employment Act."

**SECTION 2.**

Part 4 of Article 3 of Chapter 2 of Title 38 of the Official Code of Georgia Annotated, relating to rights, privileges, and prohibitions for certain military personnel, is amended by revising subsection (d) of Code Section 38-2-280, relating to reemployment in private industry, various types of absences, injunction to compel, and Attorney General's aid, as follows:

"(d) The benefits, rights, and privileges granted to persons in the military service by this Code section shall be extended to and be applicable to any person who is a member of the Georgia National Guard and who is called into active state service ~~pursuant to~~ by the commander-in-chief of such force for a purpose identified in subsection (a) or (b) of Code Section 38-2-6 or Code Section 38-2-6.1 or who has been called to state-sponsored active duty as part of the National Guard of another state by that state's Governor, and who because of such active state service is discharged by his or her employer or whose employment is suspended by his or her employer because of such active state service and who, being qualified to perform the duties of the position, makes application for reemployment or termination of the period of his or her suspension within ten days after such discharge or suspension. In the event that the member of the Georgia National Guard or a member of any other reserve component of the armed forces of the United States is serving in active state service at the time of receipt of notice of the discharge or suspension the aforesaid ten-day period within which application must be made shall not commence to run until the day next following the date of termination of such active state service."

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

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

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

HB 859. By Representatives Jasperse of the 11th, Ballinger of the 23rd, Meadows of the 5th, Powell of the 32nd, Hightower of the 68th 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 the carrying and possession of certain weapons by weapons carry license holders in or on certain buildings or real property owned by or leased to public institutions of postsecondary

education; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED  
AN ACT

To amend Part 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 the carrying and possession of handguns in certain manners by weapons carry license holders in certain buildings or on real property owned by or leased to public institutions of postsecondary education; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to carrying and possession of firearms, is amended in subsection (c) of Code Section 16-11-127.1, relating to carrying weapons within school safety zones, at school functions, or on a bus or other transportation furnished by a school, by deleting "or" at the end of paragraph (17), by replacing the period with "; or" at the end of paragraph (18), and by adding a new paragraph to read as follows:

"(19)(A) Any license holder when he or she is in any building or on real property owned by or leased to any public technical school, vocational school, college, or university, or other public institution of postsecondary education; provided, however, that such exception shall:

(i) Not apply to buildings or property used for athletic sporting events or student housing, including, but not limited to, fraternity and sorority houses;

(ii) Only apply to the carrying of handguns which a licensee is licensed to carry pursuant to subsection (h) of Code Section 16-11-126 and pursuant to Code Section 16-11-129; and

(iii) Only apply to the carrying of handguns which are concealed.

(B) As used in this paragraph, the term:

(i) 'Handgun' shall have the same meaning as provided for in Code Section 16-11-125.1.

(ii) 'Concealed' means carried in such a fashion that does not actively solicit the attention of others and prominently, openly, and intentionally displayed only for purposes of defense of self or others. Such term shall include, but not be limited to, carrying on one's person while such handgun is substantially, but not necessarily completely, covered by an article of clothing which is worn by such person, carrying within a bag of a nondescript nature which is being carried about

by such person, or carrying in any other fashion as to not be clearly discernible by the passive observation of others."

## SECTION 2.

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

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

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

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

On the passage of the Bill, by substitute, the ayes were 113, nays 59.

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

HB 784. By Representatives Carson of the 46th, Maxwell of the 17th and Lumsden of the 12th:

A BILL to be entitled an Act to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to provide that certain insurer advertising and promotional items not exceeding \$100.00 in value will not be considered an unfair trade practice or an unlawful inducement; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED  
AN ACT

To amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to provide that insurers and insurance producers may advertise or conduct certain promotional programs whereby certain items not to exceed a certain value may be provided and will not be considered an unfair trade practice or an unlawful inducement; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended in Code Section 33-6-4, relating to unfair trade practices, by revising subsection (a) and subparagraph (b)(8)(C) as follows:

"(a) As used in this Code section, the term ~~'policy'~~:

(1) 'Gift certificate' shall have the same meaning as provided in Code Section 10-1-393.

(2) 'Policy' means any insuring bond issued by an insurer.

(3) 'Store gift card' shall have the same meaning as provided in Code Section 10-1-393."

"(C) Nothing in subparagraphs (A) and (B) of this paragraph shall be construed as including within the definition of discrimination or rebates any of the following practices:

(i) In the case of any contract of life insurance or life annuity, paying bonuses to policyholders or otherwise abating their premiums in whole or in part out of surplus accumulated from nonparticipating insurance, provided that any bonuses

or abatement of premiums shall be fair and equitable to policyholders and for the best interest of the company and its policyholders;

(ii) In the case of life or accident and sickness insurance policies issued on the industrial debit or weekly premium plan, making allowance in an amount which fairly represents the saving in collection expense to policyholders who have continuously for a specified period made premium payments directly to an office of the insurer;

(iii) Making a readjustment of the rate of premium for a policy based on the loss or expense experienced at the end of the first or any subsequent policy year of insurance thereunder, which adjustment may be made retroactive only for the policy year;

(iv) Issuing life or accident and sickness insurance policies covering bona fide employees of the insurer at a rate less than the rate charged other persons in the same class;

(v) Issuing life or accident and sickness policies on a salary-saving, payroll deduction, preauthorized, postdated, automatic check, or draft plan at a reduced rate commensurate with the savings made by the use of such plan;

(vi) Paying commissions or other compensation to duly licensed agents or brokers or allowing or returning dividends, savings, or unabsorbed premium deposits to participating policyholders, members, or subscribers;

(vii) Paying by an insurance agent of part or all of the commissions on public insurance to a nonprofit association of insurance agents which is affiliated with a recognized state or national insurance agents' association, which commissions are to be used in whole or in part for one or more civic enterprises;

(viii) Paying for food or refreshments by an insurer or an agent, broker, or employee of an insurer for current or prospective clients during group sales presentations and group seminars, provided that no insurance or annuity applications or contracts are offered or accepted at such presentations or seminars;

~~or~~

(ix) Paying for business meals and entertainment by an insurer or an agent, broker, or employee of an insurer, agent, or broker for current or prospective clients; or

(x) Advertising or conducting promotional programs by insurers or insurance producers whereby prizes, goods, wares, store gift cards, gift certificates, sporting event tickets, or merchandise, not exceeding \$50.00 in value per customer in the aggregate in any one calendar year, are given to current or prospective customers; provided, however, that the giving of any item or items of value under this subsection shall not be contingent on the sale or renewal of a policy;"

## SECTION 2.

Said title is further amended by revising Code Section 33-9-36, relating to unauthorized premiums and unlawful inducements, as follows:

"33-9-36.

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

(1) 'Gift certificate' shall have the same meaning as provided in Code Section 10-1-393.

(2) 'Insurance' includes suretyship.

(3) 'Policy' includes bond.

(4) 'Store gift card' shall have the same meaning as provided in Code Section 10-1-393.

~~(a)~~(b) No broker or agent shall knowingly charge, demand, or receive a premium for any policy of insurance except in accordance with this chapter.

~~(b)~~(c) No insurer or employee of such insurer and no broker or agent shall pay, allow, or give, or offer to pay, allow, or give, directly or indirectly as an inducement to insurance or after insurance has been effected, any rebate, discount, abatement, credit, or reduction of the premium named in a policy of insurance, or any special favor or advantage in the dividends or other benefits to accrue on such policy of insurance, or any valuable consideration or inducement whatever, not specified in the policy of insurance, except to the extent provided for in an applicable filing. No insured named in a policy of insurance nor any employee of the insured shall knowingly receive or accept, directly or indirectly, any such rebate, discount, abatement, credit, or reduction of premium, or any special favor or advantage or valuable consideration or inducement.

~~(e)~~(d) Nothing in this Code section shall be construed as prohibiting the payment of commissions or other compensation to duly licensed agents and brokers, nor as prohibiting any insurer from allowing or returning to its participating policyholders, members, or subscribers dividends, savings, or unabsorbed premium deposits.

~~(d)~~ As used in this Code section the word 'insurance' includes suretyship and the word 'policy' includes bond.

(e) Nothing in this Code section shall be construed as prohibiting the payment for food or refreshments by an insurer or an agent, broker, or employee of an insurer for current or prospective clients during sales presentations and seminars, provided that no insurance or annuity applications or contracts are offered or accepted at such presentations or seminars.

(f) Nothing in this Code section shall be construed as prohibiting insurers or insurance producers from advertising or conducting promotional programs by insurers or insurance producers whereby prizes, goods, wares, store gift cards, gift certificates, sporting event tickets, or merchandise, not exceeding \$50.00 in value per customer in the aggregate in any one calendar year, are given to current or prospective customers; provided, however, that the giving of any item or items of value under this subsection shall not be contingent on the sale or renewal of a policy."

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

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

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

Representative Benton of the 31st District, Chairman of the Committee on Human Relations and Aging, submitted the following report:

Mr. Speaker:

Your Committee on Human Relations and Aging 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 934     Do Pass

Respectfully submitted,  
/s/ Benton of the 31st  
Chairman

Representative Burns of the 159th moved that the House do now adjourn until 10:00 o'clock, tomorrow morning, and the motion prevailed.

The Speaker announced the House adjourned until 10:00 o'clock, tomorrow morning.